

LEGISLATIVE COMMITTEE MINUTES

SB43

Bill as Introduced

SB 43 - AS INTRODUCED

2023 SESSION

23-0853
06/04

SENATE BILL **43**

AN ACT relative to a needs assessment for juvenile minors who are residents of New Hampshire.

SPONSORS: Sen. Carson, Dist 14; Sen. Birdsell, Dist 19; Sen. Whitley, Dist 15; Rep. Alexander Jr., Hills. 29; Rep. Lynn, Rock. 17

COMMITTEE: Judiciary

ANALYSIS

This bill clarifies that the juvenile justice voluntary needs assessments are for resident minors.

.....

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 a needs assessment for juvenile minors who are residents of New Hampshire.

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

1 1 Public Safety and Welfare; Delinquent Children; Juvenile Diversion. Amend introductory
2 paragraph RSA 169-B:10, I-a to read as follows:

3 I-a. If the arresting agency contemplates the initiation of court proceedings *involving a*
4 *resident minor*, prior to filing a delinquency petition with the court, the arresting agency or
5 prosecutor shall refer the minor to the department of health and human services for a voluntary
6 needs assessment within 2 business days of arrest, to be completed as follows:

7 2 Public Safety and Welfare; Delinquent Children; Juvenile Diversion. Amend RSA 169-B:10, I-
8 a(k) to read as follows:

9 (k) If the petition is filed prior to the referral and assessment, and the *resident* minor
10 has not had an assessment in the prior 6 months, the department shall make the assessment
11 available to the minor after the petition is filed and the confidentiality and admissibility of the
12 report and recommendations and related statements shall be treated the same as assessments
13 completed prior to the petition.

14 3 Effective Date. This act shall take effect upon its passage.

SB 43 - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

23-0853

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CHAPTER 56
SB 43 - FINAL VERSION

2023 SESSION

23-0853
06/04

SENATE BILL

43

AN ACT

relative to a needs assessment for juvenile minors who are residents of New Hampshire.

SPONSORS:

Sen. Carson, Dist 14; Sen. Birdsell, Dist 19; Sen. Whitley, Dist 15; Rep. Alexander Jr., Hills. 29; Rep. Lynn, Rock. 17

COMMITTEE:

Judiciary

ANALYSIS

This bill clarifies that the juvenile justice voluntary needs assessments are for resident minors.

Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~].

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

CHAPTER 56
SB 43 - FINAL VERSION

23-0853
06/04

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10 has not had an assessment in the prior 6 months, the department shall make the assessment
11 available to the minor after the petition is filed and the confidentiality and admissibility of the
12 report and recommendations and related statements shall be treated the same as assessments
13 completed prior to the petition.

56:3 Effective Date. This act shall take effect upon its passage.

Approved: June 01, 2023
Effective Date: June 01, 2023

Committee Minutes

SENATE CALENDAR NOTICE
Judiciary

Sen Sharon Carson, Chair
Sen Bill Gannon, Vice Chair
Sen Daryl Abbas, Member
Sen Rebecca Whitley, Member
Sen Shannon Chandley, Member

Date: January 12, 2023

HEARINGS

Tuesday	01/17/2023	
(Day)	(Date)	
Judiciary	State House 100	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m.	EXECUTIVE SESSION ON PENDING LEGISLATION	
1:15 p.m.	SB 48	relative to the definition of "way" for the purposes of driving after revocation or suspension.
1:30 p.m.	SB 59	relative to the director of charitable trusts.
1:45 p.m.	SB 58	relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.
2:00 p.m.	SB 43	relative to a needs assessment for juvenile minors who are residents of New Hampshire.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:
SB 48

Sen. Innis

SB 59

Sen. Gray
Rep. Potucek

Sen. Gannon

Sen. Carson

Rep. Lynn

SB 58

Sen. Gray
Sen. Rosenwald

Sen. Bradley

Sen. Gannon

Sen. Carson

SB 43

Sen. Carson
Rep. Lynn

Sen. Birdsell

Sen. Whitley

Rep. Alexander Jr.

Matthew Schelzi 271-3266

Sharon M. Carson
Chairman

Senate Judiciary Committee

Matthew Schelzi 271-3266

SB 43, relative to a needs assessment for juvenile minors who are residents of New Hampshire.

Hearing Date: January 17, 2023

Time Opened: 2:37 p.m. **Time Closed:** 2:42 p.m.

Members of the Committee Present: Senators Carson, Abbas, Whitley and Chandley

Members of the Committee Absent : Senator Gannon

Bill Analysis: This bill clarifies that the juvenile justice voluntary needs assessments are for resident minors.

Sponsors:

Sen. Carson

Sen. Birdsell

Sen. Whitley

Rep. Alexander Jr.

Rep. Lynn

Who supports the bill: Senator Sharon Carson (District 14), Joseph Ribsam (DCYF), and Morissa Henn (DHHS).

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Carson introduced Senate Bill 43, relative to needs assessments for junior minors who are residents of the state of New Hampshire. She said that this bill clarifies that the needs assessments are for resident minors only. The underlying statute was passed in SB 94 (2021). The intention is to assess the needs of an individual minor as they become involved with the juvenile justice system. She said the needs assessments have been conducted for out of state minors, but it is difficult to enforce the findings of the needs assessments if the children are going back to Massachusetts, for example. She said that SB 43 clarifies that needs assessments should only be done if the child is from New Hampshire.

Joseph Ribsam, Director of the Division for Children, Youth, and Families, said SB 43 makes an amendment to SB 94 (2021), which was implemented in 2022. SB 94 (2021) created a new juvenile justice process, which includes a needs assessment that

tries to get children the correct services for their behaviors once they come into contact with the law enforcement process. He said one of the wrinkles they did not anticipate with the new system was the fact that New Hampshire borders a lot of other states. He said that they'll have children pick up a shoplifting charge at one of the malls along the Southern border and then they go through the needs assessment process with DCYF. However, since the child is not a resident of New Hampshire, DCYF cannot give that child the resources they need. This takes a lot of time and work by DCYF employees. He said that this is frustrating for both the children and the law enforcement officers involved since they are going through the process without the ability to receive any of the benefits. He said SB 43 clarifies that the needs assessment is only for children in New Hampshire.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

mjs
Date Hearing Report completed: January 18, 2023

Speakers

Senate Judiciary Committee

SIGN-IN SHEET

Date: Tuesday January 17, 2023 **Time:** 2:00 p.m.

SB 43 AN ACT relative to a needs assessment for juvenile minors who are residents of New Hampshire

Name/Representing (please print neatly)

	Support	Neutral	Oppose	Speaking?	Yes	No
Sen. Sharon Carson (SDIH)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joseph Ribson - DCYF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Morissa Henn - DHHS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
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Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB43

Hearing date: 1/17/23

Executive Session date: 1/17/23

Motion of: OTP Vote: 4-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Abbas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Chandley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Abbas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Chandley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Abbas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Chandley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Carson

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Tuesday, January 17, 2023

THE COMMITTEE ON Judiciary

to which was referred **SB 43**

AN ACT

relative to a needs assessment for juvenile minors
who are residents of New Hampshire.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator Sharon Carson
For the Committee

Matthew Schelzi 271-3266

JUDICIARY

SB 43, relative to a needs assessment for juvenile minors who are residents of New Hampshire.

Ought to Pass, Vote 4-0.

Senator Sharon Carson for the committee.

Docket of SB43

Docket Abbreviations

Bill Title: relative to a needs assessment for juvenile minors who are residents of New Hampshire.*Official Docket of SB43.:*

Date	Body	Description
1/11/2023	S	Introduced 01/05/2023 and Referred to Judiciary; SJ 4
1/12/2023	S	Hearing: 01/17/2023, Room 100, SH, 02:00 pm; SC 6
1/17/2023	S	Committee Report: Ought to Pass, 01/19/2023; SC 6A
1/19/2023	S	Ought to Pass: MA, VV; OT3rdg; 01/19/2023; SJ 4
3/20/2023	H	Introduced (in recess of) 03/16/2023 and referred to Children and Family Law
3/23/2023	H	Public Hearing: 03/28/2023 11:00 am LOB 206-208
4/5/2023	H	Executive Session: 03/28/2023 11:00 am LOB 206-208
4/5/2023	H	Committee Report: Ought to Pass 03/28/2023 (Vote 14-0; CC)
5/4/2023	H	Ought to Pass: MA VV 05/04/2023 HJ 13 P. 2
5/23/2023	H	Enrolled (in recess of) 05/18/2023 HJ 14
5/23/2023	S	Enrolled Adopted, VV, (In recess 05/18/2023); SJ 16
6/2/2023	S	Signed by the Governor on 06/01/2023; Chapter 0056; Effective 06/01/2023

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 43

Senate Committee: JUD

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Matthew Schebi
Committee Aide

8-29-23
Date

Senate Clerk's Office AK