

HB 172 – AS INTRODUCED

2015 SESSION

15-0832  
09/04

HOUSE BILL            **172**

AN ACT                establishing a commission to study the operations of small claims court.

SPONSORS:            Rep. Beaudoin, Straf 9

COMMITTEE:          Judiciary

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ANALYSIS

This bill establishes a commission to study the operations of small claims court.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT                    establishing a commission to study the operations of small claims court.

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

1            1 New Section; Commission to Study the Operations of Small Claims Court; Amend RSA 503 by  
2 inserting after section 13 the following new section:

3            503:14 Commission to Study the Operations of Small Claims Court.

4            I. There is established a commission to study the operations of small claims court.

5            II.(a) The members of the commission shall be as follows:

6                    (1) Two members of the house of representatives, appointed by the speaker of the  
7 house of representatives.

8                    (2) One member of the senate, appointed by the president of the senate.

9                    (3) The attorney general, or designee.

10                   (4) A landlord or property manager of property consisting of 25 or fewer units,  
11 appointed by the governor.

12                   (5) A landlord or property manager of property consisting of more than 25 units,  
13 appointed by the governor.

14                   (6) One person employed as a credit and collection agent, appointed by the governor.

15                   (7) An attorney primarily engaged in the credit and collection business, appointed by  
16 the New Hampshire Bar Association.

17                   (8) Two representatives of businesses which routinely extend credit, such as utility  
18 companies, oil or propane dealers, small retailers, or service sector industries, who shall be  
19 appointed by the governor.

20                   (b) Legislative members of the commission shall receive mileage at the legislative rate  
21 when attending to the duties of the commission.

22            III. The commission shall study the operations of small claims court. The commission shall:

23                   (a) Study the policies and procedures which pertain to small claims actions.

24                   (b) Determine ways of making the court system more efficient and effective in assisting  
25 citizens in collecting debts.

26                   (c) Study the costs of filing fees.

27                   (d) Study paperwork requirements imposed by the court.

28                   (e) Study requirements of the defendant to inform the court of changes of address and  
29 financial status and the possible sanctions for failure to comply with such requirements.

30                   (f) Examine ways to facilitate collection of court judgments.

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1                   (g) Identify methods for the court to lower costs and filing fees, such as by consolidating  
2 hearings and other court procedures.

3                   IV. The members of the commission shall elect a chairperson from among the members. The  
4 first meeting of the commission shall be called by the first-named house member. The first meeting  
5 of the commission shall be held within 45 days of the effective date of this section. Six members of  
6 the commission shall constitute a quorum.

7                   V. The commission shall report its findings and any recommendations for proposed  
8 legislation to the speaker of the house of representatives, the president of the senate, the house  
9 clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

10                  2 Repeal. RSA 503:14, relative to the commission to study the operations of small claims court,  
11 is repealed.

12                  3 Effective Date.

13                  I. Section 2 of this act shall take effect November 1, 2015.

14                  II. The remainder of this act shall take effect upon its passage.