

Amendment to HB 408

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

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3 1 Sexual Assault and Related Offenses; Prohibition From Contact With a Minor. Amend RSA
4 632-A:10 to read as follows:

5 632-A:10 Prohibition From ~~[Child Care Service of Persons Convicted of Certain Offenses]~~
6 ***Employment in Businesses Providing Direct Services to Minors or Direct Supervision or***
7 ***Oversight of Minors.***

8 I. A person is guilty of a class A felony if, having been convicted in this or any other
9 jurisdiction of any felonious offense involving child sexual abuse images, or of a felonious physical
10 assault on a minor, or of any sexual assault, he or she knowingly ~~[undertakes]~~ ***engages in any***
11 ***employment or volunteer service [involving the care, instruction or guidance of minor children,***
12 ***including, but not limited to, service as a teacher, a coach, or worker of any type in child athletics, a***
13 ***day care worker, a boy or girl scout master or leader or worker, a summer camp counselor or worker***
14 ***of any type, a guidance counselor, or a school administrator of any type]*** ***that provides direct***
15 ***services to minors, or supervision or oversight of minors.***

16 II.(a) A person is guilty of a class B felony if, having been convicted in this or any other
17 jurisdiction of any of the offenses specified in paragraph I of this section, he ***or she*** knowingly fails to
18 provide information of such conviction when applying or volunteering for ~~[service or]~~ ***any***
19 ***employment [of any type involving the care, instruction, or guidance of minor children, including, but***
20 ***not limited to, the types of services set forth in paragraph I]*** ***or volunteer activity that provides***
21 ***direct services to minors, or supervision or oversight of minors.***

22 (b) ***A public or private employer or organization, whose primary intent is to***
23 ***provide direct services to minors, or whose employees provide supervision or oversight of***
24 ***minors, shall conduct a criminal background check of any prospective employee or***
25 ***volunteer.***

26 III. A person is guilty of a class B felony if, having been convicted in this or any other
27 jurisdiction of any of the offenses specified in paragraph I of this section, he ***or she*** knowingly fails to
28 provide information of such conviction when making application for initial teacher certification in
29 this state.

30 2 Effective Date. This act shall take effect January 1, 2023.

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AMENDED ANALYSIS

This bill prohibits a person convicted of certain sexual assault offenses from hiring or otherwise engaging in any employment or volunteer service which provides direct services to a minor, or supervision or oversight of a minor.