

HB 185-FN - AS AMENDED BY THE HOUSE

3Jan2024... 2378h

2023 SESSION

23-0366

06/05

HOUSE BILL

185-FN

AN ACT relative to the determination of parental rights and responsibilities based on shared parenting.

SPONSORS: Rep. Post, Hills. 42; Rep. Terry, Belk. 7; Rep. Moulton, Hills. 20; Rep. Porcelli, Rock. 19; Rep. Kofalt, Hills. 32; Rep. Edwards, Rock. 31; Rep. Harley, Rock. 30; Rep. Potucek, Rock. 13; Rep. Polozov, Merr. 10; Rep. K. Perez, Rock. 16; Sen. Avar, Dist 12; Sen. Ward, Dist 8

COMMITTEE: Children and Family Law

AMENDED ANALYSIS

This bill provides that it is a state policy to support approximately equal parenting time between a child and parent unless such an arrangement is clearly detrimental to the child. The bill also provides that if the court concludes that approximately equal parenting time is not in the best interest of the child, the court shall make findings supporting its order.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the determination of parental rights and responsibilities based on shared parenting.

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

1 1 Parental Rights and Responsibilities; Statement of Purpose. Amend RSA 461-A:2, I(a) to read
2 as follows:

3 (a) Support ~~[frequent and continuing contact]~~ ***approximately equal parenting time***
4 between each child and both parents.

5 2 Determination of Parental Rights and Responsibilities; Best Interest. Amend RSA 461-A:6, I-
6 a to read as follows:

7 I-a. If the court concludes that ~~[frequent and continuing contact]~~ ***approximately equal***
8 ***parenting time*** between each child and both parents is not in the best interest of the child, the
9 court shall make findings supporting its order.

10 3 Effective Date. This act shall take effect January 1, 2025.

HB 185-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2023-2378h)

AN ACT relative to the determination of parental rights and responsibilities based on shared parenting.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2024	FY 2025	FY 2026	FY 2027
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill provides that it is a state policy to support approximately equal parenting time between a child and parent unless such an arrangement is clearly detrimental to the child. The bill also provides that if the court concludes that approximately equal parenting time is not in the best interest of the child, the court shall make findings supporting its order. The Judicial Branch is unable to determine what impact this bill would have on parental rights litigation in the Family Division and appeals filed with the Supreme Court. The Branch is unable to determine how many cases would be affected, or how long any increase in litigation would last. Therefore, the Branch is unable to determine the fiscal impact this bill would have on parental rights litigation in the Family Division and appeals filed with the Supreme Court.

AGENCIES CONTACTED:

Judicial Branch