

HB 253 - AS INTRODUCED

2025 SESSION

25-0390

09/11

HOUSE BILL **253**

AN ACT relative to interest-bearing pooled trust accounts maintained by lawyers.

SPONSORS: Rep. Corcoran, Hills. 28; Rep. Belcher, Carr. 4

COMMITTEE: Judiciary

ANALYSIS

This bill requires attorneys in control of interest-bearing pooled trust accounts to remit quarterly the interest or dividends to the public defender's office, provided that the public defender's office complies with certain restrictions.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to interest-bearing pooled trust accounts maintained by lawyers.

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

1 1 Short Title. This act may be known as and cited to as the "New Hampshire Public Defender
2 Funding and Pooled Trust Accounts Reform Act."

3 2 New Section; Attorneys and Counselors; Regulation of the Practice of Law. Amend RSA 311
4 by inserting after section 13 the following new section:

5 311:14 Interest-Bearing Pooled Trust Accounts; New Hampshire Public Defender.

6 I. Any lawyer who has an office in New Hampshire or practices in New Hampshire; is not a
7 judge, attorney general, public defender, United States attorney, district attorney, on duty with the
8 armed services, or employed by a local, state or federal government, and is not otherwise engaged in
9 the private practice of law; and is a not corporate counsel or teacher of law and is not otherwise
10 engaged in the private practice of law shall remit interest or dividends, as the case may be, from all
11 interest-bearing pooled trust accounts that they control, at least quarterly, to the New Hampshire
12 public defender's office.

13 II. The New Hampshire public defender's office shall be eligible to receive the funds
14 identified in paragraph I only if they have not contributed any funds to any non-profit organization
15 or political campaign during that quarter. The public defender's office shall also publish its budget
16 in full and according to accepted accounting norms, no later than 90 days after the close of the fiscal
17 year.

18 III. If the New Hampshire public defender's office fails to comply in full with paragraph II,
19 the funds identified in paragraph I shall be remitted to the general fund.

20 IV. The supreme court and the New Hampshire bar association are authorized to establish
21 rules governing the provisions in this section, but shall not make or enforce any rule inconsistent
22 with the provisions of this section.

23 2 Effective Date. This act shall take effect 60 days after its passage.