

HB 267 - AS INTRODUCED

2023 SESSION

23-0235

10/04

HOUSE BILL **267**

AN ACT relative to criminal records checks in school employment.

SPONSORS: Rep. Alexander Jr., Hills. 29; Rep. Verville, Rock. 2; Rep. Sweeney, Rock. 25

COMMITTEE: Education

ANALYSIS

This bill clarifies that a school administrative unit, school district, or chartered public school may require more frequent or reoccurring criminal history records check on its employees and volunteers than required in statute.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 criminal records checks in school employment.

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

1 1 School Employees and Volunteers; Criminal History Records Checks. Amend RSA 189:13-a,
2 I(a) to read as follows:

3 I.(a) The employing school administrative unit, school district, or chartered public school
4 shall complete a criminal history records check on every selected applicant for employment in any
5 position in the school administrative unit, school district, or chartered public school prior to a final
6 offer of employment. A public academy approved by the New Hampshire state board of education
7 shall submit a criminal history records check on applicants for employment pursuant to this section
8 to the division of state police. The superintendent of the school administrative unit or the chief
9 executive officer of the chartered public school or public academy may extend a conditional offer of
10 employment to a selected applicant, with a final offer of employment subject to a successfully
11 completed criminal history records check. No selected applicant may be extended a final offer of
12 employment unless the school administrative unit, school district, chartered public school, or public
13 academy has completed a criminal history records check. The school administrative unit, school
14 district, chartered public school, or public academy shall not be held liable in any lawsuit alleging
15 that the extension of a conditional or final offer of employment to an applicant, or the acceptance of
16 volunteer services from a designated volunteer, with a criminal history was in any way negligent or
17 deficient, if the school administrative unit, school district, chartered public school, or public academy
18 fulfilled the requirements of this section. ***The employing school administrative unit, school***
19 ***district, or chartered public school may choose to require a criminal history records check***
20 ***on any group of employees on a more frequent or reoccurring basis than is set forth in this***
21 ***section.***

22 2 Effective Date. This act shall take effect 60 days after its passage.