

Amendment to HB 1659-FN

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Parental Rights and Responsibilities; Parenting Plan Contents; Access to Records and
4 Information. Amend RSA 461-A:4, II(b) to read as follows:

5 (b) Information sharing and access, including telephone and electronic access. ***Unless***
6 ***the court order or parenting plan specifically provides otherwise, and unless otherwise***
7 ***precluded by state or federal law, both parents shall have access to records and***
8 ***information pertaining to a minor child including, but not limited too, medical, dental,***
9 ***and school records.***

10 2 Parental Rights and Responsibilities; Judicial Enforcement of Parenting Schedule. Amend
11 RSA 461-A:4-a to read as follows:

12 461-A:4-a Judicial Enforcement of Parenting Plan.

13 ***I. The court shall hold a hearing on*** any motion for contempt or enforcement of an order
14 regarding an approved parenting plan under this chapter~~[if filed by a parent, shall be reviewed by~~
15 ~~the court]~~ ***filed by a parent*** within 30 days, ***and within 10 days of the conclusion of an***
16 ***investigation by the division for children youth and families (DCYF) or law enforcement.***

17 ***II. If the court finds that a parent has, without just cause, failed to abide by the***
18 ***terms of a parenting plan under RSA 461-A:4, or access was denied due to an investigation***
19 ***by DCYF that did not result in a finding of abuse or neglect, the court shall order***
20 ***additional parenting time to the other parent as compensation for time lost with the child.***
21 ***The court shall order the parties to resume the parenting schedule immediately thereafter***
22 ***according to the original court-ordered parenting plan.***

23 ***III. In addition to reasonable attorneys fees and costs under RSA 461-A:15, the court***
24 ***may impose a fine of \$500 for noncompliance with the parenting plan.***

25 3 Applicability. This act shall apply to any proceeding in the family division of the circuit court
26 affecting the child-parent relationship pending on or after the effective date of this act. This act
27 shall not apply to any proceeding in which a final order was issued prior to the effective date of this
28 act.

29 4 Effective Date. This act shall take effect January 1, 2025.

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AMENDED ANALYSIS

This bill provides that unless the parenting plan specifically provides otherwise, both parents shall have access to all records and information pertaining to the child. The bill further directs the court to award a parent additional parenting time in response to the other parent's noncompliance with the parenting schedule. The bill also permits the court to fine the parent for noncompliance with the court-ordered parenting schedule.