

HB 1185-FN - AS INTRODUCED

2026 SESSION

26-2697

09/08

HOUSE BILL ***1185-FN***

AN ACT relative to the offense of endangering the welfare of a child or incompetent.

SPONSORS: Rep. Markell, Rock. 18; Rep. DeSimone, Rock. 18; Rep. Nelson, Rock. 13; Rep. Rice, Hills. 38; Sen. Long, Dist 20

COMMITTEE: Children and Family Law

ANALYSIS

This bill redefines the crime of endangering of the welfare of a child or incompetent, and adds revised penalties for the violation thereof.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the offense of endangering the welfare of a child or incompetent.

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

1 1 Endangering the Welfare of a Child or Incompetent. RSA 639:3 is repealed and reenacted to
2 read as follows:

3 639:3 Endangering Welfare of a Child or Incompetent.

4 I. Any person who owes a child under 18 years of age, or an incompetent, a duty of care,
5 protection, or support, and violates all or any portion of those duties, or induces such child or
6 incompetent to engage in conduct that endangers the safety or health of such child or incompetent,
7 by engaging in conduct or a pattern of conduct so as to expose the child or incompetent to a
8 substantial and unjustifiable risk of serious bodily injury or death, shall be guilty of a class A
9 misdemeanor if such endangerment was negligent, and a class B felony if knowing.

10 II. Any person convicted of a second or subsequent offense under this section shall be guilty
11 of a class B felony.

12 III. If a person violates paragraph I by negligently engaging in conduct or a pattern of
13 conduct that endangers the safety or health of such child or incompetent, and as a result of such
14 exposure, causes serious bodily injury or death of the child or incompetent, the person shall be guilty
15 of a class A felony.

16 2 Effective Date. This act shall take effect January 1, 2027.

**HB 1185-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the offense of endangering the welfare of a child or incompetent.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association