HOUSE BILL 1144

AN ACT requiring personal information of a person acquitted of or not charged with a crime to be removed from websites.

SPONSORS: Rep. Myler, Merr 10

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill requires website operators to remove personal information relating to persons who have been acquitted of a crime or where charges against the person have been dismissed.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring personal information of a person acquitted of or not charged with a crime to be removed from websites.

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

1 New Section; Breaches of the Peace and Other Offenses; Personal Information on Websites. Amend RSA 644 by inserting after section 9 the following new section:

644:9-a Personal Information on Websites.

I. The operator of a website that contains the name and personal information, including
photographs or digital images, of a person charged with a crime shall remove the person’s name and personal information, including photographs and digital images, within 15 days after receiving written notification from the person or the person’s designee that the person has been acquitted of the crime, or that the charge has been dismissed, or that a law enforcement agency has otherwise elected not to pursue criminal charges against the person. The removal shall be without charge to the person.

II. A website operator who violates the provisions of paragraph I shall be guilty of a violation and shall be fined not more than $100 for each violation. After 45 days of noncompliance with the provisions of paragraph I, the website operator shall be guilty of a class B misdemeanor.

2 Effective Date. This act shall take effect January 1, 2015.