

HB 1452 – AS INTRODUCED

2014 SESSION

14-2154  
05/08

HOUSE BILL            ***1452***

AN ACT                relative to jury nullification.

SPONSORS:          Rep. Sapareto, Rock 6

COMMITTEE:        Judiciary

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ANALYSIS

This bill requires the court to give an instruction to the jury regarding jury nullification and requires the court to declare a mistrial if the instruction is not given to the jury.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT                      relative to jury nullification.

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

1            1 New Section; Jury Nullification. Amend RSA 519 by inserting after section 23-a the following  
2 new section:

3            519:23-b Jury Nullification.

4            I. The court shall give the following instruction to the jury in all criminal proceedings: “The  
5 concept of jury nullification is well established in this country. If the jury feels that the law under  
6 which the defendant is accused is unjust, or that exigent circumstances justified the actions of the  
7 accused, or for any reason which appeals to their logic or passion, the jury has the power to acquit,  
8 and the courts must abide by that decision.”

9            II. A mistrial shall be declared in any case in which the court fails to give the jury  
10 instruction provided in paragraph I.

11           2 Effective Date. This act shall take effect 60 days after its passage.