

HB 408 - AS AMENDED BY THE HOUSE

6Jan2022... 2177h

2021 SESSION

21-0004

04/05

HOUSE BILL

408

AN ACT relative to employment restrictions for registered sex offenders.

SPONSORS: Rep. Verville, Rock. 2; Rep. Baldasaro, Rock. 5; Sen. Reagan, Dist 17

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

This bill prohibits a person convicted of certain sexual assault offenses from hiring or otherwise engaging in any employment or volunteer service which provides direct services to a minor, or supervision or oversight of a minor.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to employment restrictions for registered sex offenders.

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

1 1 Sexual Assault and Related Offenses; Prohibition From Contact With a Minor. Amend RSA
2 632-A:10 to read as follows:

3 632-A:10 Prohibition From ~~[Child Care Service of Persons Convicted of Certain Offenses]~~
4 ***Employment in Businesses Providing Direct Services to Minors or Direct Supervision or***
5 ***Oversight of Minors.***

6 I. A person is guilty of a class A felony if, having been convicted in this or any other
7 jurisdiction of any felonious offense involving child sexual abuse images, or of a felonious physical
8 assault on a minor, or of any sexual assault, he or she knowingly ~~[undertakes]~~ ***engages in any***
9 employment or volunteer service ~~[involving the care, instruction or guidance of minor children,~~
10 ~~including, but not limited to, service as a teacher, a coach, or worker of any type in child athletics, a~~
11 ~~day care worker, a boy or girl scout master or leader or worker, a summer camp counselor or worker~~
12 ~~of any type, a guidance counselor, or a school administrator of any type]~~ ***that provides direct***
13 ***services to minors, or supervision or oversight of minors.***

14 II.(a) A person is guilty of a class B felony if, having been convicted in this or any other
15 jurisdiction of any of the offenses specified in paragraph I of this section, he ***or she*** knowingly fails to
16 provide information of such conviction when applying or volunteering for ~~[service or]~~ ***any***
17 employment ~~[of any type involving the care, instruction, or guidance of minor children, including, but~~
18 ~~not limited to, the types of services set forth in paragraph I]~~ ***or volunteer activity that provides***
19 ***direct services to minors, or supervision or oversight of minors.***

20 (b) ***A public or private employer or organization, whose primary intent is to***
21 ***provide direct services to minors, or whose employees provide supervision or oversight of***
22 ***minors, shall conduct a criminal background check of any prospective employee or***
23 ***volunteer.***

24 III. A person is guilty of a class B felony if, having been convicted in this or any other
25 jurisdiction of any of the offenses specified in paragraph I of this section, he ***or she*** knowingly fails to
26 provide information of such conviction when making application for initial teacher certification in
27 this state.

28 2 Effective Date. This act shall take effect January 1, 2023.