

Senate Judiciary Committee

Matthew Schelzi 271-3266

SB 460-FN, relative to the offense of loitering or prowling.

Hearing Date: January 20, 2026

Time Opened: 1:04 p.m.

Time Closed: 1:15 p.m.

Members of the Committee Present: Senators Gannon, Abbas and Altschiller

Members of the Committee Absent: Senators Carson and Reardon

Bill Analysis: This bill prohibits certain registered offenders who are required to register due to a sexual offense against a child under 13 years of age from appearing within 1,000 feet of certain locations under circumstances that would warrant alarm.

This bill is a request of the department of safety.

Sponsors:

Sen. Ricciardi

Sen. Watters

Sen. Gannon

Sen. Birdsell

Sen. Altschiller

Rep. Lynn

Rep. Perez

Rep. Kuttub

Rep. Rhodes

Rep. Roy

Who supports the bill: Captain. Victor Muzzey (NHSP), Jackie Cowell (Early Learning NH), Molly Temblay, Emily Lawrence (Waypoint), David Jenkins, Dague Clark, Katie McLaughlin, Elizabeth Iacovelli, Lynn Ouellette, and Shannon Tremblay.

Who opposes the bill: Daniel Richardson, and Amanda Azad (ACLU of NH)

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Ricciardi introduced SB 460-FN, which was at the request of the Department of Safety. She said it strengthens child safety without imposing broad or punitive restrictions. She said the bill only applies to a very specific and high-risk subset of offenders, individuals required to register because of sexual offenses committed against a child under the age of thirteen. The bill protects children in places where they are most at risk. It prohibits the offenders from knowingly appearing within 1,000 feet of schools, playgrounds, childcare centers and other child focused locations. The bill would give law enforcement a preventative tool they currently lack. She said currently, law enforcement cannot intervene until a child is approached or harmed.

She noted this bill is a measured step to prevent harm before it happens. The bill strikes the right balance between public safety and civil liberties.

Jackie Cowell, Executive Director of Early Learning NH, supported SB 460-FN. She said the idea for the bill originated from the field. She said her organization had been talking to concerned parents who went to police about this idea but learned they did not have statutory authority to intervene sooner. Those citizens went to the Department of Safety to discuss this language.

Senator Gannon asked if the 1,000 feet prohibition will make it tough in cities like Manchester for convicted offenders to move around.

Ms. Cowell said the bill deals with loitering and prowling instead of walking about. She thought it was a reasonable distance.

Molly Tremblay, Center Director, said for the past few years they have been concerned by sex offenders standing outside, starring in the windows, and watching the children. She noted she talked to the police department about this, but they were told there was nothing the police could do. She said it's not fair to the staff and the children to be around sex offenders. She said when educators are on edge, the children feel it as well.

Senator Altschiller asked if this bill would impede parental access.

Ms. Tremblay said if a parent is on the registered sex offender list it may be a condition of their parole that they might not be allowed in the center, but it depends on the case.

Senator Gannon asked about the definition of loitering and prowling and asked about the 1,000 foot buffer.

Eddie Edwards, Assistant Commissioner for the Department of Safety, said loitering or prowling is with the purpose of creating a public alarm. He said a sex offender walking past a childcare center would not activate the statute, but the behavior would.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.