

HB 246 – AS INTRODUCED

2015 SESSION

15-0218
09/05

HOUSE BILL **246**

AN ACT relative to jury nullification.

SPONSORS: Rep. Itse, Rock 10; Rep. Hoell, Merr 23; Rep. Ingbretson, Graf 15; Rep. Marple,
Merr 24; Rep. Abramson, Rock 20

COMMITTEE: Judiciary

ANALYSIS

This bill makes it an act of maladministration for a judge to deny or limit the right of the accused to inform the jury of its right to judge the facts and application of the law in relation to the facts in controversy.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to jury nullification.

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

- 1 1 Jury Trial; Rights of Accused. Amend RSA 519:23-a to read as follows:
2 519:23-a Right of Accused. In all criminal proceedings the court shall permit the defense to
3 inform the jury of its right to judge the facts and the application of the law in relation to the facts in
4 controversy. ***Denial of this right or limitation of this right to the Wentworth instruction, as***
5 ***described in State v. Wentworth, 118 N.H. 833 (1978), is an act of maladministration.***
6 2 Effective Date. This act shall take effect January 1, 2016.