

CHAPTER 65  
SB 105 – FINAL VERSION

03/14/13 0744s  
05/02/13 1410EBA

2013 SESSION

13-0944  
04/01

SENATE BILL **105**

AN ACT relative to disclosure of expert testimony in civil cases and relative to the recording of depositions.

SPONSORS: Sen. Soucy, Dist 18; Sen. Carson, Dist 14; Sen. Lasky, Dist 13; Sen. Boutin, Dist 16; Rep. Wall, Straf 6

COMMITTEE: Judiciary

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AMENDED ANALYSIS

This bill amends the requirements for disclosure for expert testimony in civil cases. This bill also allows a party to record a video deposition, provided the party indicates the intent to record the video deposition in the notice provided to the adverse party.

This bill is a request of the New Hampshire supreme court.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT                   relative to disclosure of expert testimony in civil cases and relative to the  
                                  recording of depositions.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           65:1 Disclosure of Expert Testimony in Civil Cases. Amend RSA 516:29-b, II(b) to read as  
2 follows:

3                   (b) The ***facts or*** data [~~or other information~~] considered by the witness in forming the  
4 opinions;

5           65:2 Depositions in Civil Cases; Notice. Amend RSA 517:4 to read as follows:

6           517:4 Notice. The party proposing to take a deposition shall cause a notice in writing, signed by  
7 a justice or notary, stating the day, hour, and place of taking the same, to be delivered to the adverse  
8 party, or one of them, or to be left at his ***or her*** abode, if either of such parties resides in this state,  
9 and within [~~twenty~~] **20** miles of the place of taking, or of the party taking the same, a reasonable  
10 time before the taking thereof. ***A party may, at such party's expense, record a video deposition***  
11 ***taken under this chapter, provided the party indicates the intent to record the video***  
12 ***deposition in the notice.***

13           65:3 Effective Date. This act shall take effect January 1, 2014.

14 Approved; June 6, 2013

15 Effective Date: January 1, 2014