

HB 1607-FN - AS INTRODUCED

2022 SESSION

22-2101

10/08

HOUSE BILL

1607-FN

AN ACT

prohibiting unlawful discrimination in public and nonpublic schools.

SPONSORS:

Rep. Tanner, Sull. 9; Rep. Frost, Straf. 16; Rep. Cushing, Rock. 21; Rep. Query, Hills. 16; Rep. Mullen, Hills. 7; Rep. Woodcock, Carr. 2; Rep. Wilhelm, Hills. 42; Rep. Burroughs, Carr. 1; Rep. Weston, Graf. 8

COMMITTEE:

Education

ANALYSIS

This bill requires the state board of education to ensure there is no unlawful discrimination in any approved school tuition program, public school, nonpublic school, or educational service that receives public funds.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Two

AN ACT prohibiting unlawful discrimination in public and nonpublic schools.

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

1 1 New Paragraph; Pupils; Change of School or Assignment; School Tuition Programs; Unlawful
2 Discrimination Prohibited. Amend RSA 193:3 by inserting after paragraph VIII the following new
3 paragraph:

4 IX. The state board of education shall ensure that there shall be no unlawful discrimination
5 in any approved school tuition program, public school, nonpublic school, or educational service that
6 receives public funds, against any person on the basis of sex, gender identity, sexual orientation,
7 race, color, marital status, physical or mental disability, religious creed, national origin, or economic
8 status, or denial of the benefits in educational programs, activities, and employment practices.

9 2 Duties of the State Board of Education. Amend RSA 186:11, XXXIII to read as follows:

10 XXXIII. Discrimination. Ensure that there shall be no unlawful discrimination in any
11 public school, ***private school, approved school tuition program, or educational service that***
12 ***receives public funds,*** against any person on the basis of sex, ***gender identity, sexual***
13 ***orientation,*** race, ***religious*** creed, color, marital status, ***physical or mental disability,*** or
14 national origin in educational programs, and that there shall be no denial to any person on the basis
15 of sex, ***gender identity, sexual orientation,*** race, ***religious*** creed, color, marital status, ***mental***
16 ***or physical disability,*** national origin, or economic status of the benefits of educational programs
17 or activities.

18 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 1607-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT prohibiting unlawful discrimination in public and nonpublic schools.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	☒ General	☐ Education	☐ Highway	☐ Other

METHODOLOGY:

This bill, assumed effective in FY 2023, would add a requirement to RSA 193:3 to require the State Board of Education to ensure there is no unlawful discrimination against an individual in any of the protected classes in any of the following programs: an approved school tuition program, public school, nonpublic school, or educational service which receives public funds. Similarly, the law which governs the duties of the State Board would be amended to require the Board ensure that there is no unlawful discrimination against any person in any of the protected classes in any of the following: public school, private school, approved school tuition program, or educational service which receives public funds. The Department of Education states it is unclear what exactly the Board would have to do to effectuate this new law. The Department states implementing the provisions of this bill could be a significant undertaking and it is likely that additional staff would be required. However, the Department states given that the parameters of the proposed bill are unclear, it cannot estimate staff needed or the overall impact on state expenditures.

AGENCIES CONTACTED:

Department of Education