

HB 1564-FN - AS INTRODUCED

2026 SESSION

26-2415

12/08

HOUSE BILL **1564-FN**

AN ACT removing all references of gender identity in New Hampshire statutes.

SPONSORS: Rep. S. King, Coos 4; Rep. A. Davis, Coos 2; Rep. Granger, Straf. 2; Rep. Potenza, Straf. 19; Rep. Turcotte, Straf. 4; Rep. Sirois, Hills. 32; Rep. Cambrils, Merr. 4; Rep. Korzen, Coos 7; Rep. Belcher, Carr. 4; Rep. Barton, Graf. 1

COMMITTEE: Judiciary

ANALYSIS

This bill removes all references of gender identity in New Hampshire statutes with the exception of RSA 332-M:2, III-a.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT removing all references of gender identity in New Hampshire statutes.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Equal Opportunity Employment Program; Gender Identity. Amend RSA 21-I:42, XVI to read
2 as follows:

3 XVI. Developing and implementing an equal employment opportunity program that will
4 ensure the employment of all qualified people regardless of age, sex, [~~gender identity,~~] race, color,
5 sexual orientation, ethnic background, marital status, or physical or mental disability. This
6 program shall include a review and revision of the job classification process and testing process to
7 ensure that they are free from either conscious or inadvertent bias.

8 2 Classified Employees, Penalties; Gender Identity. Amend RSA 21-I:52, I to read as follows:

9 I. No person shall be appointed or promoted to, or demoted or dismissed from, any position
10 in the classified service, or in any way favored or discriminated against with respect to employment
11 in the classified service because of the person's political opinions, religion, religious beliefs or
12 affiliations, age, sex, [~~gender identity,~~] sexual orientation, national origin, or race. Additionally,
13 except as provided in paragraph I-a, there shall be no preferential treatment or discrimination in
14 recruiting, hiring, or promotion based on race, sex, [~~gender identity,~~] sexual orientation, national
15 origin, religion, or religious beliefs. Nothing in this section shall require the appointment or prevent
16 the dismissal of any person who advocates the overthrow of the government by unconstitutional and
17 violent means. No person shall use, or promise to use directly or indirectly, any official authority or
18 influence, whether possessed or anticipated, to secure or attempt to secure for any person an
19 appointment or advantage in appointment to a position in the classified service, or an increase in
20 pay or other advantage in employment in any such position, for the purpose of influencing the vote
21 or political action of any person, or for any consideration.

22 3 Municipalities; Cable Television Systems Franchising; Gender Identity. Amend RSA 53-C:3-g
23 to read as follows:

24 53-C:3-g Rights of Individuals. – No cable television system operator shall deny service, deny
25 access, or otherwise discriminate against subscribers, channel users, or any other citizens on the
26 basis of age, race, religion, sex, [~~gender identity,~~] sexual orientation, physical disability, or country of
27 natural origin.

28 4 Uniform Crime Reporting System; Gender Identity. Amend RSA 106-B:14-c, I-a to read as
29 follows:

30 I-a. Law enforcement agencies operating within New Hampshire shall submit crime reports
31 related to hate crimes to the department of safety, division of state police, no fewer than every 6

HB 1564-FN - AS INTRODUCED

- Page 2 -

1 months. The report shall be a compilation of the number of offenses and arrests on hate crimes
2 occurring within their own jurisdictions, submitted in the manner and in the form specified by the
3 department of safety, division of state police. The department of safety shall make available on its
4 website statistical reports concerning hate crimes, containing the number and nature of criminal
5 offenses, arrests, and clearances, and any other data determined to be appropriate relating to the
6 method, frequency, cause, and prevention of crime. The department of safety shall update the
7 statistical data on its website no fewer than every 45 days. For purposes of this paragraph, "hate
8 crime" includes any offense where the officer develops reasonable suspicion to believe that the crime
9 was motivated in any part by hate or bias toward race, color, religion, creed, national origin,
10 ancestry, sexual orientation, sex, [~~gender identity,~~] disability, or any other protected characteristics
11 identified in either RSA 354-B:1 or RSA 651:6, I(f).

12 5 Police Standards and Training Counsel; Gender Identity. Amend RSA 106-L:2, V(c) to read as
13 follows:

14 (c) A sustained finding that during the course of the officer's official duties, the officer
15 engaged in discriminatory conduct on the basis of age, sex, sexual orientation, [~~gender identity,~~]
16 race, religious creed, color, marital status, familial status, physical or mental disability, or national
17 origin prohibited by RSA 354-A; or

18 6 Racial Profiling; Gender Identity. Amend the introductory paragraph of RSA 106-O:1 to read
19 as follows:

20 106-O:1 Definition. In this chapter "profiling" shall mean the practice of relying solely on race,
21 ethnicity, color, national origin, nationality, language, sex, [~~gender identity,~~] sexual orientation,
22 political affiliation, religion, socioeconomic status, or disability in:

23 7 Mental Health Services System; Gender Identity. Amend RSA 135-C:13 to read as follows:

24 135-C:13 Discrimination Prohibited; Eligibility for Services. – Every severely mentally disabled
25 person shall be eligible for admission to the state mental health services system, and no such person
26 shall be denied services because of race, color or religion, sex, [~~gender identity,~~] or inability to pay.
27 Eligible persons shall include formerly severely mentally disabled persons who without continued
28 services would probably become severely mentally disabled again. Each client has a right to
29 adequate and humane treatment provided in accordance with generally accepted clinical and
30 professional standards. The treatment shall include such psychological, psychiatric, habilitative,
31 rehabilitative, vocational and case management services which are necessary and appropriate to
32 bring about an improvement, when possible, in the client's condition and which are available within
33 the state mental health services system. If necessary services are not available, each agency
34 responsible for provision of such services shall notify the department of the need for them, and the
35 department shall utilize such information for budgetary planning purposes. The treatment may
36 include housing and such other services as the department may elect to provide to severely mentally
37 disabled persons. Eligibility for services in the mental health system for persons under 21 years of

HB 1564-FN - AS INTRODUCED

- Page 3 -

1 age shall be determined after consideration of the services provided under RSA 186-C, RSA 169-B,
2 RSA 169-C, RSA 169-D, or any other law. The commissioner shall adopt rules, pursuant to RSA 541-
3 A, relative to the eligibility of severely mentally disabled persons to receive state services and the
4 service guarantees for clients in the state system.

5 8 Mental Health Services System; Fundamental Rights; Gender Identity. Amend RSA 135-C:56,
6 IV to read as follows:

7 IV. No person receiving mental health services shall be discriminated against in any
8 manner because of race, color, sex, [~~gender identity,~~] sexual orientation, religion, national origin,
9 age, disability, or degree of disability.

10 9 Residential Care; Patients' Bill of Rights; Gender Identity. Amend RSA 151:21, XVI to read as
11 follows:

12 XVI. The patient shall not be denied appropriate care on the basis of age, sex, [~~gender~~
13 ~~identity,~~] sexual orientation, race, color, marital status, familial status, disability, religion, national
14 origin, source of income, source of payment, or profession.

15 10 Home Care Clients' Bill of Rights; Gender Identity. Amend RSA 151:21-b, II(b) to read as
16 follows:

17 (b) Receive appropriate and professional care without discrimination based on race,
18 color, national origin, religion, sex, [~~gender identity,~~] disability, or age, nor shall any such care be
19 denied on account of the patient's sexual orientation.

20 11 Employment Program and Family Assistance Program; Administration; Gender Identity.
21 Amend RSA 167:83, III(e) to read as follows:

22 (e) To not be discriminated against because of gender, race, creed, color, sex, [~~gender~~
23 ~~identity,~~] sexual orientation, age, disability, political affiliation or beliefs, religion, or national origin.

24 12 Foster Care Children's Bill of Rights; Gender Identity. Amend RSA 170-G:21, V to read as
25 follows:

26 V. To be treated with courtesy and respect by department staff, foster parents, residential
27 staff, and providers without regard to race, ethnicity, sexual orientation, [~~gender identity,~~] religion,
28 or disability and to participate in activities associated with his or her religious beliefs.

29 13 State Board of Education; Gender Identity. Amend RSA 186:11, IX-c to read as follows:

30 IX-c. Require School Districts to Adopt a Policy Allowing an Exception to Specific Course
31 Material Based on a Parent's or Legal Guardian's Determination that the Material is Objectionable.
32 Such policy shall include a provision requiring the parent or legal guardian to notify the school
33 principal or designee in writing of the specific material to which they object and a provision
34 requiring an alternative agreed upon by the school district and the parent, at the parent's expense,
35 sufficient to enable the child to meet state requirements for education in the particular subject area.
36 The policy shall also require the school district or classroom teacher to provide parents and legal
37 guardians not less than 2 weeks advance notice of any curriculum course material used for

1 instruction or program of human sexuality, human sexual education, sexual orientation, ~~or gender~~[
2 ~~gender identity, or gender expression~~]. The policy shall address the method of delivering notification
3 to a parent or legal guardian. The policy shall also acknowledge that no notice is required if a school
4 employee is responding to a question from a student during class. A school district shall make
5 curriculum course materials available to parents or legal guardians for review upon request. The
6 name of the parent or legal guardian and any specific reasons disclosed to school officials for the
7 objection to the material shall not be public information and shall be excluded from access under
8 RSA 91-A.

9 14 Higher Education; Sexual Misconduct; Definition; Sexual Identity. Amend RSA 188-H:1,
10 VIII to read as follows:

11 VIII. "Sexual misconduct" means an incident of sexual violence, dating violence, domestic
12 violence, gender-based violence, violence based on sexual orientation [~~or gender identity~~] or
13 expression, sexual assault or harassment, or stalking, as defined by each institution in its code of
14 conduct, in a manner consistent with applicable federal definitions.

15 15 Higher Education; Sexual Misconduct; Definitions; Gender Identity. Amend RSA 188-H:1,
16 VIII to read as follows:

17 VIII. "Sexual misconduct" means an incident of sexual violence, dating violence, domestic
18 violence, gender-based violence, violence based on sexual orientation [~~or gender identity~~] or
19 expression, sexual assault or harassment, or stalking, as defined by each institution in its code of
20 conduct, in a manner consistent with applicable federal definitions.

21 16 Higher Education; Training; Gender Identity. Amend RSA 188-H:10, V to read as follows:

22 V. Cultural competence training regarding how sexual misconduct may impact students
23 differently depending on factors that contribute to a student's cultural background, including but not
24 limited to national origin, sex, ethnicity, religion, [~~gender identity,~~] gender expression, and sexual
25 orientation.

26 17 Public Schools; Discrimination; Gender Identity. Amend RSA 193:38 to read as follows:

27 193:38 Discrimination in Public Schools. – No person shall be excluded from participation in,
28 denied the benefits of, or be subjected to discrimination in public schools because of their age, sex,
29 [~~gender identity,~~] sexual orientation, race, color, marital status, familial status, disability, religion,
30 or national origin, all as defined in RSA 354-A. Any person claiming to be aggrieved by a
31 discriminatory practice prohibited under this section, including the attorney general, may initiate a
32 civil action against a school or school district in superior court for legal or equitable relief, or with
33 the New Hampshire commission for human rights, as provided in RSA 354-A:27-28. In this section,
34 "race" means immutable traits associated with race, including hair texture and protective hairstyles
35 and "protective hairstyles" means hairstyles or hair type, including braids, locs, tight coils or curls,
36 cornrows, Bantu knots, Afros, twists, and headwraps.

1 18 Public Schools; Discrimination Prevention Policy; Gender Identity. Amend RSA 193:39 to
2 read as follows:

3 193:39 Discrimination Prevention Policy Required. – Each school district and chartered public
4 school shall develop a policy that guides the development and implementation of a coordinated plan
5 to prevent, assess the presence of, intervene in, and respond to incidents of discrimination on the
6 basis of age, sex, [~~gender identity,~~] sexual orientation, race, color, marital status, familial status,
7 disability, religion, national origin, or any other classes protected under RSA 354-A.

8 19 Public Schools; Teaching Discrimination; Gender Identity. Amend RSA 193:40, I to read as
9 follows:

10 I. No pupil in any public school in this state shall be taught, instructed, inculcated or
11 compelled to express belief in, or support for, any one or more of the following:

12 (a) That one's age, sex, [~~gender identity,~~] sexual orientation, race, creed, color, marital
13 status, familial status, mental or physical disability, religion or national origin is inherently superior
14 to people of another age, sex, [~~gender identity,~~] sexual orientation, race, creed, color, marital status,
15 familial status, mental or physical disability, religion, or national origin;

16 (b) That an individual, by virtue of his or her age, sex, [~~gender identity,~~] sexual
17 orientation, race, creed, color, marital status, familial status, mental or physical disability, religion,
18 or national origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

19 (c) That an individual should be discriminated against or receive adverse treatment
20 solely or partly because of his or her age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
21 marital status, familial status, mental or physical disability, religion, or national origin; or

22 (d) That people of one age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
23 marital status, familial status, mental or physical disability, religion, or national origin cannot and
24 should not attempt to treat others without regard to age, sex, [~~gender identity,~~] sexual orientation,
25 race, creed, color, marital status, familial status, mental or physical disability, religion, or national
26 origin.

27 20 Pupil Safety; Gender Identity. Amend RSA 193-F:2, II to read as follows:

28 II. Bullying in schools has historically included actions shown to be motivated by a pupil's
29 actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation,
30 socioeconomic status, age, physical, mental, emotional, or learning disability, gender, [~~gender~~
31 ~~identity~~] and expression, obesity, or other distinguishing personal characteristics, or based on
32 association with any person identified in any of the above categories.

33 21 Loan Discrimination; Gender Identity. Amend RSA 195-E:14, I to read as follows:

34 I. The foundation, a qualified educational institution and a loan corporation shall have the
35 full power and authority and be subject to all rights, responsibilities and liabilities for the
36 administration of a loan program and for the distribution and collection of loans to qualified students
37 or their parents, including the determination of who is eligible to receive loans, the amounts of the

1 loans, repayment schedules and interest rates to be charged; provided that the terms are in
2 accordance with law and do not discriminate against any person on account of race, creed, national
3 origin, sex, [~~gender identity,~~] sexual orientation, or age. In the case of student loans made to eligible
4 students or the parents of such students who attend educational institutions that are not qualified
5 educational institutions, the foundation shall have primary responsibility for the administration of
6 such portion of the loan program and the servicing of such loans; provided, however, that this
7 sentence shall not prohibit the foundation from contracting with another entity for assistance in
8 such administration and servicing as agent for the foundation.

9 22 Housing Finance Authority; Discrimination; Gender Identity. Amend RSA 204-C:1, X to read
10 as follows:

11 X. "Eligible persons and families" shall mean a person or persons, and families of 2 or more
12 persons, irrespective of race, creed, national origin, **or** sex, [~~or gender identity,~~] determined by the
13 authority to require assistance under this chapter on account of insufficient personal or family
14 income taking into consideration, without limitation, such factors as follows: (a) the amount of the
15 total income of such persons and families available for housing needs; (b) the size of the family; (c)
16 the cost and condition of housing facilities available; (d) the ability of such persons and families to
17 compete successfully in the normal private housing market and to pay the amounts at which private
18 enterprise is providing decent, safe and sanitary housing; and (e) if appropriate, standards
19 established for various federal programs determining eligibility based on income of such persons and
20 families.

21 23 Dog and Horse Racing Employees; Elections; Gender Identity. Amend RSA 273-C:10, VI(b)
22 to read as follows:

23 (b) The board shall decertify any employee organization which is found in a judicial
24 proceeding to discriminate with regard to membership, or with regard to the conditions thereof,
25 because of age, sex, [~~gender identity,~~] sexual orientation, race, color, creed, marital status or national
26 origin; or has systematically failed to allow its membership equal participation in the affairs of the
27 employee organization.

28 24 Personnel Appeals Board; Reviews and Appeals; Gender Identity. Amend RSA 273-D:3, V to
29 read as follows:

30 V. If the board finds that the action complained of was taken by the appointing authority for
31 any reason related to politics, religion, age, sex, [~~gender identity,~~] race, color, ethnic background,
32 marital status, or disabling condition, or on account of the person's sexual orientation, or was taken
33 in violation of a statute or of rules adopted by the director, the employee shall be reinstated to the
34 employee's former position or a position of like seniority, status, and pay. The employee shall be
35 reinstated without loss of pay, provided that the sum shall be equal to the salary loss suffered during
36 the period of denied compensation less any amount of compensation earned or benefits received from
37 any other source during the period. "Any other source" shall not include compensation earned from

1 continued casual employment during the period if the employee held the position of casual
2 employment prior to the period, except to the extent that the number of hours worked in such casual
3 employment increases during the period. In all cases, the personnel appeals board may reinstate an
4 employee or otherwise change or modify any order of the appointing authority, or make such order
5 as it may deem just.

6 25 Prohibiting Conversion Therapy; Gender Identity. Amend RSA 332-L:1 to read as follows:

7 332-L:1 Definition. – In this chapter, "conversion therapy" means practices or treatments that
8 seek to change an individual's sexual orientation [~~or gender identity~~], including efforts to change
9 behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings
10 toward individuals of the same gender. Conversion therapy shall not include counseling that
11 provides assistance to a person undergoing gender transition, or counseling that provides
12 acceptance, support, and understanding of a person or facilitates a person's coping, social support,
13 and identity exploration and development, including sexual-orientation-neutral interventions to
14 prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not
15 seek to change an individual's sexual orientation [~~or gender identity~~].

16 26 Commission for Human Rights; Purpose; Gender Identity. Amend RSA 354-A:1 to read as
17 follows:

18 354-A:1 Title and Purposes of Chapter. – This chapter shall be known as the "Law Against
19 Discrimination." It shall be deemed an exercise of the police power of the state for the protection of
20 the public welfare, health and peace of the people of this state, and in fulfillment of the provisions of
21 the constitution of this state concerning civil rights. The general court hereby finds and declares
22 that practices of discrimination against any of its inhabitants because of age, sex, [~~gender identity~~]
23 race, creed, color, marital status, familial status, physical or mental disability or national origin are
24 a matter of state concern, that such discrimination not only threatens the rights and proper
25 privileges of its inhabitants but menaces the institutions and foundation of a free democratic state
26 and threatens the peace, order, health, safety and general welfare of the state and its inhabitants. A
27 state agency is hereby created with power to eliminate and prevent discrimination in employment, in
28 places of public accommodation and in housing accommodations because of age, sex, [~~gender~~
29 ~~identity~~], race, creed, color, marital status, familial status, physical or mental disability or national
30 origin as herein provided; and the commission established hereunder is hereby given general
31 jurisdiction and power for such purposes. In addition, the agencies and councils so created shall
32 exercise their authority to assure that no person be discriminated against on account of sexual
33 orientation.

34 27 Commission for Human Rights; Powers and Duties; Gender Identity. Amend RSA 354-A:5,
35 VIII-IX to read as follows:

36 VIII. To create such advisory agencies and conciliation councils, local, regional or statewide,
37 as in its judgment will aid in effectuating the purpose of this chapter, and the commission may

1 empower them to study the problems of discrimination in all or specific fields of human relationships
2 or in specific instances of discrimination, because of age, sex, [~~gender identity,~~] race, color, sexual
3 orientation, marital status, familial status, or physical or mental disability, religious creed or
4 national origin, in order to foster, through community effort or otherwise, good will, cooperation and
5 conciliation among the groups and elements of the population of the state, and make
6 recommendations to the commission for the development of policies and procedures in general and in
7 specific instances, and for programs of formal and informal education which the commission may
8 recommend to the appropriate state agency. Such advisory agencies and conciliation councils shall
9 be composed of representative citizens, serving without pay, but with reimbursement for actual and
10 necessary traveling expenses; and the commission may make provision for technical clerical
11 assistance to such agencies and councils and for the expenses of such assistance.

12 IX. To issue such publications and such results of investigations and research as in its
13 judgment will tend to promote good will and minimize or eliminate discrimination because of age,
14 sex, [~~gender identity,~~] race, color, marital status, familial status, physical or mental disability,
15 religious creed or national origin, and on account of sexual orientation.

16 28 Commission on Human Rights; Employment Without Discrimination; Gender Identity.
17 Amend RSA 354-A:6 to read as follows:

18 354-A:6 Opportunity for Employment Without Discrimination a Civil Right. – The opportunity
19 to obtain employment without discrimination because of age, sex, [~~gender identity,~~] race, creed,
20 color, marital status, physical or mental disability or national origin is hereby recognized and
21 declared to be a civil right. In addition, no person shall be denied the benefits of the rights afforded
22 by this section on account of that person's sexual orientation.

23 29 Employment; Discrimination; Gender Identity. Amend RSA 354-A:7, I-III to read as follows:

24 I. For an employer, because of the age, sex, [~~gender identity,~~] race, color, marital status,
25 physical or mental disability, religious creed, or national origin of any individual, to refuse to hire or
26 employ or to bar or to discharge from employment such individual or to discriminate against such
27 individual in compensation or in terms, conditions or privileges of employment, unless based upon a
28 bona fide occupational qualification. In addition, no person shall be denied the benefit of the rights
29 afforded by this paragraph on account of that person's sexual orientation.

30 II. For a labor organization, because of the age, sex, [~~gender identity,~~] race, color, marital
31 status, physical or mental disability, creed, or national origin of any individual, to exclude from full
32 membership rights or to expel from its membership such individual or to discriminate in any way
33 against any of its members or against any employer or any individual employed by an employer,
34 unless based upon a bona fide occupational qualification. In addition, no person shall be denied the
35 benefit of the rights afforded by this paragraph on account of that person's sexual orientation.

36 III. For any employer or employment agency to print or circulate or to cause to be printed or
37 circulated any statement, advertisement or publication, or to use any form of application for

1 employment or to make any inquiry or record in connection with employment, which expresses,
2 directly or indirectly, any limitation, specification or discrimination as to age, sex, [~~gender identity,~~]
3 race, color, marital status, physical or mental disability, religious creed or national origin or any
4 intent to make any such limitation, specification or discrimination in any way on the ground of age,
5 sex, [~~gender identity,~~] race, color, marital status, physical or mental disability, religious creed or
6 national origin, unless based upon a bona fide occupational qualification; provided, however, that
7 nothing in this chapter shall limit an employer after the offer of hire of an individual from inquiring
8 into and keeping records of any existing or pre-existing physical or mental conditions. In addition,
9 no person shall be denied the benefit of the rights afforded by this paragraph on account of that
10 person's sexual orientation.

11 30 Housing; Discrimination; Gender Identity. Amend RSA 354-A:8 to read as follows:

12 354-A:8 Equal Housing Opportunity Without Discrimination a Civil Right. – The opportunity to
13 obtain housing without discrimination because of age, sex, [~~gender identity,~~] race, creed, color,
14 marital status, familial status, physical or mental disability or national origin is hereby recognized
15 and declared a civil right. In addition, no person shall be denied the benefit of the rights afforded by
16 this section on account of that person's sexual orientation.

17 31 Real Estate Transactions; Discrimination; Gender Identity. Amend the introductory
18 language of RSA 354-A:10 to read as follows:

19 354-A:10 Civil Rights Violations; Real Estate Transactions. It shall be an unlawful
20 discriminatory practice because of age, sex, [~~gender identity,~~] race, religion, color, marital status,
21 familial status, physical or mental disability or national origin to:

22 32 Real Estate; Blockbusting; Gender Identity. Amend RSA 354-A:12 to read as follows:

23 354-A:12 Blockbusting. It is a civil rights violation for any person to:

24 I. Solicit for sale, lease, listing or purchase any residential real estate within this state, on
25 the grounds of loss of value due to the present or prospective entry into the vicinity of the property
26 involved of any person or persons of any particular race, color, religion, national origin, ancestry,
27 age, sex, sexual orientation, [~~gender identity,~~] marital status, familial status or disability.

28 II. Distribute or cause to be distributed, written material or statements designed to induce
29 any owner of residential real estate in this state to sell or lease his or her property because of any
30 present or prospective changes in the race, color, religion, national origin, ancestry, age, sex, sexual
31 orientation, [~~gender identity,~~] marital status, familial status or disability of residents in the vicinity
32 of the property involved.

33 III. Intentionally create alarm, among residents of any community, by transmitting
34 communications in any manner, including a telephone call whether or not conversation thereby
35 ensues, with a design to induce any owner of residential real estate in this state to sell or lease his or
36 her property because of any present or prospective entry into the vicinity of the property involved of

1 any person or persons of any particular race, color, religion, national origin, ancestry, age, sex,
2 sexual orientation, [~~gender identity,~~] marital status, familial status or disability.

3 IV. Evict a tenant solely on the grounds that the person has acquired immune deficiency
4 syndrome (AIDS) or is regarded to have acquired immune deficiency syndrome.

5 33 Public Accommodations; Civil Rights; Gender Identity. Amend RSA 354-A:16 to read as
6 follows:

7 354-A:16 Equal Access to Public Accommodations a Civil Right. – The opportunity for every
8 individual to have equal access to places of public accommodation without discrimination because of
9 age, sex, [~~gender identity,~~] race, creed, color, marital status, physical or mental disability or national
10 origin is hereby recognized and declared to be a civil right. In addition, no person shall be denied the
11 benefit of the rights afforded by this section on account of that person's sexual orientation.

12 34 Public Accommodations; Discrimination; Gender Identity. Amend RSA 354-A:17 to read as
13 follows:

14 354-A:17 Unlawful Discriminatory Practices in Public Accommodations. – It shall be an
15 unlawful discriminatory practice for any person, being the owner, lessee, proprietor, manager,
16 superintendent, agent or employee of any place of public accommodation, because of the age, sex,
17 [~~gender identity,~~] race, creed, color, marital status, physical or mental disability or national origin of
18 any person, directly or indirectly, to refuse, withhold from or deny to such person any of the
19 accommodations, advantages, facilities or privileges thereof; or, directly or indirectly, to publish,
20 circulate, issue, display, post or mail any written or printed communication, notice or advertisement
21 to the effect that any of the accommodations, advantages, facilities and privileges of any such place
22 shall be refused, withheld from or denied to any person on account of age, sex, [~~gender identity,~~]
23 race, creed, color, marital status, physical or mental disability or national origin; or that the
24 patronage or custom thereat of any person belonging to or purporting to be of any particular age, sex,
25 [~~gender identity,~~] race, creed, color, marital status, physical or mental disability or national origin is
26 unwelcome, objectionable or acceptable, desired or solicited. In addition, no person shall be denied
27 the benefit of the rights afforded by this section on account of that person's sexual orientation.

28 35 Commission for Human Rights; Statutory Construction; Gender Identity. Amend RSA 354-
29 A:25 to read as follows:

30 354-A:25 Construction. – No provision of this chapter shall be deemed to supersede any other
31 provision of law for the protection of minors or for the regulation of the employment of minors. The
32 provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof.
33 Nothing contained in this chapter shall be deemed to repeal any of the provisions of the civil rights
34 law or any other law of this state relating to discrimination because of age, sex, [~~gender identity,~~]
35 race, creed, color, marital status, physical or mental disability or national origin; but, as to acts
36 declared unlawful by this chapter the procedure provided in this chapter shall, while pending, be
37 exclusive and the final determination therein shall exclude any other action, civil or criminal, based

1 on the same grievance of the individual concerned. If such individual institutes any action based on
2 such grievance without resorting to the procedure provided in this chapter, such person may not
3 subsequently resort to the procedure in this chapter, provided, however, that nothing in this section
4 shall prevent any individual from applying for or receiving unemployment compensation while the
5 procedure provided for in this chapter is pending or after the procedure provided in this chapter has
6 been concluded. This section shall not prevent the commission for human rights from investigating
7 and acting upon a complaint of discrimination when the complainant has also filed a claim for
8 unemployment compensation in which the issue of illegal discrimination is raised.

9 36 Public Education; Civil Rights; Gender Identity. Amend RSA 354-A:27 to read as follows:

10 354-A:27 Opportunity for Public Education Without Discrimination a Civil Right. – No person
11 shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in
12 public schools because of their age, sex, [~~gender identity,~~] sexual orientation, race, color, marital
13 status, familial status, disability, religion or national origin, all as defined in this chapter.

14 37 Commission for Human Rights; Right to Freedom from Discrimination; Gender Identity.
15 Amend RSA 354-A:29, I to read as follows:

16 I. The general court hereby finds and declares that practices of discrimination against any
17 New Hampshire inhabitants because of age, sex, [~~gender identity,~~] sexual orientation, race, creed,
18 color, marital status, familial status, mental or physical disability, religion, or national origin are a
19 matter of state concern, that discrimination based on these characteristics not only threatens the
20 rights and proper privileges of New Hampshire inhabitants but menaces the institutions and
21 foundation of a free democratic state and threatens the peace, order, health, safety and general
22 welfare of the state and its inhabitants.

23 38 Commission for Human Rights; Public Employers; Gender Identity. Amend RSA 354-A:31 to
24 read as follows:

25 354-A:31 Prohibition on Public Employers. No public employer, either directly or through the
26 use of an outside contractor, shall teach, advocate, instruct, or train any employee, student, service
27 recipient, contractor, staff member, inmate, or any other individual or group, any one or more of the
28 following:

29 I. That people of one age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
30 marital status, familial status, mental or physical disability, religion, or national origin, are
31 inherently superior or inferior to people of another age, sex, [~~gender identity,~~] sexual orientation,
32 race, creed, color, marital status, familial status, mental or physical disability, religion, or national
33 origin;

34 II. That an individual, by virtue of his or her age, sex, [~~gender identity,~~] sexual orientation,
35 race, creed, color, marital status, familial status, mental or physical disability, religion, or national
36 origin is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

1 III. That an individual should be discriminated against or receive adverse treatment solely
2 or partly because of his or her age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
3 marital status, familial status, mental or physical disability, religion, or national origin; or

4 IV. That people of one age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
5 marital status, familial status, mental or physical disability, religion, or national origin cannot and
6 should not attempt to treat others equally and/or without regard to age, sex, [~~gender identity,~~]
7 sexual orientation, race, creed, color, marital status, familial status, mental or physical disability,
8 religion, or national origin.

9 39 Content of Government Programs and Speech; Gender Identity. Amend RSA 354-A:32 to
10 read as follows:

11 354-A:32 Prohibition on the Content of Government Programs and Speech. No government
12 program shall teach, advocate, or advance any one or more of the following:

13 I. That people of one age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
14 marital status, familial status, mental or physical disability, religion, or national origin are
15 inherently superior or inferior to people of another age, sex, [~~gender identity,~~] sexual orientation,
16 race, creed, color, marital status, familial status, mental or physical disability, religion, or national
17 origin;

18 II. That an individual, by virtue of his or her age, sex, [~~gender identity,~~] sexual orientation,
19 race, creed, color, marital status, familial status, mental or physical disability, religion, or national
20 origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

21 III. That an individual should be discriminated against or receive adverse treatment solely
22 or partly because of his or her age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
23 marital status, familial status, mental or physical disability, religion, or national origin; or

24 IV. That people of one age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
25 marital status, familial status, mental or physical disability, religion, or national origin cannot and
26 should not attempt to treat others equally and/or without regard to age, sex, [~~gender identity,~~]
27 sexual orientation, race, creed, color, marital status, familial status, mental or physical disability,
28 religion, or national origin.

29 40 Right to Freedom from Discrimination in Public Workplaces and Education; Gender Identity.
30 Amend RSA 354-A:33 to read as follows:

31 354-A:33 Protection for Public Employees. No public employee shall be subject to any adverse
32 employment action, warning, or discipline of any kind for refusing to participate in any training,
33 program, or other activity at which a public employer or government program advocates, trains,
34 teaches, instructs, or compels participants to express belief in, or support for, any one or more of the
35 following:

36 I. That people of one age, sex, [~~gender identity,~~] sexual orientation, race, creed, color,
37 marital status, familial status, mental or physical disability, religion, or national origin are

1 inherently superior or inferior to people of another age, sex, ~~[gender identity,]~~ sexual orientation,
2 race, creed, color, marital status, familial status, mental or physical disability, religion, or national
3 origin;

4 II. That an individual, by virtue of his or her age, sex, ~~[gender identity,]~~ sexual orientation,
5 race, creed, color, marital status, familial status, mental or physical disability, religion, or national
6 origin, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

7 III. That an individual should be discriminated against or receive adverse treatment solely
8 or partly because of his or her age, sex, ~~[gender identity,]~~ sexual orientation, race, creed, color,
9 marital status, familial status, mental or physical disability, religion, or national origin; or

10 IV. That people of one age, sex, ~~[gender identity,]~~ sexual orientation, race, creed, color,
11 marital status, familial status, mental or physical disability, religion, or national origin cannot and
12 should not attempt to treat others equally and/or without regard to age, sex, ~~[gender identity,]~~
13 sexual orientation, race, creed, color, marital status, familial status, mental or physical disability,
14 religion, or national origin.

15 41 Civil Rights Act; Enforcement; Gender Identity. Amend RSA 354-B:1, I to read as follows:

16 I. All persons have the right to engage in lawful activities and to exercise and enjoy the
17 rights secured by the United States and New Hampshire Constitutions and the laws of the United
18 States and New Hampshire without being subject to actual or threatened physical force or violence
19 against them or any other person or by actual or threatened damage to or trespass on property when
20 such actual or threatened conduct is motivated by race, color, religion, national origin, ancestry,
21 sexual orientation, sex, ~~[gender identity,]~~ or disability. "Threatened physical force" and "threatened
22 damage to or trespass on property" is a communication, by physical conduct or by declaration, of an
23 intent to inflict harm on a person or a person's property by some unlawful act with a purpose to
24 terrorize or coerce.

25 42 Transportation Network Companies; Accessibility; Gender Discrimination. Amend RSA 359-
26 U:15, I-II to read as follows:

27 I. The TNC shall adopt a policy of nondiscrimination on the basis of destination, race, color,
28 national origin, religious belief or affiliation, sex, disability, age, **or** sexual orientation~~[-or gender
29 identity]~~ with respect to riders and potential riders and notify TNC drivers of such policy.

30 II. TNC drivers shall comply with all applicable laws regarding nondiscrimination against
31 riders or potential riders on the basis of destination, race, color, national origin, religious belief or
32 affiliation, sex, disability, age, **or** sexual orientation~~[-or gender identity]~~.

33 43 Accident and Health Insurance; Gender Identity. Amend RSA 415:15 to read as follows:

34 415:15 Discrimination. – Discrimination between individuals of the same class in the amount of
35 premiums or rates charged for any policy of insurance covered by this chapter, or in the benefits
36 payable thereon, or in any of the terms or conditions of such policy, or in any other manner
37 whatever, is prohibited. ~~[Discrimination on the basis of gender identity with respect to the~~

1 ~~availability of any covered services, medications, supplies, or durable medical equipment is~~
2 ~~specifically prohibited.]~~

3 44 Consumer Guaranty Contracts; Gender Identity; Prohibited Acts. Amend RSA 415-C:7, I(j)
4 to read as follows:

5 (j) Unfairly discriminate based solely on age, place, or area of residence, race, color,
6 creed, national origin, ancestry, marital or civil union status, lawful occupation including military
7 service, sex, ~~[gender identity,]~~ sexual orientation, religion, or blindness or other disability.

8 45 Insurance; Unfair Practices; Gender Identity. Amend RSA 417:4, VIII(b) to read as follows:

9 (b) Making or permitting any unfair discrimination between individuals of the same
10 class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for
11 any policy or contract of health insurance or in the benefits payable thereunder, or in any of the
12 terms or conditions of such contract, or in any other manner whatsoever. ~~[Discrimination on the~~
13 ~~basis of gender identity with respect to the availability of any covered services, medications,~~
14 ~~supplies, or durable medical equipment is specifically prohibited.]~~

15 46 Preferred Provider Agreements; Discrimination; Gender Identity. Amend RSA 420-C:5 to
16 read as follows:

17 420-C:5 Discrimination Prohibited. – No health care insurer shall discriminate against any
18 provider on the basis of religion, race, color, national origin, age, sex, ~~[gender identity,]~~ sexual
19 orientation, or marital status. Reasonable terms and conditions including, but not limited to, those
20 based on economic or geographic considerations, certain affiliations, or professional privileges shall
21 not be prohibited under this section.

22 47 Portability, Availability, and Renewability of Health Coverage; Gender Identity. Amend RSA
23 420-G:6, III-c to read as follows:

24 III-c. A health carrier in the individual, small group, or large group market shall provide
25 individuals equal access to all health programs, coverage, or activities without discrimination on the
26 basis of sex, sexual orientation, ~~[gender identity,]~~ race, creed, color, marital status, familial status,
27 physical or mental disability, or national origin, as those terms are defined under RSA 354-A.

28 48 Jurors; Gender Identity. Amend RSA 500-A:4 to read as follows:

29 500-A:4 Prohibition of Discrimination. A citizen of this state shall not be excluded from jury
30 service on account of race, color, religion, sex, ~~[gender identity,]~~ national origin or economic status.

31 49 Extended Term of Imprisonment; Crime Involving Gender Identity. Amend RSA 651:6, I(f)
32 to read as follows:

33 (f) Was substantially motivated to commit the crime because of hostility towards the
34 victim's religion, race, creed, sexual orientation as defined in RSA 21:49, national origin, or sex ~~[or~~
35 ~~gender identity as defined in RSA 21:53];~~

36 50 Repeal. The following are repealed:

37 I. RSA 21:54, relative to gender identity.

- 1 II. RSA 354-A:2, XIV-e, relative to definition of gender identity.
- 2 51 Effective Date. This act shall take effect January 1, 2027.

**HB 1564-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT removing all references of gender identity in New Hampshire statutes.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
<i>Revenue Fund(s)</i>	Fee Revenue			
Expenditures*	\$0	Indeterminable	Indeterminable	Indeterminable
<i>Funding Source(s)</i>	General Fund, Fee Revenue			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill removes references to gender identify from multiple state statutes, some of which authorize individuals to seek civil remedies for violation of anti-discrimination laws. To the extent that the bill has a fiscal impact, it may be in the form of fewer civil cases filed. The Judicial Branch has provided the following information on civil case costs and fees:

NH Judicial Branch Average Civil Case Estimates for LBA

Judicial Branch Average Cost	FY 2026	FY 2027
Superior Court Complex Civil Case	\$1,283	\$1,342
Superior Court Routine Civil Case	\$476	\$495

Common Civil Case Fees

Superior Court Fees	As of 07/01/25
Original Entry Fee	\$325
Third-Party Claim	\$325
Motion to Reopen	\$195

AGENCIES CONTACTED:

Judicial Branch