

Amendment to SB 515-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the child protection act.

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5 Amend the bill by replacing section 2 with the following:

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7 2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by  
8 inserting after section 12-d the following new section:

9 169-C:12-e Rebuttable Presumption of Harm. Evidence of a custodial parent's opioid drug  
10 abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall create a  
11 rebuttable presumption that the child's health has suffered or is very likely to suffer serious  
12 impairment. The presumption may be rebutted by evidence of the parent's compliance with  
13 treatment for such use or dependence.

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15 Amend the bill by replacing all after section 4 with the following:

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17 5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

18 6 Effective Date.

19 I. Section 5 of this act shall take effect July 1, 2020.

20 II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill provides that evidence of a custodial parent's opioid drug abuse or dependence creates a rebuttable presumption of harm under the Child Protection Act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

The bill is a request of the department of health and human services.