

Amendment to SB 464-FN

1 Amend the bill by replacing section 1 with the following:

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3 1 Civil Rights Act; Civil Rights Enforcement. Amend RSA 354-B:1 to read as follows:

4 354-B:1 Civil Rights Enforcement.

5 I. All persons have the right to engage in lawful activities and to exercise and enjoy the
6 rights secured by the United States and New Hampshire Constitutions and the laws of the United
7 States and New Hampshire without being subject to actual or threatened physical force or violence
8 against them or any other person or by actual or threatened damage to or trespass on property when
9 such actual or threatened conduct is **substantially** motivated by **hostility toward the** race, color,
10 religion, national origin, ancestry, sexual orientation, sex, gender identity, or disability **of the**
11 **person who is the target of the aforesaid activity**. "Threatened physical force" and "threatened
12 damage to or trespass on property" is a communication, by physical conduct or by declaration, of an
13 intent to **imminently** inflict harm on a person or a person's property by some unlawful act with a
14 purpose to terrorize or coerce.

15 II. ~~[It shall be unlawful for any person to interfere or attempt to interfere with the rights~~
16 ~~secured by this chapter.]~~ **Nothing in this chapter shall be construed to prohibit any conduct**
17 **or speech that is protected under the United States Constitution or the New Hampshire**
18 **constitution.**

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AMENDED ANALYSIS

This bill changes the standard for civil rights enforcement by requiring that prohibited conduct be substantially motivated by hostility toward the victim's protected characteristics. This bill further provides that the chapter shall not be construed to prohibit constitutionally protected conduct or speech.