

HB 436 - AS INTRODUCED

2015 SESSION

15-0211
04/08

HOUSE BILL **436**

AN ACT relative to the penalty for making a false statement in a criminal complaint.

SPONSORS: Rep. Itse, Rock 10; Rep. Hoell, Merr 23; Rep. Tasker, Rock 2; Rep. Oligny, Rock 34;
Sen. Avard, Dist 12

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill provides that a law enforcement officer who makes a false statement in a criminal complaint may be prosecuted for false swearing.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the penalty for making a false statement in a criminal complaint.

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

- 1 1 Complaints. Amend RSA 592-A:7, I(a) to read as follows:
- 2 I.(a) Criminal proceedings before a circuit court shall be begun by complaint, signed and
- 3 under oath, addressed to such court, briefly setting forth, by name or description, the party accused
- 4 and the offense charged, provided that a complaint filed by a police officer, as defined in RSA 188-
- 5 F:23, I, for a violation-level offense or a class B misdemeanor shall not require an oath. All
- 6 complaints filed by a police officer shall include the officer's signature and printed name and notice
- 7 that making a false statement on the complaint may result in criminal prosecution ***for false***
- 8 ***swearing pursuant to RSA 641:2.***
- 9 2 Effective Date. This act shall take effect January 1, 2016.