

CHAPTER 116
HB 1051 - FINAL VERSION

5Mar2026... 0711h

2026 SESSION

26-2460
09/08

HOUSE BILL

1051

AN ACT modifying the procedures and requirements for school bus driver criminal history records checks and expanding the personnel subject to such checks.

SPONSORS: Rep. Layon, Rock. 13

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

This bill modifies the procedures for school bus driver criminal history records checks by extending its application to volunteers and contractors and specifying requirements for such record checks, including fingerprinting. The bill also directs the department of education to implement a secure system for such record checks and authorizes the department to make rules relative to the rights of personnel in criminal history record checks.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT modifying the procedures and requirements for school bus driver criminal history records checks and expanding the personnel subject to such checks.

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

1 116:1 School Bus Driver Criminal History Records Check; Procedures Modified. RSA 189:13-b is
2 repealed and reenacted to read as follows:

3 189:13-b School Bus Driver Criminal History Records Check.

4 I. The department of education shall complete a criminal history records check on all school bus
5 drivers, school transportation vehicle drivers, school bus monitors, designated volunteers, and contracted
6 service providers, as would school administrative units, school districts, and chartered public schools
7 pursuant to RSA 189:13-a. The criminal history record check clearance shall be valid for a period of 5
8 years.

9 II.(a) The school bus driver, school transportation vehicle driver, school bus monitor, designated
10 volunteer, or contracted service provider with a school administrative unit, school district, chartered public
11 school, public academy, or non-public special education school shall submit to the department a criminal
12 history records release form, as provided by the division of state police, which authorizes the division of
13 state police to conduct a criminal history records check through its state records and through the Federal
14 Bureau of Investigation and to release a report of the individual's criminal history record information,
15 including confidential criminal history record information, to the background check coordinator of the
16 department, as described in RSA 21-N:8-a, I-a.

17 (b) The department shall establish and implement a secure system for conducting a check of
18 all personnel listed in this section in the National Association of State Directors of Teacher Education and
19 Certification (NASDTEC) database by utilizing the applicant's social security number.

20 III. School bus drivers, school transportation vehicle drivers, school bus monitors, and contracted
21 service providers shall submit with the release form a complete set of fingerprints taken by a qualified law
22 enforcement agency or an authorized employee of the department of education. In the event that the first
23 set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be taken in order
24 to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to
25 insufficient pattern, the department may, in lieu of the criminal history records check, accept police
26 clearance from every city, town, or county where an applicant or candidate has resided in during the past
27 10 years.

28 IV.(a) The department shall maintain the confidentiality of all criminal history records information
29 received pursuant to this section. The department shall destroy all criminal history record information
30 within 60 days of receiving said information.

31 (b) The department may require individuals to pay the actual costs of the criminal history
32 records check.

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1 V.(a) Any person who has been charged pending disposition for or convicted of any violation or
2 attempted violation of RSA 318-B:2 for possession of a controlled drug with the intent to sell, felony level,
3 within the last 10 years; RSA 630:1, 630:1-a, 630:1-b, 630:2, 630:3, 631:1, 631:2, 631:2-b, 632:1, 632-
4 A:2, 632-A:3, 632-A:4, 633:1, 633:7, 636:1, 638:1, 638:15-a, 639:2, 639:3, 645:1, II or III, 645:2, 649-A:3,
5 649-A:3-a, 649-A:3-b, 649-B:3, or 649-B:4; or any violation or any attempted violation of RSA 650:2 where
6 the act involves a child in material deemed obscene in this state, or under any statute prohibiting the
7 same conduct in another state, territory, or possession of the United States, shall not be granted a
8 clearance, nor shall they be employable or contracted in a public school, public charter school, public
9 academy, or non-public approved special education school within the state of New Hampshire.

10 (b) A school administrative unit, school district, public school, public charter school, public
11 academy, or non-public approved special education school in the state of New Hampshire shall not
12 employ any individual who has had their educator credential revoked in New Hampshire or any other
13 state.

14 VI. The department of education shall adopt rules, pursuant to RSA 541-A, governing the rights
15 of educational and contracted personnel and their ability to appeal a denial of a clearance pursuant to a
16 charge pending disposition for or a conviction of any of the offenses under RSA 189:13-b, V.

17 116:2 Effective Date. This act shall take effect July 1, 2026.

Approved: June 02, 2026
Effective Date: July 01, 2026

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