

SB 19 – AS AMENDED BY THE SENATE

03/19/2015 0811s

2015 SESSION

15-0871  
04/01

SENATE BILL **19**

AN ACT relative to the payment of restitution among and between co-defendants.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Judiciary

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ANALYSIS

This bill establishes a procedure for collecting from and reimbursing co-defendants for the payment of restitution.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**SB 19 – AS AMENDED BY THE SENATE**

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT relative to the payment of restitution among and between co-defendants.

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

1           1 New Section: Payment of Restitution Among and Between Co-Defendants. Amend RSA 651  
2 by inserting after section 63 the following new section:

3           651:63-a Payment of Restitution Among and Between Co-Defendants. The department of  
4 corrections shall collect restitution from co-defendants in an action who are ordered to pay  
5 restitution until the total amount of restitution is paid in full. The restitution for each defendant  
6 shall be joint and several. However, the restitution shall be proportioned among the defendants  
7 based on the number ordered to pay restitution so that if a defendant pays an amount in excess of his  
8 or her proportion, the department of corrections shall reimburse the defendant the amount of the  
9 overpayment from payments made by the co-defendants who are required to pay their proportions of  
10 the restitution. Payment to a defendant shall occur only after the victim is paid in full. A defendant  
11 shall be responsible for informing the department of any change of address. If any reimbursement to  
12 a defendant is returned to the department, the defendant shall be deemed to have waived his or her  
13 right to the reimbursement and the commissioner of the department of corrections shall pay the  
14 balance to the state treasurer to be held as abandoned property pursuant to RSA 471-C.

15           2 Effective Date. This act shall take effect upon its passage.