

HB 1550-FN - AS INTRODUCED

2022 SESSION

22-2324

08/04

HOUSE BILL

***1550-FN***

AN ACT                   relative to the right of children and teenagers to testify in family court proceedings.

SPONSORS:           Rep. Gay, Rock. 8; Rep. Stapleton, Sull. 5; Rep. M. Pearson, Rock. 34; Rep. Wuelper, Straf. 3; Rep. Bernardy, Rock. 16; Rep. Greeson, Graf. 16; Rep. Woods, Merr. 23; Rep. Langley, Hills. 8; Rep. Nutter-Upham, Hills. 33; Rep. Rung, Hills. 21

COMMITTEE:       Children and Family Law

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ANALYSIS

This bill requires the court to allow a child 12 years of age or older to testify in a family court proceeding and permits a child under 12 years of age to testify at the judge's discretion.

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                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    relative to the right of children and teenagers to testify in family court proceedings.

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

1            1 New Paragraph; Parental Rights and Responsibilities; Testimony of a Child. Amend RSA 461-  
2 A:6 by inserting after paragraph VII the following new paragraph:

3            VIII. The court shall permit a child 12 years of age or older to testify orally or in writing by  
4 sworn statement at any proceeding determining parental rights and responsibilities under this  
5 chapter. The court may permit a child under 12 years of age to testify orally or in writing by sworn  
6 statement at a proceeding determining parental rights and responsibilities under this chapter.

7            2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1550-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to the right of children and teenagers to testify in family court proceedings.

**FISCAL IMPACT:**    ☒ State                    ☐ County                    ☐ Local                    ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

**METHODOLOGY:**

This bill requires the court to allow a child 12 years of age or older to testify in a family court proceeding and permits a child under 12 years of age to testify at the judge's discretion.

The Judicial Branch assumes this would result in more children 12 or older providing testimony and thereby increasing the length of some hearings or trials and increasing the complexity of those cases. The fiscal impact on the Judicial Branch is indeterminable as the Branch is unable to determine how many cases would be affected by this change.

It is assumed that any fiscal impact would occur after FY 2022.

**AGENCIES CONTACTED:**

Judicial Branch