

HB 1216-FN – AS INTRODUCED

2014 SESSION

14-2168
04/05

HOUSE BILL ***1216-FN***

AN ACT relative to the crime of causing or aiding suicide.

SPONSORS: Rep. O'Flaherty, Hills 12; Rep. Winters, Hills 18; Rep. Vaillancourt, Hills 15;
Rep. Weed, Ches 16

COMMITTEE: Judiciary

ANALYSIS

 This bill amends the crime of causing or aiding suicide by deleting language relating to soliciting another to commit suicide.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the crime of causing or aiding suicide.

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

- 1 1 Causing or Aiding Suicide. Amend RSA 630:4, I to read as follows:
- 2 I. A person is guilty of causing or aiding suicide if he **or she** purposely aids ~~[or solicits]~~
- 3 another to commit suicide.
- 4 2 Effective Date. This act shall take effect January 1, 2015.

HB 1216 FISCAL NOTE

AN ACT relative to the crime of causing or aiding suicide.

FISCAL IMPACT:

The Judicial Branch, Judicial Council, Department of Corrections, and New Hampshire Association of Counties state this bill, as introduced, may decrease 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.

METHODOLOGY:

The Judicial Branch states this bill amends RSA 630:4 to delete language relating to soliciting another to commit suicide from the crime of causing or aiding suicide. The Branch notes that in the past 10 years only two cases have been brought to the courts pursuant to RSA 630:4. Based on this information, the Branch states this bill will likely have an impact of less than \$10,000.

The Judicial Council states this bill narrows the range of conduct that would result in a criminal charge as it relates to forbidding someone from causing or aiding suicide. By decreasing the overall number of criminal charges that can be brought typically has the effect of decreasing the amount of money spent by the state on providing representation to the indigent accused. However, in the past five years there have been no instances of providing indigent defense representation to anyone on charges related to aiding or soliciting another to commit suicide.

The Department of Corrections states it is not able to determine the fiscal impact of this bill because it does not have sufficient detail to predict the number of individuals who would be subject to this legislation. The Department of Corrections states the average annual cost of incarcerating an individual in the general prison population for the fiscal year ending June 30, 2013 was \$32,872. The cost to supervise an individual by the Department's division of field services for the fiscal year ending June 30, 2013 was \$570.

The New Hampshire Association of Counties states to the extent less individuals are charged, convicted, and sentenced to incarceration in a county correctional facility, the counties will have decreased expenditures. The Association is unable to determine the number of individuals who may not 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 not have a fiscal impact on the Department because such offenses are typically prosecuted by local and county prosecutors not the Department.