

HB 1382 - AS AMENDED BY THE HOUSE

15Mar2022... 0887h

2022 SESSION

22-2534

07/05

HOUSE BILL

1382

AN ACT relative to the presumption of shared parenting in the determination of parental rights and responsibilities.

SPONSORS: Rep. Kofalt, Hills. 4; Rep. Abrami, Rock. 19; Rep. Post, Hills. 4; Rep. Yakubovich, Merr. 24; Rep. Yokela, Rock. 33; Rep. Homola, Hills. 27; Rep. Love, Rock. 6; Rep. Spillane, Rock. 2; Rep. Bernardy, Rock. 16; Sen. Avar, Dist 12; Sen. Ward, Dist 8; Sen. Daniels, Dist 11

COMMITTEE: Children and Family Law

AMENDED ANALYSIS

 This bill defines shared parenting and establishes a presumption that shared parenting is in the best interests of the child.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the presumption of shared parenting in the determination of parental rights and responsibilities.

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

1 1 New Paragraph; Parental Rights and Responsibilities; Definitions; Shared Parenting
2 Specified. Amend RSA 461-A:1 by inserting after paragraph VII the following new paragraph:

3 VIII. "Shared parenting" means an arrangement in which each parent plays a substantially
4 equal role in decision making responsibility, and 35 percent or more of the child's residential time is
5 spent with each parent.

6 2 Parental Rights and Responsibilities; Determination of Parental Rights and Responsibilities;
7 Best Interest; Presumption of Shared Parenting Established. Amend RSA 461-A:6, I-a to read as
8 follows:

9 I-a. If the court concludes that frequent and continuing contact between each child and both
10 parents is not in the best interest of the child, the court shall make findings supporting its order. ***If***
11 ***the court does not make that conclusion, there shall be a presumption that shared***
12 ***parenting is in the best interests of the child.***

13 3 Effective Date. This act shall take effect upon its passage.