

CHAPTER 170
HB 1137-FN – FINAL VERSION

04/24/14 1348s

2014 SESSION

14-2232
04/03

HOUSE BILL ***1137-FN***

AN ACT relative to annulment of certain obstruction of justice crimes and relative to the
 crime of escape.

SPONSORS: Rep. Parison, Hills 25; Rep. Coffey, Hills 25

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill allows a petition for annulment in the case of misdemeanor obstruction of justice crimes and redefines the penalty for the crime of escape.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Fourteen

AN ACT relative to annulment of certain obstruction of justice crimes and relative to the
 crime of escape.

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

1 170:1 Annulment of Criminal Records. Amend RSA 651:5, V to read as follows:

2 V. No petition shall be brought and no annulment granted in the case of any violent crime, of
3 ~~[any crime of]~~ **felony** obstruction of justice **crimes**, or of any offense for which the petitioner was
4 sentenced to an extended term of imprisonment under RSA 651:6.

5 170:2 Escape. Amend RSA 642:6 to read as follows:

6 642:6 Escape.

7 I. A person is guilty of an offense if ~~he~~ **such person** escapes from official custody.

8 II. “Official custody” means arrest, custody in a penal institution, an institution for
9 confinement of juvenile offenders or other confinement pursuant to an order of a court.

10 III. The offense is a class A felony if the actor employs force against any person or threatens
11 any person with a deadly weapon to effect the escape, except that if the deadly weapon is a firearm,
12 ~~he~~ **the actor** shall be sentenced in accordance with RSA 651:2, II-g. ~~[Otherwise it]~~ **The offense** is
13 a class B felony **if the actor was on parole, subject to a bail order, was a prisoner at an adult**
14 **or juvenile correction facility at the time, or had a prior conviction of the crime of escape.**
15 **If no physical force was used by the actor and no persons other than the actor sustained**
16 **bodily injury as a result of the escape, the offense is a class A misdemeanor.**

17 IV. If a person is convicted of the offense of escape under this section, the term of
18 imprisonment authorized by RSA 651:2, II or RSA 651:6 shall be added to the portion of the term
19 which remained unserved at the time of the commission of the offense.

20 170:3 Effective Date. This act shall take effect January 1, 2015.

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22 Approved: July 11, 2014

23 Effective Date: January 1, 2015

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