

CHAPTER 85
HB 546-FN - FINAL VERSION

2021 SESSION

21-0764
04/10

HOUSE BILL ***546-FN***

AN ACT relative to 911 immunity for reporting that a person has been the victim of a violent crime.

SPONSORS: Rep. Amanda Bouldin, Hills. 12; Rep. Andrew Bouldin, Hills. 12; Rep. Conley, Straf. 13; Rep. DiLorenzo, Rock. 17; Rep. Bordenet, Ches. 5; Rep. Meuse, Rock. 29; Rep. Roy, Rock. 32; Rep. Abbas, Rock. 8; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Sen. Reagan, Dist 17; Sen. Whitley, Dist 15

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

 This bill provides immunity from criminal charges for a person who reports to law enforcement that such person or another person has been the victim of a violent crime.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to 911 immunity for reporting that a person has been the victim of a violent crime.

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

1 85:1 Controlled Drug Act; Immunity From Liability. Amend RSA 318-B:28-b, II-III to read as
2 follows:

3 II. It shall be a defense to an offense of possessing or having under his or her control, a
4 controlled drug in violation of RSA 318-B:2 that a person in good faith and in a timely manner
5 requests medical assistance for another person who is experiencing a drug overdose, ***or in good***
6 ***faith and in a timely manner reports that another person has been the victim of a violent***
7 ***crime***. A person who in good faith and in a timely manner requests medical assistance for another
8 person who is experiencing a drug overdose, ***or in good faith and in a timely manner reports***
9 ***that another person has been the victim of a violent crime***, shall not be arrested, prosecuted, or
10 convicted for possessing, or having under his or her control, a controlled drug in violation of RSA
11 318-B:2, if the evidence for the charge was gained as a proximate result of the request for medical
12 assistance ***or the report to law enforcement***. ***In this paragraph, "violent crime" shall have***
13 ***the same meaning as in RSA 651:5, XIII.***

14 III. It shall be a defense to an offense of possessing or having under his or her control, a
15 controlled drug in violation of RSA 318-B:2 that a person who is experiencing a drug overdose, in
16 good faith and in a timely manner, requests medical assistance for himself or herself, ***or in good***
17 ***faith and in a timely manner reports that he or she has been the victim of a violent crime,***
18 ***or is the victim in a good faith and timely report of a violent crime***. A person who in good
19 faith requests, or is the subject of a good faith request for medical assistance, ***or in good faith and***
20 ***in a timely manner reports that he or she has been the victim of a violent crime, or is the***
21 ***victim in a good faith and timely report of a violent crime***, shall not be arrested, prosecuted, or
22 convicted for possessing, or having under his or her control, a controlled drug in violation of RSA
23 318-B:2, if the evidence for the charge was gained as a proximate result of the request for medical
24 assistance ***or the report to law enforcement***. ***In this paragraph, "violent crime" shall have***
25 ***the same meaning as in RSA 651:5, XIII.***

26 85:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 18, 2021
Effective Date: August 17, 2021

