

Amendment to SB 143

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to court requests for documents in conjunction with petitions for guardianship  
4 of a minor and guardianship of an incapacitated person.  
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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 State Police; Criminal Records. Amend RSA 106-B:14, I(c) to read as follows:

9 (c) ***Except as provided in subparagraph (f)***, any individual or any public or private  
10 agency may request and receive a copy of the criminal conviction record of another who has  
11 provided authorization in writing, duly signed and notarized, explicitly allowing the requestor to  
12 receive such information.

13 2 New Subparagraph; State Police; Criminal Records. Amend RSA 106-B:14, I by inserting  
14 after subparagraph (e) the following new subparagraph:

15 (f) A court may request and receive a copy of the criminal conviction record of a  
16 proposed guardian and any household member, in conjunction with a petition for guardianship of a  
17 minor pursuant to RSA 463 or a petition for guardianship of an incapacitated person pursuant to  
18 RSA 464-A, who has provided a signed authorization electronically or otherwise under the penalty  
19 of perjury and the authorization document is accompanied by a statement under the electronic  
20 signature stating "the penalty for perjury may include a fine or imprisonment or both."

21 3 Child Protection Act; Central Registry. Amend RSA 169-C:35, VI to read as follows:

22 VI. Upon receipt of a written request from ***a court in conjunction with a petition for***  
23 ***guardianship of a minor pursuant to RSA 463 or a petition for guardianship of an***  
24 ***incapacitated person pursuant to RSA 464-A, or from*** another state's child welfare agency or  
25 from a private adoption agency that is licensed or certified in another state to check the central  
26 registry established under this section for information on a prospective foster or adoptive parent or  
27 any other adult living in the home of such a prospective foster or adoptive parent, the department  
28 shall conduct the requested check and shall provide the requesting ***court***, state, or private adoption  
29 agency with the results of the check along with such additional information from the department's  
30 case records as the department deems necessary for the requesting ***court***, state, or private adoption  
31 agency to be able to evaluate the results.

32 4 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill authorizes a court to request and receive a copy of the criminal conviction record of a proposed guardian and any household member who has provided authorization, in conjunction with a petition for guardianship of a minor pursuant to RSA 463 or a petition for guardianship of an incapacitated person pursuant to RSA 464-A.