

Floor 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. RSA 354-B:1 is repealed and reenacted to read as  
4 follows:

5 354-B:1 Civil Rights Enforcement.

6 I.(a) Any person who, motivated in whole or in part by the race, color, religion, national  
7 origin, ancestry, sexual orientation, sex, gender identity, or disability of the person, group, or  
8 organization directly or indirectly targeted by the unlawful act, or the affiliation or association of the  
9 person, group, or organization directly or indirectly targeted by the unlawful act with a person or  
10 people of a certain race, color, religion, national origin, ancestry, sexual orientation, sex, gender  
11 identity, or disability, knowingly commits one of the following unlawful acts shall be subject to civil  
12 liability under RSA 354-B:2 and to the remedies provided in RSA 354-B:3 and RSA 354-B:4:

- 13 (1) Using unprivileged force against another;  
14 (2) Committing an act of violence against another;  
15 (3) Causing damage to or trespassing on the property of another; or  
16 (4) Threatening to commit any of the acts listed above.

17 (b) “Threatening to commit” means the communication, by physical conduct or by  
18 declaration, of an intent to inflict harm or damage to person or property that, taken in the context of  
19 surrounding circumstances, would convey to a reasonable person that the actor has the apparent  
20 ability to carry out the threat.

21 II. Nothing in this chapter shall be construed to prohibit any conduct or speech that is  
22 protected under the United States Constitution or the New Hampshire constitution.

23 III. It shall be unlawful for any person to interfere or attempt to interfere with the rights  
24 secured by this chapter.

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AMENDED ANALYSIS

This bill changes the standard for civil rights enforcement.