

Senate Children and Family Law Committee

Joshua Schauer 271-3077

SB 278-FN, including qualifying convictions from other states as grounds for termination of parental rights petitions.

Hearing Date: February 20, 2025

Time Opened: 9:30 a.m.

Time Closed: 9:40 a.m.

Members of the Committee Present: Senators Abbas, Sullivan and Long

Members of the Committee Absent : None

Bill Analysis: This bill includes qualifying convictions from other states as grounds for termination of parental rights petitions.

Sponsors:

Sen. Prentiss

Who supports the bill: Senator Prentiss (SD-5), Susan Larrabee (DHHS), Emily Lawrence (Waypoint), Nicole Sharpe, Sarah McCarthy, Cheryl Spagnuolo, Michaela Janowski, Maria Stephanou, Meghan Desrosiers.

Summary of testimony presented in support:

Thomas O’Neil: Minority Caucus Director

- Mr. O’Neil introduced SB 278-FN on behalf of the prime sponsor, Senator Prentiss (SD-5).
- This legislation was at the request of NH DHHS. The bill seeks to amend RSA 170-C:5.the amendment clarifies that qualifying convictions from other states qualify for grounds of termination of parental rights.

Susan Larrabee: Department of Children, Youth and Family Legislative Liaison

- She described the civil process for the termination of parental rights for certain conditions which are described in 170-G:5.
- She said this bill pertains to Section VI, in which the grounds for termination can be brought for certain convictions for several cases. This section of the RSA references New Hampshire criminal RSA’s but does not expressly state “or the equivalent of another state”.

- This legislation includes other crimes from out-of-state jurisdictions that coincide with New Hampshire convictions at an equivalent level.

Senator Abbas asked for some clarification on the phrase “equivalent conviction”, he asked if she could provide some clarification on what that means?

Ms. Larrabee said that the standard for the termination of parental rights is a *beyond reasonable doubt* consideration. So by law, the state would be looking to see if the parent or guardian provided beyond reasonable doubt, the crime another parent was convicted of. The state would then look at the out-of-state criminal statute and compare it with NH statutes at an equivalent level.

Senator Long asked with respect to the effective date, if the effective date could go back further in history?

Ms. Larrabee stated that they would not need to go back, because it is implied already in the law. The legislation is for convictions going forward. By looking at the convictions from out-of-state that it would be in the rights to ask for termination of parental rights.