

CHAPTER 175
SB 41 – FINAL VERSION

3June2015... 1708h

15-0680
05/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT establishing a committee to study government immunity from suit and accountability by its citizens.

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

1 175:1 Committee to Study Government Immunity from Suit and Accountability by its Citizens.

2 I. There is established a committee to study government immunity from suit and
3 accountability by its citizens.

4 II. The members of the committee shall be as follows:

5 (a) Four members of the house of representatives, appointed by the speaker of the house
6 of representatives.

7 (b) Three members of the senate, appointed by the president of the senate.

8 III. Members of the committee shall receive mileage at the legislative rate when attending to
9 the duties of the committee.

10 IV. The committee shall study the recent state supreme court decisions construing or ruling
11 on state statutes regarding negligence and intentional torts by governmental entities, the lack of
12 statutes of limitations for enforcement actions by governmental entities, and the denial of equitable
13 or declaratory relief to challenge actions by all levels of government. The goal of the committee shall
14 be to make recommendations for legislative action consistent with part I, articles 8 and 14 of the
15 New Hampshire constitution to strike a proper balance for government to be held accountable to the
16 citizens in our courts.

17 V. The first meeting of the committee shall be called by the first-named senate member and
18 shall be held within 30 days of the effective date of this section. A chairperson shall be selected by
19 the members of the committee. The appropriate legislative research entities shall provide assistance
20 and support to the committee as necessary. Four members of the committee shall constitute a
21 quorum.

22 VI. The committee shall report its findings and any recommendations for proposed
23 legislation or constitutional amendments to the speaker of the house of representatives, the
24 president of the senate, the house clerk, the senate clerk, the governor, and the state library on or
25 before November 15, 2015.

26 175:2 Effective Date. This act shall take effect upon its passage.

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28 Approved: June 26, 2015

29 Effective Date: June 26, 2015