

HB 285-FN - AS INTRODUCED

2025 SESSION

25-0631
09/11

HOUSE BILL ***285-FN***

AN ACT relative to determination of parental rights and responsibilities.

SPONSORS: Rep. Ball, Rock. 25

COMMITTEE: Children and Family Law

ANALYSIS

This bill adds to the list of factors for a court to consider in determining parental rights and responsibilities any known mental health conditions of the parent.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to determination of parental rights and responsibilities.

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

1 1 Parental Rights and Responsibilities; Determination of Parental Rights and
2 Responsibilities; Best Interest. Amend RSA 461-A:6, I(m) to read as follows:

3 (m) Any other additional factors the court deems relevant, ***including***
4 ***due consideration for any known mental health conditions of the parent.***

5 2 Effective Date. This act shall take effect January 1, 2026.

HB 285-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to determination of parental rights and responsibilities.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

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

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

METHODOLOGY:

This bill adds to the list of factors for a court to consider in determining parental rights and responsibilities any known mental health conditions of the parent.

The Judicial Branch states amending RSA 461-A:6, I(m) to include “known mental health conditions” of the parent could result in some additional litigation regarding potential privacy interests and privileged medical records. The estimated costs of this additional litigation for the court system are difficult to estimate, but could range between \$10,000 and \$100,000 in the early years until precedent is established. The Branch indicates that additional legislative guidance on how to address these considerations may reduce potential litigation, and therefore costs.

AGENCIES CONTACTED:

Judicial Branch