

Rep. Itse, Rock. 10
Rep. Ferreira, Hills. 28
Rep. Ingbretson, Graf. 15
April 19, 2016
2016-1481h
05/04

Floor Amendment to SB 515-FN

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

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3 2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by
4 inserting after section 12-d the following new section:

5 169-C:12-e Rebuttable Presumption of Harm. There shall be a rebuttable presumption that
6 evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-
7 B:1, I or RSA 318-B:1, IX, is evidence that a child's health has suffered or is very likely to suffer
8 serious impairment or to issue an ex parte order. The presumption may be rebutted by evidence
9 such as the parent's participation in treatment for such use or dependence or another responsible
10 adult in the home acting as a caretaker.

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

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14 5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

15 6 Effective Date.

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

17 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.