

HB 1356-FN - AS AMENDED BY THE SENATE

05/14/2026 1940s

2026 SESSION

26-3064

05/06

HOUSE BILL

1356-FN

AN ACT relative to the statute of limitations for bringing a private right of action for violation of the statute prohibiting medical procedures and treatments intended to alter a minor's gender, authorizing the application of sunscreen in schools and camps without a licensed health care provider's note or prescription, and establishing a skin cancer prevention education program.

SPONSORS: Rep. Wherry, Hills. 13; Rep. Kofalt, Hills. 32; Rep. Layon, Rock. 13; Rep. Mazur, Hills. 44; Rep. Peternel, Carr. 6; Rep. Potenza, Straf. 19; Rep. McGrath, Rock. 40; Rep. Ford, Rock. 3

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill:

I. Extends the time period to file a claim for violation of the prohibition on medical procedures intended to change a minor's gender from 2 years to 10 years from the date the minor reaches the age of majority.

II. Permits the self-application of sunscreen by children in schools and camps without the requirement of a prescription or a licensed health care provider's note.

III. Authorizes specific school and camp personnel to apply sunscreen to a child with permission of the child's parent or guardian.

IV. Establishes a skin cancer prevention education program in public schools.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to the statute of limitations for bringing a private right of action for violation of the statute prohibiting medical procedures and treatments intended to alter a minor's gender, authorizing the application of sunscreen in schools and camps without a licensed health care provider's note or prescription, and establishing a skin cancer prevention education program.

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

1 1 Prohibition on Medical Procedures and Treatments Intended to Alter a Minor's Gender;
2 Private Right of Action; Statute of Limitations Extended. Amend RSA 332-N:3, II to read as follows:

3 II. An individual under 18 years of age may bring an action during their minority through a
4 parent or next friend, or may bring an action in their own name upon reaching majority. A person
5 shall bring a claim for a violation of this chapter no later than [2] **10** years after the minor aggrieved
6 by violation of this chapter reaches the age of majority.

7 2 Findings and Purpose. With respect to sections 2-5 of this act, the general court finds that:

8 I. Many children are exposed to ultraviolet (UV) radiation due to suboptimal sunscreen use
9 and high rates of sunburning, and therefore at risk of excessive UV exposure which could lead to
10 skin cancer development. It is a high priority to ensure that children can use sunscreen and sun-
11 protective clothing when outdoors.

12 II. News outlets have reported that some schools do not allow children to bring or use
13 sunscreen without a prescription due to “medication bans” and fears of legal ramifications.

14 III. The Centers for Disease Control and Prevention believes that school policies that
15 prohibit hats or student possession of sunscreen can create barriers to the use of important sun
16 protection methods.

17 IV. The United States Preventive Services Task Force recommends educating children,
18 adolescents, and young adults on the dangers of sun exposure to reduce the risk of skin cancer.

19 V. It is in public interest that schools set policies that include education on sun exposure and
20 encourage our youth to use sun protection, including sunscreen and sun-protective clothing.

21 3 New Subdivision; Pupil Use of Sunscreen for Skin Cancer Prevention. Amend RSA 200 by
22 inserting after section 47 the following new subdivision:

23 Pupil Use of Sunscreen for Skin Cancer Prevention

24 200:47-a Application.

25 I. A pupil may possess and use a topical sunscreen product while on school property or at a
26 school-sponsored event or activity without a licensed health care provider’s note or prescription if the
27 product is regulated by the federal Food and Drug Administration for over-the-counter use for the
28 purpose of limiting ultraviolet light-induced skin damage.

1 II. Any pupil who is unable to self-apply sunscreen in accordance with this section may have
2 assistance provided in applying a topical sunscreen product. This assistance shall be provided by
3 appropriate school personnel only with the permission of a pupil's parent or guardian.

4 III. School personnel shall not be held liable in a criminal action or for civil damages for
5 application of a topical sunscreen product if the topical sunscreen product is available to and used by
6 the pupil in accordance with this section.

7 IV. Each school shall allow for outdoor use articles of sun-protective clothing, including, but
8 not limited to, hats and sunglasses. Schools may set a policy related to the type of sun-protective
9 clothing, including, but not limited to, hats, and sunglasses that will be allowed to be used outdoors
10 pursuant to paragraph IV. Specific clothing, hats and sunglasses, determined by school personnel to
11 be inappropriate apparel may be prohibited by the dress code policy.

12 200:47-b Sun-Safe Education. All public schools may incorporate instruction in the common
13 school grades utilizing existing, free resources on skin cancer prevention as approved by the state
14 board of education. The instruction shall be provided in an age appropriate manner and shall
15 include the following components:

16 I. The basic facts about skin cancer, including the negative impact of human exposure to
17 ultraviolet radiation obtained through sunburns and indoor tanning; and

18 II. A comprehensive set of strategies and behaviors to reduce the risk of contracting skin
19 cancer, including the use of sunscreen and sun-protective clothing.

20 4 New Section; Possession and Use of Sunscreen at Recreation Camps. Amend RSA 170-E by
21 inserting after section 62 the following new section:

22 170-E:62-a Possession and Use of Sunscreen at Recreation Camps.

23 I. A participant in a recreation camp may possess and use a topical sunscreen product while
24 attending such camp without a licensed health care provider's note or prescription if the product is
25 regulated by the federal Food and Drug Administration for over-the-counter use for the purpose of
26 limiting ultraviolet light-induced skin damage.

27 II. Any participant in a recreation camp who is unable to self-apply sunscreen in accordance
28 with this section may have assistance provided in applying a topical sunscreen product. This
29 assistance shall be provided by appropriate recreation camp personnel only with the permission of a
30 recreation camp participant's parent or guardian.

31 III. Recreation camp personnel shall not be held liable in a criminal action or for civil
32 damages for application of a topical sunscreen product if the topical sunscreen product is available to
33 and used by the recreation camp participant in accordance with this section.

34 IV. Each recreational camp shall allow for outdoor use articles of sun protective clothing,
35 including, but not limited to, hats and sunglasses. Recreational camps may set a policy related to
36 the type of sun-protective clothing, including, but not limited to, hats and sunglasses, that will be
37 allowed to be used outdoors pursuant to paragraph IV. Specific clothing, hats, and sunglasses

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1 determined by recreational camp personnel to be inappropriate apparel may be prohibited by the
2 dress code policy.

3 5 New Paragraph; Sun Safe Education Materials. Amend RSA 186:11 by inserting after
4 paragraph XXXVII the following new paragraph:

5 XXXVIII. Sun-Safe Education. Approve of materials and resources for the instruction of
6 sun-safe education in public schools pursuant to RSA 200:47-b.

7 6 Effective Date. This act shall take effect 60 days after its passage.

**HB 1356-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2026-1940s)**

AN ACT relative to the statute of limitations for bringing a private right of action for violation of the statute prohibiting medical procedures and treatments intended to alter a minor's gender, authorizing the application of sunscreen in schools and camps without a licensed health care provider's note or prescription, and establishing a skin cancer prevention education program.

FISCAL IMPACT:

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

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill authorizes the application of sunscreen in schools without a licensed health care provider's note or prescription and establishes a skin cancer prevention education program. The Department of Education states this bill would have the following effects:

- Adds requirements for sun-safe instruction and resources in public schools, thought such instruction would remain optional. Seeking board approval may prevent public schools from teaching current sun-safe material.
- Schools may need to update their existing dress code policies to allow for sun-protective clothing.

- Increases the administrative burden on school administrators to managing and storing parental permissions for sunscreen application. Additionally, a communication system would need to be in place for appropriate school and/or camp staff to know which students have parent/guardian consent for sunscreen use and/or assistance with application.
- Schools may need to review or update insurance policies or legal waivers to ensure the liability protection to staff under the proposed legislation.

The cost, if any, for school districts to comply with this bill is indeterminable and will vary by district. The Department has identified the following areas, which may have an impact on district costs:

- Whether schools have existing sun-safe education materials that they will need to get approved by the state board of education.
- Personnel costs at schools to maintain parent/guardian consent procedures and record keeping for sunscreen use and assistance in application at school and camps.
- Personnel costs at schools to update insurance policies or legal waivers to ensure liability protection to staff.

It is assumed that any administrative efforts related to the compilation, review, and approval process by the state board of education of sun-safe instructional materials and resources, would be absorbed in the Department's normal operating budget.

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Department of Education, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association