

Amendment to SB 565-FN

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Education; Pupils; Discrimination in Public Schools. Amend RSA 193:38 to read as follows:

4 193:38 Discrimination in Public Schools. No person shall be excluded from participation in,
5 denied the benefits of, or be subjected to discrimination in public schools because of their age, sex,
6 gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, or
7 national origin, all as defined in RSA 354-A. Any person claiming to be aggrieved by a
8 discriminatory practice prohibited under this section, including the attorney general, may initiate a
9 civil action against a school or school district in superior court for legal or equitable relief, or with
10 the New Hampshire commission for human rights, as provided in RSA 354-A:27-28. ***In this***
11 ***section, “race” includes traits historically associated with race, yet applicable to all races***
12 ***and ethnicities, including hair texture and protective hairstyles; and “protective***
13 ***hairstyles,” includes but is not limited to, such hairstyles as braids, locs, tight coils, curls,***
14 ***cornrows, Bantu knots, Afros, and twists.***

15 2 New Section; Discrimination in the Workplace; Discrimination Based on Protective Hairstyles
16 Historically Associated with Race. Amend RSA 275 by inserting after section 37-d the following new
17 section:

18 275:37-e Discrimination Based on Protective Hairstyles Historically Associated with Race. No
19 person shall be subjected to discrimination in employment based on wearing a protective hairstyle.
20 In this section, “race” includes traits historically associated with race, yet applicable to all races and
21 ethnicities, including hair texture and protective hairstyles; and “protective hairstyles,” includes but
22 is not limited to, such hairstyles as braids, locs, tight coils, curls, cornrows, Bantu knots, Afros, and
23 twists. A person subjected to discrimination based on wearing a protective hairstyle may initiate a
24 civil action in a court of competent jurisdiction for legal or equitable relief, or with the New
25 Hampshire commission for human rights, as provided in RSA 354-A:6-7. This section shall not apply
26 to those employed by the department of corrections.

27 3 Effective Date. This act shall take effect January 1, 2025.

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AMENDED ANALYSIS

This bill clarifies in the context of education discrimination that "race" includes traits historically associated with race, yet applicable to all races and ethnicities, including hair texture and certain hairstyles. This bill creates a private right of action for individuals, other than department of corrections employees, who face discrimination in employment based on the wearing of certain hairstyles.