

HB 460 - AS INTRODUCED

2021 SESSION

21-0660

05/04

HOUSE BILL **460**

AN ACT establishing a committee to study cases involving the determination of parental rights and responsibilities.

SPONSORS: Rep. Long, Hills. 10; Rep. DeSimone, Rock. 14; Rep. Wazir, Merr. 17

COMMITTEE: Children and Family Law

ANALYSIS

This bill establishes a committee to study cases involving the determination of parental rights and responsibilities.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 establishing a committee to study cases involving the determination of parental rights and responsibilities.

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

1 1 Committee Established. There is established a committee to study cases involving the
2 determination of parental rights and responsibilities.

3 2 Membership and Compensation.

4 I. The members of the committee shall be as follows:

5 (a) Three members of the house of representatives, appointed by the speaker of the
6 house of representatives.

7 (b) Two members of the senate, appointed by the president of the senate.

8 II. Members of the committee shall receive mileage at the legislative rate when attending to
9 the duties of the committee.

10 3 Duties.

11 I. The committee shall review the provisions of RSA 461-A regarding parental rights and
12 responsibilities, the applicable court rules and procedures in parenting cases, and how the statute
13 and rules are implemented in practice.

14 II. The review shall include consideration of:

15 (a) The percentage of cases in which residential responsibility is awarded to one or both
16 parents, the gender of the parent with primary residential responsibility, and commonly identified
17 reasons for those decisions.

18 (b) Financial costs to the parent assuming greater parenting responsibility.

19 (c) Similarities in non-contested divorce decrees in the determination of parental rights
20 and responsibilities.

21 (d) Differences, if any, between non-contested and contested divorce decrees in the
22 determination of parental rights and responsibilities.

23 III. The committee shall consider changes to make the practice more equitable, to minimize
24 incentives for unnecessary adversarial proceeding between parents, and to promote better outcomes
25 for children and families.

26 IV. The committee may solicit information and testimony from any individual or entity the
27 committee deems relevant to the study, including the judicial branch family division and attorneys
28 with expertise in family law.

29 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
30 among the members. The first meeting of the committee shall be called by the first-named house

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1 member. The first meeting of the committee shall be held within 45 days of the effective date of this
2 section. Three members of the committee shall constitute a quorum.

3 5 Report. The committee shall report its findings and any recommendations for proposed
4 legislation to the speaker of the house of representatives, the president of the senate, the house
5 clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

6 6 Effective Date. This act shall take effect upon its passage.