

# Senate Judiciary Committee

*Brendan Bunnell 271-4063*

**HB 1730-FN**, enhancing the level of offense for certain sexual offenses.

**Hearing Date:** March 19, 2026

**Time Opened:** 1:26 p.m.

**Time Closed:** 1:30 p.m.

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

**Members of the Committee Absent:** Senator Carson

**Bill Analysis:** This bill reclassifies as felonies certain sexual assault conduct related to engaging in sexual contact or penetration with a person over whom the defendant had certain authority by virtue of their role in a correctional institution, the secure psychiatric unit, or a juvenile detention facility, or their role as an adult or juvenile probation or parole officer.

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**Sponsors:**

Rep. Sweeney

Rep. Alexander Jr.

Rep. Berry

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**Who supports the bill:** Senator Daryl Abbas, Representative Cyril Aures, Pamela Keilig (NH coalition Against Domestic and Sexual Violence), and Pamela Harders.

**Who opposes the bill:** Cory Stone, Laura Hilbert, Nathaniel Furey, Russell Siggelkoe, Kathy Archibald, Cindy Raspiller, Howard Brown, Jill Weber, Sharon Racusin, Ann Craxton, Janet Hurd, Karen Chase, Larry Daloz, Margaret Caudill-Slosberg, William Geraghty, Patricia Higgins, Mary Burton, Margaret Jernstedt, Susan Holcombe, Margaret Bowles, Sandra Fairbank, Isabeth Gross, Barbara Callaway, Priscilla Benson, Letitia Ufford, Meredith Morgan, Nancy Miles.

**Who is neutral on the bill:** None.

**Summary of testimony presented:**

**Senator Daryl Abbas (SD-22)**, introduced House Bill 1730 and noted that the bill had been significantly changed in the House through a “replace all” amendment, meaning the current version differs from the original proposal and even the prime sponsor effectively changed. He stated that he had spoken with Representative Roads, who led the effort in the House, but she was unable to attend the hearing.

- Explained that the bill addresses statutory language related to offenses involving minors, specifically sex crimes against children.
- He pointed to language on line nine of the first page referencing a perpetrator using authority to coerce a victim to submit.
- Argued that this language is unnecessary and illogical in cases involving minors because minors legally lack the capacity to consent. As a result, he stated that whether coercion occurred should not be an element of the offense, since consent is not legally possible in the first place.
- Emphasized that the focus should be on whether the act occurred, not on consent or coercion.
- Concluded by stating that the issue was a good catch by House colleagues and expressed hope that the committee would support the bill. He then offered to answer questions, and no questions were recorded.
- Senator Altschiller claimed that the bill as introduced was a political stunt to bring back the death penalty.
  - Senator Abbas stated that he could not speak for the bill as introduced, and only for the replace-all amendment that was being presented before the committee. He also stated that he had not read the original bill and therefore could not answer questions on the matter.

**Pamela Keilig**, representing the New Hampshire Coalition Against Domestic and Sexual Violence, testified in support of House Bill 1730. She reiterated that the bill was a “replace all” amendment and explained that the House used the opportunity to make a technical correction to the sexual assault statute.

- Stated that the change recognizes that in situations involving incarceration, particularly in juvenile detention facilities, consent is not a relevant factor because individuals in those settings cannot legally or practically give consent.
- Emphasized that the amendment corrects the statute to reflect this reality and represents a sound policy decision. She concluded by expressing support for the fix and noted that it was a good catch by the House.