

CHAPTER 194  
SB 198 – FINAL VERSION

5June2013... 1882h

2013 SESSION

13-1012  
04/09

SENATE BILL **198**

AN ACT relative to the authority of county correctional officers.

SPONSORS: Sen. Forrester, Dist 2; Sen. Carson, Dist 14; Sen. Boutin, Dist 16; Rep. Shurtleff, Merr 11; Rep. Chandler, Carr 1; Rep. J. MacKay, Merr 14

COMMITTEE: Public and Municipal Affairs

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AMENDED ANALYSIS

This bill authorizes the county commissioners to approve county transport and custody officers consisting of county department of corrections personnel.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the authority of county correctional officers.

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

1           194:1 New Subdivision; County Departments of Corrections; County Transport and Custody  
2 Officers; Powers and Duties. Amend RSA 30-B by inserting after section 24 the following new  
3 subdivision:

County Transport and Custody Officers

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5           30-B:25 County Transport and Custody Officers. The county commissioners may appoint county  
6 transport and custody officers, consisting of selected members of the county department of  
7 corrections line personnel identified by the superintendent, for the purpose of patrolling county  
8 department of corrections buildings, roads, and grounds, and providing for general security at the  
9 county correctional facility. If transport and custody officers are appointed, the county  
10 commissioners shall adopt a written policy establishing rules relating to the control and  
11 responsibility of the transport and custody officers. The policy shall include a requirement for  
12 training designed for the specific functions of the transport and custody officers as prescribed in this  
13 subdivision, including education on the power of arrest, firearms training and certification, and  
14 defensive driving.

15           30-B:26 Powers and Duties. All transport and custody officers shall be ex officio constables and  
16 shall possess limited powers of arrest which shall only extend to the confines of the grounds of the  
17 county correctional facility and to the period during which such officers are on official active duty.  
18 The 2 instances where the authority of the transport and custody officers shall extend beyond the  
19 county correctional facility grounds, and during which time the transport and custody officers may  
20 utilize blue lights on vehicles pursuant to RSA 266:78-b, are:

21           I. Where a county transport and custody officer is in hot pursuit of a person who has  
22 committed a crime or violation by interfering with the maintenance of custody and control; or

23           II. Where a county transport and custody officer is transporting or assisting in the transport  
24 of a committed inmate, including, but not limited to, medical transports and transports involving a  
25 committed inmate who is receiving services in a health care setting.

26           194:2 Effective Date. This act shall take effect 60 days after its passage.

27 Approved: July 2, 2013

28 Effective Date: August 31, 2013