

HB 1204-FN – AS INTRODUCED

2014 SESSION

14-2128
05/04

HOUSE BILL ***1204-FN***
AN ACT relative to perjury by a law enforcement officer.
SPONSORS: Rep. Sapareto, Rock 6
COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes specific penalties for a police officer found guilty of perjury or false swearing.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 New Paragraph; Falsification in Official Matters; Perjury. Amend RSA 641:1 by inserting
2 after paragraph II the following new paragraph:

3 III. In addition to the penalties for perjury set forth in this section, a police officer who is
4 found guilty of perjury in any official proceeding shall be prohibited from serving as a police officer in
5 this state for life. Notwithstanding RSA 91-A, all records of any official proceedings involving a
6 police officer charged with perjury shall be public records.

7 2 New Paragraph; Falsification in Official Matters; False Swearing. Amend RSA 641:2 by
8 inserting after paragraph III the following new paragraph:

9 IV. In addition to the penalties for false swearing set forth in this section, a police officer
10 who is found guilty of false swearing in any official proceeding as defined in RSA 641:1, II shall be
11 prohibited from serving as a police officer in this state for a period of not less than 5 years from the
12 date of the conviction. Notwithstanding RSA 91-A, all records of any official proceedings involving a
13 police officer charged with false swearing shall be public records.

14 3 Effective Date. This act shall take effect January 1, 2015.

LBAO
14-2128
11/15/13

HB 1204-FN - FISCAL NOTE

AN ACT relative to perjury by a law enforcement officer.

FISCAL IMPACT:

The Judicial Branch states this bill, as introduced, may increase state expenditures by an indeterminable amount in FY 2015 and each year thereafter. There will be no fiscal impact on county and local expenditures, or state, county, and local revenue.

METHODOLOGY:

The Judicial Branch states this bill adds RSA 641:1, III and RSA 641:2, IV to add an additional penalty for perjury and false swearing, respectively, by a police officer. The additional penalty in the case of perjury by a police officer is a lifetime ban from serving as a police officer in NH and in the case of false swearing by a police officer it is a ban from serving as a police officer in NH for at least five years. The Branch states this bill does not add any new cases, however it may result in these types of cases becoming more-hard fought with longer trials and more likely for appeals. This may result in increased state expenditures.