

CHAPTER 169
HB 652-FN - FINAL VERSION

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2017 SESSION

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HOUSE BILL ***652-FN***

AN ACT establishing a veterans track within the court system and relative to annulment of a sentence imposed by a mental health court.

SPONSORS: Rep. Baldasaro, Rock. 5; Rep. Theberge, Coos 3; Rep. Weyler, Rock. 13; Rep. Phinney, Straf. 24; Rep. Spanos, Belk. 3; Sen. Carson, Dist 14; Sen. French, Dist 7; Sen. Avard, Dist 12; Sen. Watters, Dist 4

COMMITTEE: State-Federal Relations and Veterans Affairs

AMENDED ANALYSIS

This bill permits superior and circuit courts to establish veterans tracks for veterans and members of the military with substance abuse and mental health issues.

The bill also requires a person sentenced by a mental health court to wait one year after completing all programs and conditions imposed by the court before filing a petition for annulment. The current period is 6 months.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 169
HB 652-FN - FINAL VERSION
- Page 2 -

1 (10) Partnerships among veterans tracks, the Veterans Administration, public
2 agencies, and community-based organizations to generate local support and enhance veterans
3 tracks' effectiveness.

4 III. Upon successful completion of a program recommended by the veterans track, an
5 offender's case may be disposed of by the judge in the manner prescribed by the agreement and by
6 the applicable policies and procedures adopted by the drug court or mental health court. This may
7 include, but is not limited to, withholding criminal charges, dismissal of charges, probation,
8 deferred sentencing, suspended sentencing, split sentencing, or a reduced period of incarceration.

9 IV. A person sentenced by a drug court or mental health court through the veterans track
10 may, at least one year after successful completion of all programs and conditions imposed by the
11 court, petition for annulment of the charges, arrest, conviction, and sentence that relate to such
12 person's entry into the drug court or mental health court. Nothing in this section shall otherwise
13 supplant or supersede the annulment procedures of RSA 651:5.

14 V. The veterans track may convene a local committee made up of community members who
15 can provide support for the veterans track.

16 169:2 Mental Health Court; Annulment. Amend RSA 490-H:2, III to read as follows:

17 III. A person sentenced by a mental health court may, at least [~~6 months~~] **one year** after
18 successful completion of all programs and conditions imposed by the mental health court, petition
19 for annulment of the charges, arrest, conviction, and sentence that relate to such person's entry into
20 the mental health court.

21 169:3 Effective Date. This act shall take effect January 1, 2018.

Approved: June 28, 2017

Effective Date: January 01, 2018

