

HB 1380-FN – AS INTRODUCED

2014 SESSION

14-2113
03/10

HOUSE BILL ***1380-FN***
AN ACT establishing a citizen appeal panel.
SPONSORS: Rep. Lambert, Hills 44; Rep. Hoell, Merr 23
COMMITTEE: Judiciary

ANALYSIS

This bill establishes a citizen appeal panel.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT establishing a citizen appeal panel.

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

1 1 New Section; Citizen Appeal Panel. Amend RSA 524 by inserting after section 1-c the
2 following new section:

3 524:1-d Citizen Appeal Panel. Within 10 days of entry of the judgment, a party to the
4 proceeding may request a review by a citizen appeal panel if the judgment is based on application of
5 a New Hampshire statute. The panel shall consist of 12 citizens assembled in the same manner as a
6 petit jury. If the panel finds that the statute involved is not reasonable and appropriate to society,
7 the panel shall direct that the action, or such portion thereof as is premised on the statute, be
8 dismissed with prejudice.

9 2 New Section; Citizen Appeal Panel. Amend RSA 606 by inserting after section 10 the
10 following new section:

11 606:11 Citizen Appeal Panel. Within 10 days of a finding of guilty, the defendant may request a
12 review by a citizen appeal panel. The panel shall consist of 12 citizens assembled in the same
13 manner as a petit jury. If the panel finds that the statute involved is not reasonable and appropriate
14 to society, the panel shall direct that the indictment, information, or complaint be dismissed with
15 prejudice.

16 3 Effective Date. This act shall take effect January 1, 2015.

LBAO
14-2113
11/26/13

HB 1380-FN - FISCAL NOTE

AN ACT establishing a citizen appeal panel.

FISCAL IMPACT:

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

METHODOLOGY:

The Judicial Branch states this bill would add RSA 524:1-d and RSA 606:11 to provide for citizen appeal panels to review judgments based on the application of a NH statute or guilty verdicts. If the panel finds the statute involved is not reasonable and appropriate to society, the civil or criminal action involved is to be dismissed with prejudice. The citizen appeal panels are to consist of 12 citizens assembles in the same manner as a petit jury. These panels would be activated on the request of a party to a civil proceeding or the criminal defendant found guilty of an offense. The Branch states there are thousands of civil judgments and criminal guilty findings made by the circuit and superior courts annually that might be appealed before the proposed citizen appeal panels. The Branch states it has an annual budget of \$800,000 to conduct 500 jury trials. The Branch assumes the number of citizen appeal panels will exceed the number of jury trials increasing state expenditures by an indeterminable amount.