

Rep. Scherr, Rock. 26
Rep. Roy, Rock. 31
April 2, 2026
2026-1337h
09/07

Amendment to SB 460-FN

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

2

3 AN ACT prohibiting certain registered criminal offenders from remaining near a school or
4 childcare facility after being requested to leave by a law enforcement officer, absent
5 constitutionally-protected conduct.
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7 Amend the bill by replacing all after the enacting clause with the following:

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9 1 Registration of Criminal Offenders; New Duty Added. Amend RSA 651-B:3 to read as follows:
10 651-B:3 Release of Certain Sexual Offenders Into the Community; Duties; ***Presence at School***
11 ***or Childcare Facility.***

12 I.(a) When a person is convicted of a sexual offense or offense against a child that results in
13 the person being required to register, the court shall notify the offender in writing and advise the
14 offender of his or her duty to report under this chapter. The offender shall acknowledge in writing
15 that he or she has received such notice. The court shall forward a copy of the notice to the division
16 along with a copy of each offense for which he or she was convicted, including a copy of any
17 indictment, complaint, juvenile petition, mittimus, or other court orders. The division shall enter
18 such information into the SOR system.

19 (b) Upon release of any sexual offender or offender against children required to register,
20 whether on probation, parole, conditional or unconditional release, completion of sentence, release
21 from secure psychiatric care, release into the community after involuntary commitment, release from
22 a juvenile detention facility, or for any other reason, the official in charge of such release shall notify
23 the offender of the offender's duty to report under this chapter. ***The official shall also notify the***
24 ***person of the restriction on their conduct imposed by RSA 651-B:3, V.*** The offender shall
25 acknowledge in writing that he has received such notice. The official shall obtain the address at
26 which the offender expects to reside upon release and shall report such address to the department.
27 The department shall inform the local law enforcement agency in the city or town where the offender
28 expects to reside. The local law enforcement agency in the city or town where the offender expects to
29 reside may notify the superintendent of the school administrative unit and the principal of any
30 school within its jurisdiction of the address at which the offender expects to reside. If such
31 notification occurs, the local law enforcement agency shall also notify the superintendent of the
32 school administrative unit and the principal of any school within its jurisdiction of any changes to

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1 the offender's information made pursuant to RSA 651-B:5. The division shall enter the information
2 concerning the offender's release and notification in the SOR system.

3 II. Upon receipt from any out-of-state law enforcement agency of information that a sex
4 offender or offender against children has moved to New Hampshire, the department shall obtain the
5 address at which the offender expects to reside and shall inform the local law enforcement agency.
6 The local law enforcement agency in the city or town where the offender expects to reside may notify
7 the superintendent of the school administrative unit and the principal of any school within its
8 jurisdiction of the address at which the offender expects to reside. The department shall locate and
9 shall serve notice upon such offender of the offender's duty to report under this chapter. *The*
10 *department shall also notify the person of the restriction on their conduct imposed by RSA*
11 *651-B:3, V.* Service by the department is not required if the offender has already registered with the
12 local law enforcement agency in which the offender resides or is located as required by this chapter.
13 At the time of the initial registration, the offender shall acknowledge in writing that the offender has
14 received notice of the duty to report *and of the restriction on their conduct imposed by RSA*
15 *651-B:3, V.* The division shall enter the information concerning the offender's location in New
16 Hampshire and notification in the SOR system. This paragraph shall not apply to a sexual offender
17 or offender against children who has moved to New Hampshire and has registered with a local law
18 enforcement agency.

19 III. Semi-annually, the department shall verify, in person, the address at which the offender
20 resides or by sending a letter by certified non-forwarding mail to the offender. The address
21 verification shall occur prior to the offender's birthday and again prior to the offender's 6-month
22 semi-annual registration. The address verification shall remind the offender of the obligation to
23 register in person. The offender shall sign the address verification and return it to the officer, if the
24 address verification was made in person, or to the department within 10 business days of receipt.

25 IV. In the discretion of the local law enforcement agency or the department, such agency or
26 the department may affirmatively verify the address of any offender within that agency's jurisdiction
27 through in-person contact at the home or residence of the offender.

28 *V. Any tier II or tier III sexual offender required to register under this chapter shall*
29 *be guilty of a violation if the offender knowingly remains in an area within 100 feet of a*
30 *school or childcare facility after being requested to leave by a law enforcement officer,*
31 *unless the offender is engaged in constitutionally-protected conduct.*

32 2 Effective Date. This act shall take effect January 1, 2027.

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AMENDED ANALYSIS

This bill prohibits certain registered criminal offenders from remaining near a school or childcare facility after being requested to leave by a law enforcement officer, absent constitutionally-protected conduct.