

SB 515-FN - AS INTRODUCED

2026 SESSION

26-2068
09/08

SENATE BILL **515-FN**

AN ACT relative to judicial determinations related to children placed in a qualified residential treatment program in certain juvenile matters and appointment of counsel in certain circumstances.

SPONSORS: Sen. Long, Dist 20; Sen. Sullivan, Dist 18; Sen. Perkins Kwoka, Dist 21; Sen. Fenton, Dist 10; Sen. Rosenwald, Dist 13; Sen. Avard, Dist 12; Sen. Watters, Dist 4; Sen. Prentiss, Dist 5; Sen. Altschiller, Dist 24; Sen. Birdsell, Dist 19

COMMITTEE: Children and Family Law

ANALYSIS

This bill revises juvenile statutes relative to placements in qualified residential treatment programs to align with federal requirements. The bill directs the department of health and human services to have a qualified assessment of the child conducted within 30 days of placement and the court to review the assessment and placement within 60 days of placement. This bill further allows litigation to continue if despite a diligent search, counsel has not yet been secured for a child in certain proceedings under the child protection act.

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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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-Six

AN ACT relative to judicial determinations related to children placed in a qualified residential treatment program in certain juvenile matters and appointment of counsel in certain circumstances.

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

1 1 Delinquent Children; Placement in a Qualified Residential Treatment Program. Amend RSA
2 169-B:19-d to read as follows:

3 169-B:19-d Placement in a Qualified Residential Treatment Program.

4 For any child placed in a qualified residential treatment program, as defined in the federal
5 Family First Prevention Services Act of 2017~~[-the court shall]:~~

6 I. ~~[Order]~~ **The department shall have** an assessment ~~[to be]~~ completed within 30 days of
7 placement by a qualified individual as defined by the federal Family First Prevention Services Act of
8 2017; and

9 II. ~~[Review]~~ **The court shall review** the assessment and issue an order approving the
10 placement or changing the placement within 60 days of placement.

11 2 Child Protection Act; Placement in a Qualified Residential Treatment Program. Amend RSA
12 169-C:19-f to read as follows:

13 169-C:19-f Placement in a Qualified Residential Treatment Program.

14 For any child placed in a qualified residential treatment program, as defined in the federal
15 Family First Prevention Services Act of 2017~~[-the court shall]:~~

16 I. ~~[Order]~~ **The department shall have** an assessment ~~[to be]~~ completed within 30 days of
17 placement by a qualified individual as defined by the federal Family First Prevention Services Act of
18 2017; and

19 II. ~~[Review]~~ **The court shall review** the assessment and issue an order approving the
20 placement or changing the placement within 60 days of placement.

21 3 Children in Need of Services; Placement in a Qualified Residential Treatment Program.
22 Amend RSA 169-D:9-d to read as follows:

23 169-D:9-d Placement in a Qualified Residential Treatment Program.

24 For any child placed in a qualified residential treatment program, as defined in the federal
25 Family First Prevention Services Act of 2017~~[-the court shall]:~~

26 I. ~~[Order]~~ **The department shall have** an assessment ~~[to be]~~ completed within 30 days of
27 placement by a qualified individual as defined by the federal Family First Prevention Services Act of
28 2017; and

1 II. ~~[Review]~~ ***The court shall review*** the assessment and issue an order approving the
2 placement or changing the placement within 60 days of placement.

3 4 New Subparagraph; Attorneys and Guardians Ad Litem. Amend RSA 169-C:10, II by
4 inserting after subparagraph (e) the following new subparagraph:

5 (f) In any action in which, despite diligent efforts to secure counsel, an attorney is not
6 available for appointment, litigation may proceed until an attorney becomes available. In such
7 cases, the court shall, where possible, prioritize consideration of legal issues that do not affect the
8 child's expressed interests until an attorney becomes available.

9 5 Effective Date.

10 I. Section 4 of this act shall take effect August 1, 2026.

11 II. The remainder of this act shall take effect 60 days after its passage.

**SB 515-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to judicial determinations related to children placed in a qualified residential treatment program in certain juvenile matters and appointment of counsel in certain circumstances.

FISCAL IMPACT:

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

Judicial Branch and Department of Health and Human Services