

Senate Judiciary Committee

Matthew Schelzi 271-3266

HB 1038-FN, relative to prohibiting registered sex offenders from employment at businesses providing direct services to minors or direct supervision or oversight of minors.

Hearing Date: April 9, 2024

Time Opened: 1:15 p.m.

Time Closed: 1:19 p.m.

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

Members of the Committee Absent: Senator Abbas

Bill Analysis: This bill prohibits registered sex offenders from employment at businesses providing direct services to minors or direct supervision or oversight of minors.

Sponsors:
Rep. Verville

Who supports the bill: Pamela Keilig (NH Coalition Against Domestic and Sexual Violence), Rep. Kuttab, Rep. Ankarberg, Lissa Mascio (OCA), Maura Annette Chappelle, and Janet Lucas.

Who opposes the bill: None.

Who is neutral on the bill: Richard Perreault (NHSP)

Summary of testimony presented in support:

Representative Katelyn Kuttab introduced HB 1038-FN on behalf of Representative Verville. She said this bill has passed the House multiple times. She said Rep. Lynn worked on an amendment that addressed all concerns. She said the bill closes an unintended loophole in New Hampshire law, as found in the 2019 *State of New Hampshire v. Proctor* case, where a landscaper was able to hire a minor to work with him when they were unsupervised. She said the concern that was previously raised was relative to a shortage of jobs and concerns that sex offenders may not be able to get a job. However, she said the bill has been carefully worded to ensure jobs, such as bagging at a grocery store, would not be included. She urged the Committee to vote Ought to Pass on HB 1038-FN, so the state can ensure they are keeping children safe.

Senator Carson asked for the case she quoted.

Rep. Kuttab said it was the 2019 case *State of New Hampshire v. Proctor*, where it was overturned that a sex offender should not have been working with a minor. It was stated that it may have been the legislative intent to protect unsupervised working with a minor, but it was not what the statute said.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

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Date Hearing Report completed: April 15, 2024