

Amendment to HB 1250

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 New Section; Human Service; Use of Corporal Punishment Prohibited. Amend RSA 161 by
4 inserting after section 13 the following new section:

5 161:14 Use of Corporal Punishment Prohibited.

6 I. Each state agency shall provide in its policies and procedures related to children that all
7 forms of corporal punishment are prohibited.

8 II. In this section:

9 (a) "Agency" means any executive branch department, institution, bureau, or office of
10 the state, engaged in providing services to or for children. Agency shall include any public or private
11 entity under contract with the department of health and human services or the department of
12 education to provide services to or for a child or children.

13 (b) "Child" or "children" means a person under 18 years of age who has not been
14 transferred to the adult criminal justice system, and includes a person under 22 years of age who is
15 attending school and who has not received a high school diploma.

16 (c) "Corporal punishment" means any punishment in which physical force is issued and
17 intended to cause some degree of pain or discomfort, and is exclusive of restraint as defined in RSA
18 126-U:1, IV or physical force used to protect self or others.

19 2 Physical Force by Persons with Special Responsibilities. Amend RSA 627:6, II(a) to read as
20 follows:

21 II.(a) A teacher or person otherwise entrusted with the care or supervision of a minor for
22 special purposes is justified on the premises in using necessary force against any such minor, when
23 the minor creates a disturbance[,] or refuses to leave the premises, or when it is necessary [~~for the~~
24 ~~maintenance of discipline~~] **to prevent injury to self or others.**

25 3 Effective Date. This act shall take effect 60 days after its passage.