

HB 257-FN - AS INTRODUCED

2025 SESSION

25-0317

09/05

HOUSE BILL ***257-FN***

AN ACT establishing the crime of criminal neglect of a child.

SPONSORS: Rep. Rollins, Sull. 3; Rep. Moffett, Merr. 4; Rep. Pauer, Hills. 36; Rep. Levesque, Straf. 4; Rep. B. Sullivan, Sull. 1; Rep. Damon, Sull. 8; Sen. Ward, Dist 8

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes the crime of criminal neglect of a child and provides penalties for committing the offense.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT establishing the crime of criminal neglect of a child.

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

1 1 Short Title. This act may be known as and cited to as "Charlotte's Law."

2 2 New Section; Criminal Code; Criminal Neglect of a Child. Amend RSA 639 by inserting after
3 section 3 the following new section:

4 639:3-a Criminal Neglect of a Child.

5 I. A person is guilty of criminal neglect of a child if the person is responsible for a child's
6 welfare and, through his or her action or failure to take action for reasons other than poverty,
7 negligently fails to provide any of the following, so as to seriously endanger the physical, mental, or
8 emotional health of a child:

9 (a) Necessary care.

10 (b) Necessary food.

11 (c) Necessary clothing.

12 (d) Necessary medical care.

13 (e) Necessary shelter.

14 (f) The protection from ingestion of or exposure to distribution or manufacture of
15 controlled drugs.

16 II. For purposes of this section:

17 (a) "Child" means a person under 18 years of age.

18 (b) "Necessary care" means care that is vital to the needs of a child's physical, emotional,
19 or mental health based on all of the facts and circumstances bearing on the child's need for care,
20 including the child's age; the child's physical, mental, or emotional condition; and any special needs
21 of the child.

22 III. A person who violates paragraph I is guilty of:

23 (a) A class A felony, if the neglect resulted in the child's death.

24 (b) A class B felony, if the neglect resulted in a serious bodily injury to the
25 child or if the child becomes a victim of any offense under RSA chapters 632-A or 649-A, as a
26 consequence of the neglect.

27 (c) A class B felony, if the actor has twice before been convicted of an offense under this
28 section.

29 (d) A class A misdemeanor for any other violation of this section.

30 2 Extended Term of Imprisonment. Amend RSA 651:6, I(e) to read as follows:

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- 1 (e) Has committed or attempted to commit any of the crimes defined in RSA 631, [or]
- 2 632-A, **or 639:3-a** against a person under 13 years of age;
- 3 3 Effective Date. This act shall take effect January 1, 2026.

**HB 257-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing the crime of criminal neglect of a child.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association