

**HB 1435 – AS AMENDED BY THE HOUSE**

5Mar2014... 0196h

2014 SESSION

14-2347  
06/10

HOUSE BILL            ***1435***

AN ACT                requiring law enforcement officials to disclose specific information relating to a police checkpoint.

SPONSORS:            Rep. O'Flaherty, Hills 12; Rep. Warden, Hills 39

COMMITTEE:          Criminal Justice and Public Safety

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AMENDED ANALYSIS

This bill requires law enforcement officials to disclose specific information to the public regarding sobriety checkpoints .

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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                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 requiring law enforcement officials to disclose specific information relating to a police checkpoint.

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

1 1 Sobriety Checkpoints; Information Required. Amend RSA 265:1-a to read as follows:

2 265:1-a Sobriety Checkpoints.

3 ***I.*** Notwithstanding any provision of law to the contrary, no law enforcement officer or  
4 agency shall establish or conduct sobriety checkpoints for the purposes of enforcing the criminal laws  
5 of this state, unless such law enforcement officer or agency petitions the superior court and the court  
6 issues an order authorizing the sobriety checkpoint after determining that the sobriety checkpoint is  
7 warranted and the proposed method of stopping vehicles satisfies constitutional guarantees.

8 ***II.*** ***One week prior to conducting any checkpoint authorized under paragraph I, the***  
9 ***law enforcement officer or agency shall give public notice of the date, time, duration, and***  
10 ***location of the checkpoint, the name of any agency working with the law enforcement***  
11 ***agency, and the purpose for establishing the checkpoint.***

12 2 Effective Date. This act shall take effect 60 days after its passage.