

Amendment to HB 263

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

2
3 1 Child Protection Act; Reunification Prohibited. Amend RSA 169-C:23 to read as follows:

4 169-C:23 Standard for Return of Child in Placement.

5 **I.** In the absence of a guardianship of the person of the minor, governed by the terms of
6 RSA 463, before a child in out-of-home placement is returned to the custody of his or her ~~[parents,~~
7 ~~the parent or parents]~~ **parent, the parent** shall demonstrate to the court that:

8 ~~[I. They are]~~ **(a) He or she is** in compliance with the outstanding dispositional court order;

9 ~~[II.]~~ **(b)** The child will not be endangered in the manner adjudicated on the initial petition,
10 if returned home;

11 ~~[III.]~~ **(c)** Return of custody is in the best interests of the child. Upon showing the ability to
12 provide proper parental care, it shall be presumed that a return of custody is in the child's best
13 interests.

14 **II. In no case shall the court order family reunification or placement with a parent**
15 **or guardian who is a tier III offender, convicted of a sexual offense against a child as**
16 **defined in RSA 651-B:1. Nor shall the permanency plan for a child in placement involve**
17 **family reunification or placement with a parent or guardian who is a tier III offender,**
18 **convicted of a sexual offense against a child as defined in RSA 651-B:1. Nothing in this**
19 **paragraph shall be construed as conferring any rights on a parent or guardian who is a**
20 **tier I or tier II offender, convicted of a sexual offense against a child as defined in RSA**
21 **651-B:1.**

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AMENDED ANALYSIS

This bill prohibits the court in an abuse and neglect proceeding from ordering family reunification or placement with a parent or guardian who is a tier III sex offender, convicted of a sexual offense against a child.