

Amendment to SB 460-FN

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

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3 AN ACT prohibiting tier III criminal offenders from being present in designated child safety
4 zones absent a legitimate purpose.

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

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8 1 New Section; Registration of Criminal Offenders; Child Safety Zones. Amend RSA 651-B by
9 inserting after section 12 the following new section:

10 651-B:13 Child Safety Zones; Prohibited Presence.

11 I. No person who is required to register as a tier III offender under this chapter, as a result
12 of an offense where the victim was under 18 years of age, shall knowingly go in, on, or within 500
13 feet of a child safety zone.

14 II. Distance shall be measured in a straight line from the outer property boundary of the
15 child safety zone to the person.

16 III. In this section, "child safety zone" means the premises of any of the following:

17 (a) A public or private elementary or secondary school.

18 (b) A licensed child care facility or day care center.

19 (c) A public park, playground, or public swimming pool.

20 (d) A designated school bus stop currently in use by a school district.

21 IV. It is an affirmative defense to prosecution if the person was within the child safety zone
22 for a legitimate purpose, including:

23 (a) Transporting their own legal child to or from the facility.

24 (b) Participating in a constitutionally protected activity, such as voting.

25 (c) Direct travel to or from their place of residence, or place of employment, if such was
26 established prior to the effective date of this section.

27 V. Evidence that the person has received written notice of these prohibitions during
28 registration, or that the zone was marked with signage or otherwise open and obvious, shall be
29 prima facie evidence that the person acted knowingly.

30 VI. A violation of this section is a class B felony.

31 2 Effective Date. This act shall take effect January 1, 2027.

Amendment to SB 460-FN
- Page 2 -

2026-1286h

AMENDED ANALYSIS

This bill makes it a class B felony for tier III registered offenders to be present in certain designated child safety zones, and makes it an affirmative defense that the offender was there for a legitimate purpose.