

HB 1556-FN - AS INTRODUCED

2026 SESSION

26-2837

09/08

HOUSE BILL ***1556-FN***

AN ACT relative to the commission of domestic violence offenses in the presence of a child.

SPONSORS: Rep. Korzen, Coos 7; Rep. A. Davis, Coos 2; Rep. Love, Rock. 13; Rep. Ouellet,
Coos 3; Sen. Murphy, Dist 16

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes enhanced penalties for the commission of a domestic violence offense in the presence of a child under 18 years of age, and provides for mandatory reporting and training on such offenses.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 commission of domestic violence offenses in the presence of a child.

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

1 1 Short Title. This act may be known as and cited to as the "Safe Home, Silent Victims Act."

2 2 Legislative Findings. The general court hereby finds that:

3 I. Children exposed to domestic violence suffer significant psychological, emotional, and
4 developmental harm that can persist throughout their lives.

5 II. Domestic violence committed in the presence of children constitutes a particularly
6 egregious form of harm that warrants enhanced criminal penalties to reflect the additional victim
7 impact.

8 III. Enhanced penalties for crimes committed in the presence of children serve important
9 deterrent and protective purposes while maintaining constitutional proportionality.

10 IV. This enhancement focuses solely on the perpetrator's conduct and does not criminalize
11 the victimized parent's inability to prevent the abuse.

12 3 New Paragraph; Sentences and Limitations. Amend RSA 651:2 by inserting after paragraph
13 II-h the following new paragraph:

14 II-i.(a) Any person convicted of an offense under RSA 631:2-b, where the state also proves
15 that the offense was committed in the presence of a child under 18 years of age, shall be subject to
16 the following enhanced penalties:

17 (1) If the underlying domestic violence offense is a class A misdemeanor, the
18 maximum term of imprisonment shall be increased from one year to 18 months;

19 (2) If the underlying domestic violence offense is a class B felony, the minimum term
20 of imprisonment shall be increased by 6 months, and the maximum term shall be increased by one
21 year;

22 (3) The court shall impose a mandatory minimum sentence of not less than 30 days
23 imprisonment.

24 (b) As used in this paragraph, "in the presence of a child" means the child was physically
25 present at the location where the domestic violence occurred, or was in a location where the child
26 could reasonably be expected to see or hear the acts constituting domestic violence, regardless of
27 whether the child actually observed the specific incident of abuse.

28 (c) Nothing in this paragraph shall be construed to:

29 (1) Criminalize the conduct of the domestic violence victim;

30 (2) Create any presumption regarding the fitness of the victimized parent; or

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1 (3) Require removal of the child from the care of the nonoffending parent based
2 solely on the commission of the enhanced offense.

3 (d) In determining the appropriate sentence within the enhanced range, the court shall
4 consider:

5 (1) The age and developmental level of the child present;

6 (2) The nature and severity of the domestic violence offense;

7 (3) The defendant's prior history of domestic violence or child-related offenses;

8 (4) The psychological impact on the child, if available through competent evidence;

9 (5) The defendant's participation in court-ordered treatment or counseling;

10 (6) Any other factors relevant to the protection of children and the prevention of
11 domestic violence.

12 (e) Courts shall provide information about available victim services and child trauma
13 counseling resources to both the adult victim and any children present during sentencing
14 proceedings.

15 4 Mandatory Reporting. Amend RSA 169-C:29 to read as follows:

16 169-C:29 Persons Required to Report. Any physician, surgeon, county medical examiner,
17 psychiatrist, resident, intern, dentist, osteopath, optometrist, chiropractor, psychologist, therapist,
18 registered nurse, hospital personnel (engaged in admission, examination, care and treatment of
19 persons), Christian Science practitioner, teacher, school official, school nurse, school counselor, social
20 worker, day care worker, any other child or foster care worker, law enforcement official, priest,
21 minister, or rabbi or any other person having reason to suspect that a child has been abused or
22 neglected shall report the same in accordance with this chapter. ***In addition, a law enforcement***
23 ***official who responds to a scene where they determine that there is probable cause that a***
24 ***domestic violence offense, as defined by RSA 631:2-b, was committed in the presence of a***
25 ***child, as defined by RSA 651:2, II-i, shall immediately report the same.***

26 5 Directive; Police Standards and Training Council. The police standards and training council
27 shall incorporate training on identifying and documenting child presence at domestic violence scenes
28 within 12 months of the effective date of this act.

29 6 Directive; Attorney General. The attorney general shall develop guidelines for prosecutors
30 regarding the application of this enhancement within 6 months of the effective date of this act.

31 7 Effective Date. This act shall take effect January 1, 2027.

**HB 1556-FN- FISCAL NOTE
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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