

Amendment to HB 1051

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT modifying the procedures and requirements for school bus driver criminal history
4 records checks and expanding the personnel subject to such checks.

5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 School Bus Driver Criminal History Records Check; Procedures Modified RSA 189:13-b is
9 repealed and reenacted to read as follows:

10 189:13-b School Bus Driver Criminal History Records Check.

11 I. The department of education shall complete a criminal history records check on all school
12 bus drivers, school transportation vehicle drivers, school bus monitors, designated volunteers, and
13 contracted service providers as would school administrative units, school districts, and chartered
14 public schools pursuant to RSA 189:13-a. The criminal history record check clearance shall be valid
15 for a period of 5 years.

16 II.(a) The school bus driver, school transportation vehicle driver, school bus monitor,
17 designated volunteer, or contracted service provider with a school administrative unit, school
18 district, chartered public school, public academy, or non-public special education school shall submit
19 to the department a criminal history records release form, as provided by the division of state police,
20 which authorizes the division of state police to conduct a criminal history records check through its
21 state records and through the Federal Bureau of Investigation and to release a report of the
22 individual's criminal history record information, including confidential criminal history record
23 information, to the background check coordinator of the department, as described in RSA 21-N:8-a, I-
24 a.

25 (b) The department shall establish and implement a secure system for conducting a
26 check of all personnel listed in this section in the National Association of State Directors of Teacher
27 Education and Certification (NASDTEC) database by utilizing the applicant's social security
28 number.

29 III. School bus drivers, school transportation vehicle drivers, school bus monitors, and
30 contracted service providers shall submit with the release form a complete set of fingerprints taken
31 by a qualified law enforcement agency or an authorized employee of the department of education. In
32 the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of

Amendment to HB 1051
- Page 2 -

1 fingerprints shall be taken in order to complete the criminal history records check. If, after 2
2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of
3 the criminal history records check, accept police clearance from every city, town, or county where an
4 applicant or candidate has resided in during the past 10 years.

5 IV.(a) The department shall maintain the confidentiality of all criminal history records
6 information received pursuant to this section. The department shall destroy all criminal history
7 record information within 60 days of receiving said information.

8 (b) The department may require individuals to pay the actual costs of the criminal
9 history records check.

10 V.(a) Any person who has been charged pending disposition for or convicted of any violation
11 or attempted violation of RSA 318-B:2 for possession of a controlled drug with the intent to sell,
12 felony level, within the last 10 years, RSA 630:1; 630:1-a; 630:1-b; 630:2; 630:3, 631:1; 631:2, 631:2-b,
13 632:1, 632-A:2; 632-A:3; 632-A:4; 633:1; 633:7; 636:1, 638:1, 638:15-a, 639:2; 639:3; 645:1, II or 645:1,
14 III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted
15 violation of RSA 650:2 where the act involves a child in material deemed obscene in this state, or
16 under any statute prohibiting the same conduct in another state, territory, or possession of the
17 United States, shall not be granted a clearance, nor shall they be employable or contracted in a
18 public school, public charter school, public academy, or non-public approved special education school
19 within the state of New Hampshire.

20 (b) A school administrative unit, school district, public school, public charter school,
21 public academy, or non-public approved special education school in the state of New Hampshire shall
22 not employ any individual who has had their educator credential revoked in New Hampshire or any
23 other state.

24 VI. The department of education shall adopt rules, pursuant to RSA 541-A, governing the
25 rights of educational and contracted personnel and their ability to appeal a denial of a clearance
26 pursuant to a charge pending disposition for or a conviction of any of the offenses under RSA 189:13-
27 b, V.

28 2 Effective Date. This act shall take effect July 1, 2026.

Amendment to HB 1051
- Page 3 -

2026-0711h

AMENDED ANALYSIS

This bill modifies the procedures for school bus driver criminal history records checks by extending its application to volunteers and contractors and specifying requirements for such record checks, including fingerprinting. The bill also directs the department of education to implement a secure system for such record checks and authorizes the department to make rules relative to the rights of personnel in criminal history record checks.