

Amendment to SB 434

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

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3 1 New Subdivision; Prohibition of Materials Harmful to Minors in Schools. Amend RSA 189 by
4 inserting after section 74 the following new subdivision:

5 Prohibition of Materials Harmful to Minors in Schools

6 189:74-a Prohibition of Materials Harmful to Minors in Schools.

7 I. For the purposes of this subdivision:

8 (a) "Material" means any printed matter, visual presentation, web-based content, live
9 performance, or sound recording, including, but not limited to, books, magazines, motion picture
10 films or videos, pamphlets, phonographic records, pictures, drawings, photographs, figures, statues,
11 plays, dances, or other representations that are provided by the school district or by school
12 employees, volunteers, guests, or speakers.

13 (b) "Material considered harmful to minors" means material that, when considered as a
14 whole:

15 (1) Predominantly appeals to the prurient interest of minors;

16 (2) Depicts sexual conduct in a manner that is patently offensive to prevailing
17 standards in the adult community with respect to what is suitable for minors;

18 (3) Lacks serious literary, artistic, political or scientific value; and

19 (4) Is inappropriate to the age of the minors to whom it is being made available or
20 presented.

21 II. No later than September 1, 2026, each local school board shall adopt a policy to be used to
22 address complaints submitted by parents or guardians alleging that material that is presented or
23 made available is harmful to minors or age inappropriate. The policy shall be posted on the district
24 website. The policy shall include the definition for material considered harmful to minors, as defined
25 in RSA 189:74-a, I(b).

26 2 Effective Date. This act shall take effect upon its passage.

Amendment to SB 434
- Page 2 -

2026-1815h

AMENDED ANALYSIS

This bill requires local school boards to adopt and display a policy to be used to address complaints submitted by parents or guardians alleging that material made available in school is harmful or inappropriate to minors.