

## Section 1 Header

2022 SESSION

22-2253.0

04/08

HOUSE BILL            *[bill number]*

AN ACT                relative to civil immunity and physical force in defense of a person.

SPONSORS:           [sponsors]

COMMITTEE:         [committee]

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### ANALYSIS

This bill removes civil liability for the use of force in the protection of person or property and amends the law governing the duty to retreat when using physical force in defense of oneself or another.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to civil immunity and physical force in defense of a person.

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

1            1 Criminal Code; Civil Immunity. Amend RSA 627:1-a to read as follows:

2            627:1-a Civil Immunity. A person who uses force in self-protection or in the protection of other  
3 persons pursuant to RSA 627:4,~~[in the protection of premises and property pursuant to RSA 627:7~~  
4 ~~and 627:8,~~] in law enforcement pursuant to RSA 627:5, or in the care or welfare of a minor pursuant  
5 to RSA 627:6, is justified in using such force and shall be immune from civil liability for personal  
6 injuries sustained by a perpetrator which were caused by the acts or omissions of the person as a  
7 result of the use of force. In a civil action initiated by or on behalf of a perpetrator against the  
8 person, the court shall award the person reasonable attorney's fees, and costs, including but not  
9 limited to, expert witness fees, court costs, and compensation for loss of income.

10           2 Criminal Code; Physical Force in Defense of a Person. Amend RSA 627:4, III(a) to read as  
11 follows:

12                    (a) Retreat from the encounter, except that he or she is not required to retreat if he or  
13 she is within his or her dwelling, its curtilage,~~[or anywhere he or she has a right to be,~~] and was not  
14 the initial aggressor; or

15           3 Effective Date. This act shall take effect January 1, 2023.