

HB 645-FN – AS INTRODUCED

2013 SESSION

13-0656
04/05

HOUSE BILL **645-FN**

AN ACT relative to an extended term of imprisonment for persons with 2 prior convictions.

SPONSORS: Rep. Robertson, Ches 6; Rep. Patten, Merr 17

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill amends the circumstances under which a person with 2 prior convictions will receive an extended term of imprisonment.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 an extended term of imprisonment for persons with 2 prior convictions.

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

1 1 Sentences; Extended Term of Imprisonment. Amend RSA 651:6, II(a) to read as follows:

2 (a) Has twice previously been convicted in this state, or in another jurisdiction, [~~on~~
3 ~~sentences~~] ***in separate criminal proceedings and has twice been incarcerated for a period of***
4 ***time*** in excess of one year;

5 2 Effective Date. This act shall take effect January 1, 2014.

HB 645 FISCAL NOTE

AN ACT relative to an extended term of imprisonment for persons with 2 prior convictions.

FISCAL IMPACT:

The Department of Corrections and New Hampshire Municipal Association state this bill, as introduced, may increase state and county expenditures by an indeterminable amount in FY 2015 and each year thereafter. There will be no fiscal impact on local expenditures or state, county, and local revenue.

The Office of Legislative Budget Assistant is awaiting information from the Judicial Branch relative to the potential fiscal impact of this bill. The Branch was initially contacted on 01/11/13 and most recently contacted on 08/23/13.

METHODOLOGY:

The Department of Corrections states this bill amends the circumstances under which a person with two prior convictions will receive an extended term of imprisonment. The Department states the increase costs of this bill cannot be determined as the number of individuals who would be affected by this legislation cannot be determined.

The New Hampshire Association of Counties states it is unable to predict how many individuals may nor may not be incarcerated in a county correctional facility as a result of this bill. The Association states to the extent more individuals are charged, convicted, and sentenced to incarceration in a county correctional facility, the counties will have increased expenditures. The Association is unable to determine the number of individuals who may be charged, convicted or incarcerated as a result of this bill to determine an exact fiscal impact. The average annual cost to incarcerate an individual in a county correctional facility is approximately \$35,000. There is no impact on county revenue.

The Department of Justice States this bill will have no fiscal impact on the Department because the bill only impacts the length of a person's sentence after conviction and not the prosecution itself.

The Judicial Council states this bill will have no impact on the expenses associated with the defense of an indigent individual nor will it impact the number of indigent criminal cases.

