

HB 491 - AS AMENDED BY THE HOUSE

11Mar2015... 0721h

2015 SESSION

15-0522  
04/03

HOUSE BILL        **491**

AN ACT            relative to immunity for school personnel using reasonable force to protect a minor.

SPONSORS:        Rep. Gidge, Hills 33; Rep. Guerette, Hills 33

COMMITTEE:      Education

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ANALYSIS

This bill permits a teacher or other person entrusted with the care or supervision of a minor or pupil to use reasonable force to end a disturbance, to maintain safety, or to remove the pupil or minor from the premises under certain circumstances.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT           relative to immunity for school personnel using reasonable force to protect a  
                  minor.

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

1           1 Physical Force by Persons with Special Responsibilities. RSA 627:6, II(a) is repealed and  
2 reenacted to read as follows:

3                   (a) A teacher or person otherwise entrusted with the care or supervision of a minor for  
4 special purposes or pupil may use reasonable force against any such minor or pupil when and to the  
5 extent that he or she may reasonably believe it necessary to end a disturbance, to maintain safety, or  
6 to remove such minor or pupil from the premises when the minor's or pupil's behavior or continued  
7 presence on the premises would constitute a danger to that individual, or to other children or adults  
8 present. Conduct which is justifiable under this subparagraph constitutes a defense to any offense.  
9 The fact that such conduct is justifiable shall constitute a complete defense to any civil action based  
10 on such conduct.

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