

HB 641-FN - AS INTRODUCED

2015 SESSION

15-0454
05/03

HOUSE BILL **641-FN**

AN ACT relative to certain causes of action by inhabitants of this state.

SPONSORS: Rep. Marple, Merr 24; Rep. L. Christiansen, Hills 37

COMMITTEE: Judiciary

ANALYSIS

This bill provides a cause of action against public officials and employees who have failed to perform their official duties or otherwise committed fraudulent or dishonest acts.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to certain causes of action by inhabitants of this state.

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

1 1 Officials and Employees Bonds; When Required; Cause of Action. Amend RSA 93-B:1 to read
2 as follows:

3 93-B:1 When Required.

4 ***I.*** Officials and employees of all departments and agencies of the state shall be bonded by
5 means of a blanket undertaking or undertakings from any duly authorized corporate surety, such
6 blanket undertaking or undertakings to indemnify against losses through one or both of the following
7 conditions:

8 ~~[I.]~~ ***(a)*** Through the failure of the officers, clerks, and employees covered thereunder
9 faithfully to perform their duties or to account properly for all moneys or property received by virtue
10 of their positions or employment, or

11 ~~[II.]~~ ***(b)*** Through fraudulent or dishonest acts committed by the officers, clerks, and
12 employees covered thereunder.

13 ***II.*** ***The inhabitants of this state shall not be discriminated against when seeking***
14 ***damages against the state and shall have access to the bond covering the public servant or***
15 ***employee who has engaged in conduct described in subparagraphs I(a) or (b).***

16 2 Effective Date. This act shall take effect January 1, 2016.

LBAO
15-0454
01/26/15

HB 641-FN - FISCAL NOTE

AN ACT relative to certain causes of action by inhabitants of this state.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill, **as introduced**, as it is awaiting information from the Department of Justice and the Judicial Branch, who were contacted on 01/10/15. When completed, the fiscal note will be forwarded to the House Clerk's Office.