

Senate Children and Family Law Committee

Declan Donahue 271-3324

HB 1376, relative to a parent's ability to raise their child in a manner consistent with the child's biological sex.

Hearing Date: April 2, 2026

Time Opened: 10:02 a.m.

Time Closed: 11:05 a.m.

Members of the Committee Present: Senators Abbas, Sullivan and Long

Members of the Committee Absent : None

Bill Analysis: This bill exempts child rearing consistent with the child's biological sex from being considered within the definition of abused child and child endangerment. The bill also removes child rearing consistent with the child's biological sex from being a basis for findings relative to family law determinations, including: adoptions, child-placing agency licensing, and best interests of the child determinations.

Sponsors:

Rep. Korzen

Rep. Kesselring

Rep. Litchfield

Rep. Mazur

Rep. Prudhomme-O'Brien

Rep. Reinfurt

Rep. Sabourin dit

Rep. Sirois

Rep. Thibault

Choiniere

Sen. Murphy

Sen. Avard

Who supports the bill: Rep. Debra DeSimone, Rep. Kim Rice, Rep. Cindy Bennett, Denise Costello, Rep. Lori Korzen, Lance Kinzer, Rep. Katherine Prudhomme-O'Brien, Alexandra Lyashcsenko, Rep. Melisa Lithcfield, Stephen Scaer, Beth Scaer, and 15 other people who signed in online in support of the bill. Contact Declan Donahue (declan.donahue@gc.nh.gov) for a comprehensive list.

Who opposes the bill: Michael Haley, Alec Rogers, Emily Lawrence, Rep. Timothy Horrigan, Maci Sammi Daigle, and 348 other people who signed in online in opposition to this bill. Contact Declan Donahue (declan.donahue@gc.nh.gov) for a comprehensive list.

Summary of testimony presented:

Representative Lori Korzen (Coos - District 7)

- The goal of this bill is to safeguard the fundamental liberty interest to make choices in the care of children.
- No parent should be told or forced to renounce their beliefs to keep a child.
- True abuse should still not be tolerated.
- Across the country, families have had their children taken or been investigated for following their faith.
- Children often disagree with their parents on serious issues, and the legal system has never treated this as a grounds for separation.
- HB 1376 does not change the abuse statute, does not deny care, and does not dictate any set of beliefs.
- Faith based and traditional families should not be barred from fostering for believing in biological reality.
- This bill would put New Hampshire in line with federal guidance on gender transition.
- Senator Abbas asked if during a hearing on the merits, if this issue would be able to be raised at all, or not as the sole reason.
 - In and of itself, this single issue does not deem a parent unfit or abusive.
- Senator Abbas asked if on standing alone, it cannot be the grounds, but if a child were kicked out over this disagreement that would substantiate a finding of abuse that could be brought up in court.
 - Yes, that would qualify as abandonment.

Representative Debra DeSimone (Rockingham - District 18)

- When raising her children, she has thought about what she would do if her child were gay or bisexual or had gender dysphoria.
- Not understanding a person who believes they are what they are doesn't make their belief wrong, it means they believe they are who they are.
- Not understanding a child's belief doesn't make someone a bad parent, they are trying their best.
- Not every parent can understand everything, but if they kick a child out and make them homeless, that is abuse.
- When her cousin came out to her as gay, she asked Rep. DeSimone if she was mad, she said she only fears for her because society is not accepting of people who live different lifestyles.
- Not every parent knows how to help their child live a healthy productive life with that added, and they should not be held as abusive for not understanding.
- Senator Abbas asked about page 2, lines 1-15, which talks about circumstances for adoption. It says the department should not consider how adopting parent will raise the child. In practical interests, it seems there's a conflict on day 1 between adopting parents and a child with gender dysphoria.
 - It's a slippery slope when we get into that, but it depends on when the child was adopted. If they reached an age where they are expressing their preferences when the state gets involved, the state will try to place that child with a family who understands what it is going to be like to raise that child to be a healthy, productive adult. Before that age, they can wait

and see. The state and courts are doing a great job bringing children together with families who understand their needs.

Representative Cindy Bennett (Rockingham - District 4)

- As a mother to 13 children, 6 girls and 7 boys, she has seen the daily reality of raising children.
- Parental rights are the foundation of a healthy society.
- Diversity of thought is part of a free society, but should not come at the expense of traditional family values.
- We must respect parents' choices to raise children according to long standing values and biblical reality.
- This bill is not to exclude others, but asking not to be excluded.

Representative Timothy Horrigan (Strafford - District 10)

- It's hard to come up with any situation where everything is great between the child and parents except for when they're being misgendered.
- If a child identifies as one gender and their parents don't use that, that likely isn't the sole reason parental rights are being taken away.
- This bill elevates biological sex above gender identity, which is more fundamental. Most people know what they are and don't have to live a different way.
- The Representative knows a family where the child transitioned and that can be difficult even for progressive families.
- The bill could be amended to change biological sex to say gender identity.

Representative Catherine Prudhomme-O'Brien (Rockingham - District 13)

- Last year, a Woburn family lost their foster license in Massachusetts due to not committing to prioritize gender identity over biological sex.
- Foster youth evaluate things differently than policymakers: they ask "can I trust this family to protect me?"
- Children don't need ideological agreement, they need peace and trust.
- This protects the resource of foster parents while honoring our constitution.
- The state cannot compel beliefs as a condition of civil participation or require them to affirm statements they believe to be false.
- This applies both to those acting out of faith and science, but since the science is unsettled, the constitution protects the right the question.
- Fewer safe homes means fewer options for kids in crisis.
- We should be expanding, not shrinking the circle of protection around vulnerable children.
- Detransitioners are now winning lawsuits against psychologists and surgeons for malpractice over double mastectomies.

Michael Hayley (Attorney, G.L.A.D. Law)

- Mr. Hayley agrees parents with different ideas about gender and sex can be good caregivers and he does not support removing children from homes based on those disagreements.
- The concerns raised by the examples are not in New Hampshire yet, but in cases where it's brought up there have been other factors like children running away, suicide attempts, and abuse.
- If the only issue parents have is a different ideas, that is not a reason to terminate parental rights.
- The bill has drafting issues, like when it exempts children raised according to their biological sex from being abused, that definition is too broad as now any child raised according to their biological sex cannot have been abused in any way under this law.
- Trans children are 60% more likely to be victims of physical abuse, 80% more likely to be victims of emotional abuse, and 100% more likely to be victims of sexual abuse.
- Senator Abbas asked, when it comes to adoption, if there are any other disqualifications that would prevent adoption aside from felonies.
 - Mr. Hayley stated he does not know adoption law well enough to speak on that.

Lance Kinzer (Director of Policy & Government Relations, 1st Amendment Partnership)

- With respect to adoption and fostering, the way the bill is drafted, what this addresses is using a person's views regarding gender ideology to disqualify them from consideration for adoption.
- There was a concern in the House committee to make clear this restriction is talking about authorization and being able to be considered, as the foster language is similar.
- Multiple states, including Massachusetts and Vermont, have adopted policies requiring affirmation of gender ideology to be eligible for fostering or adopting at all.
- A woman in Oregon was barred from adoption due to a policy like this, but this was found unconstitutional by the 9th Circuit Court.
- The department would still be able to make placements based on best interest.
- Mr. Kinzer disagrees with the reading of abused child by Mr. Hayley, as the rest of the sentence says "including but not limited to" and the bill says you are not abused solely because you were raised in accordance with your biological sex.

Alec Rogers

- Forcing a child to live as their sex assigned at birth when they are aware that child does not identify with it is abuse.
- Nobody is advocating that children at 8 go on hormone blockers.
- 82% of trans children have contemplated suicide.

- If you're lucky, forcing children to live as their gender assigned at birth will make them despise you, if you're unlucky they will end up dead.
- Luckily, Rogers' own suicide attempts after 6 years of intense distress did not go through.
- Rogers' body did not feel like home, and "top surgery" was lifesaving.
- This bill will increase the suicide rates of trans youth.
- Usually if there is some issue with referring to a child in a way that makes them more comfortable, there is abuse in some other form.
- When a case elevates to the point of a child being taken away it is not for something small.

Steven Scaer

- This bill protects parents from being coerced into believing their daughters are sons.
- There is no such thing as a transgender child, and no one should have to pretend otherwise.
- It is its own type of religion that teaches that a boy soul can inhabit a girl body and if not affirmed will die by their own hands.
- Sexual development disorders have nothing to do with identity.
- 97% of people diagnosed as trans have another condition like P.T.S.D. or autism.
- The suicide threat is used to blackmail parents.
- In front of the Supreme Court, an A.C.L.U. attorney admitted the suicide numbers are unsubstantiated and the preferred treatment does not decrease them.
- These studies measure suicide attempts: 13% of girls say they have attempted suicide, but boys die at 4 times the rate.

Beth Scaer

- 603 Equity told their supporters to oppose the bill because it provides legal justification for parents to raise children against their chosen identity.
- Why should children worry about gender roles or perceived masculinity or femininity? Let kids be kids.
- The intention of this bill is to let parents parent in the best way they see fit.
- A vast majority of submitted testimony say it will drive them to suicide. How does this compare to removing children from homes unnecessarily?
- Everything about the trans agenda is about forcing people to believe the delusion that people can change their sex and this requires force to achieve compliance; taking children away is a part of that force.
- New Hampshire should be a sanctuary state for parents who want to raise their children with their own values.

Maci Sammi Daigle

- Is an 18 year old senior, but has been trans since 11 and would have been since younger with supportive parents.
- This bill does not protect children, it polices them.
- If you look at any study, gender affirming care and environments decreases suicide risk.
- This violates children's first amendment rights to express themselves due to their parents monitoring their expression.
- Our country was built on freedom of religion, which includes not being forced to be raised in a religion they feel is harming them.
- Many other factors also go into hearings on abuse.
- Being denied access to care leads to children running away and suicide attempts.
- By every statistic, this bill would harm trans children in the state.

Rep. Melissa Litchfield (Rockingham - District 32)

- Every child deserves to be safe, supported and cared for.
- In New Hampshire, the best interest of the child standard is used, and this bill does not change that.
- HB 1376 clarifies that one factor alone, raising a child according to their biological sex, cannot be used against parents to determine them as neglectful or unfit.
- This bill does not regulate medical care or prevent intervention when there is harm, it only requires decisions to be made based on the full picture, not one factor alone.
- Senator Sullivan asked if Rep. Litchfield is familiar with a study that stated there is a growing body of evidence pointing to real harm coming from gender affirming care and that the treatment does not alleviate the suicidality, which comes from other factors.
 - o Yes.

Alexandra Lyashchenko

- Ms. Lyashchenko was a Ukrainian Christian mother that fled Soviet-style control with her husband to Massachusetts before moving to California.
- California C.P.S. seized their 15 year old daughter solely on their objection to transitioning their daughter.
- Before this, she was bullied in Massachusetts, but showed no signs of gender confusion. For support, her daughter turned to Discord before self-diagnosing multiple mental health disorders.
- In California they took her to a child psychologist who referred her to a facility that pushed trans ideology by changing her name before she cut her hair, bound her breasts, and demanded testosterone.
- California C.P.S. was called by the psychologist, leading to a stranger taking their daughter away without presenting a warrant so she could be placed with her "glitter" foster parents.

- With "glitter" foster parents, she roomed with a boy, was given birth control, and was coached to testify against her parents.
- The dependency judge dismissed all allegations of emotional abuse, but refused to reunite the family.
- This bill demands clear and convincing evidence for separating children from their families and bans ideology-based removals.

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Date Hearing Report completed: April 6, 2026