

SB 460-FN - AS AMENDED BY THE HOUSE

23Apr2026... 1286h

2026 SESSION

26-2225

09/06

SENATE BILL **460-FN**

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

SPONSORS: Sen. Ricciardi, Dist 9; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Birdsell, Dist 19; Sen. Altschiller, Dist 24; Rep. Lynn, Rock. 17; Rep. Perez, Rock. 16; Rep. Kuttab, Rock. 17; Rep. Rhodes, Ches. 17; Rep. Roy, Rock. 31

COMMITTEE: Judiciary

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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 prohibiting tier III criminal offenders from being present in designated child safety zones absent a legitimate purpose.

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

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

3 651-B:13 Child Safety Zones; Prohibited Presence.

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

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

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

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

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

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

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

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

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

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

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

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

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

24 2 Effective Date. This act shall take effect January 1, 2027.

**SB 460-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the offense of loitering or prowling.

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