

SB 114-FN - AS AMENDED BY THE SENATE

03/11/2021 0567s

2021 SESSION

21-0976

04/05

SENATE BILL

114-FN

AN ACT relative to protecting the safe use and enjoyment of publicly-accessible recreation areas.

SPONSORS: Sen. Whitley, Dist 15; Sen. Prentiss, Dist 5; Sen. Perkins Kwoka, Dist 21; Rep. Alicea, Merr. 8; Rep. Espitia, Hills. 31; Rep. Harriott-Gathright, Hills. 36; Rep. Perez, Hills. 23; Rep. Wazir, Merr. 17

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill requires the departments of natural and cultural resources and fish and game to develop protocols to address the enjoyment and safe use of publicly-accessible recreation areas for people without fear of violence resulting from discrimination, and requires authorized personnel from both departments to undergo ethics and diversity training. The bill also requires the police standards and training council to provide additional training to law enforcement officers.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to protecting the safe use and enjoyment of publicly-accessible recreation areas.

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

1 5 New Section; Police Standards and Training Council; Additional Training Required. Amend
2 RSA 106-L by inserting after section 8 the following new section:

3 106-L:8-a Additional Training Required. The director of the police standards and training
4 council shall provide education and training to law enforcement officers on de-escalation, ethics,
5 implicit bias, and cultural diversity. Every law enforcement agency shall develop a department
6 policy to provide operational direction for their officers regarding de-escalation, ethics, implicit bias,
7 cultural diversity, and how to handle incidents that may violate RSA 354-B.

8 6 Effective Date. This act shall take effect 60 days after its passage.

**SB 114-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the enjoyment of publicly-accessible and publicly-funded recreation areas.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

The Department of Fish and Game was contacted for a fiscal note worksheet on January 14, 2021, January 15, 2021, January 20, 2021 and January 22, 2021, which they still have not provided as of January 26, 2021.

METHODOLOGY:

This bill requires personnel with police powers of the Departments of Natural and Cultural Resources (DNCR) and Fish and Game to enforce the use and enjoyment of all publicly-accessible and publicly-funded areas of the state by individuals without fear or threat of verbal or physical violence. The DNCR shall establish and maintain a publicly-accessible database documenting violations of this provision charged by DNCR or the attorney general, including the final disposition of such cases. The database shall not contain any personally identifiable information. The bill also requires the officers of the departments to have ethics and diversity training.

The DNCR assumes the Police Standards and Training Council is developing training as required by this bill for the certified officers within the Department as part of their law enforcement certification and such training will be free of charge. The Division of Forests and Lands, Forest Protection Bureau currently maintains investigation information and such information is available pursuant to RSA 91-A (Right to Know Law) but is not available on a publicly-accessible web-based platform. The database also does not track investigations conducted by other agencies. If such a web-based portal was required, it would necessitate a request for proposals with an unknown development cost and ongoing maintenance cost.

It is assumed this bill will be effective July 1, 2021.

AGENCIES CONTACTED:

Departments of Natural and Cultural Resources and Fish and Game