

CHAPTER 77
HB 1505-FN - FINAL VERSION

16Feb2022... 0115h

2022 SESSION

22-2791
07/04

HOUSE BILL

1505-FN

AN ACT establishing concurrent jurisdiction in juvenile matters with the U.S. Department of Defense for coordination with the military family advocacy program.

SPONSORS: Rep. Roy, Rock. 32; Rep. Baldasaro, Rock. 5

COMMITTEE: State-Federal Relations and Veterans Affairs

ANALYSIS

This bill establishes concurrent jurisdiction in juvenile matters pertaining to the lands located within the boundaries of the former Pease Air Force Base and provides for coordination with the military family advocacy program.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Two

AN ACT establishing concurrent jurisdiction in juvenile matters with the U.S. Department of Defense for coordination with the military family advocacy program.

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

1 77:1 New Paragraph; Pease Development Authority; Coordination Between State and Federal
2 Governments; Governor's Retrocession of Jurisdiction. Amend RSA 12-G:12 by inserting after paragraph
3 IV the following new paragraph:

4 V. The governor may accept from the appropriate federal authority on behalf of the state,
5 retrocession of full or partial jurisdiction over any land provided for under law. Documents concerning
6 such retrocession shall be filed in the office of the secretary of state and recorded in a like manner as the
7 original land acquisition by the United States.

8 77:2 Pease Development Authority; Reservation of Local Authority; Concurrent Jurisdiction
9 Established. Amend RSA 12-G:41 to read as follows:

10 12-G:41 Reservation of Local Authority. All towns and cities within the confines of which there are
11 ports, harbors, or navigable tide rivers of the state which are subject to the jurisdiction of the authority, or
12 the division acting on behalf of the authority, shall retain all the powers of such town or city relative to such
13 ports, harbors, and navigable tide rivers and the lands abutting the same, excluding lands located within
14 the boundaries of the former Pease Air Force Base, so long as the authority has not by positive action or
15 definite rule or regulation preempted the jurisdiction hereof. No town or city shall have any jurisdiction
16 over the land or activities at the former Pease Air Force Base except as specifically authorized under
17 other provisions of this chapter, ***provided, however, that in and over all such lands, jurisdiction of cases***
18 ***involving violations of federal law by a child shall be concurrent and shall be assumed only if waived by***
19 ***the federal court or a United States attorney.***

20 77:3 New Section; Child Protection Act; Coordination with Military Authorities. Amend RSA 169-C by
21 inserting after section 34-a the following new section:

22 169-C:34-b Coordination with Military Authorities.

23 I. If a report is screened-in for investigation of abuse or neglect, the department shall collect
24 information concerning the military status of the parent or guardian of the child who is the subject of the
25 report and shall share information about the allegation with the appropriate military authorities.

26 II. Notwithstanding any other provision of law, the department shall enter into a memorandum of
27 understanding with the military family advocacy program of a military installation with respect to child
28 abuse and neglect investigations. For the purposes of this section, "military family advocacy program"
29 shall mean the program established by the United States Department of Defense to address child abuse
30 and neglect in military families. Such memorandum of understanding shall establish procedures and
31 protocols for:

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- 1 (a) Identifying an individual alleged to have committed abuse or neglect as military
2 personnel;
3 (b) Reporting to a military family advocacy program when an investigation implicating military
4 personnel has been initiated; and
5 (c) Maintaining confidentiality requirements under state and federal law.
6 77:4 Effective Date. This act shall take effect 180 days after its passage.

Approved: May 20, 2022
Effective Date: November 16, 2022

