

Amendment to HB 1376

1 Amend the bill by replacing sections 4 and 5 with the following:

2

3 4 New Paragraphs; Assessment for Adoptions; Best Interest of the Child; Recognition of
4 Biological Sex. Amend RSA 170-B:18 by inserting after paragraph I the following new paragraphs:

5 I-a. The department or a licensed child-placing agency shall not consider an adoptive or
6 prospective adoptive parent's refusal, unwillingness, or lack of support for enabling a child to engage
7 in gender transition, or the parent's intent to raise a child consistent with the child's biological sex,
8 including referring to a child consistent with the child's biological sex and making related mental
9 health or medical decisions based on the child's biological sex, as a basis for determining that such
10 parent is disqualified from consideration as an adoptive parent or that the home is unsuitable for
11 adoption.

12 I-b. Nothing in paragraph I-a shall be construed to relieve the department of its duty to
13 make each placement consistent with the best interests of the child as otherwise required by law.
14 Nothing in paragraph I-a shall preclude the department from taking into account the religious or
15 moral beliefs of a particular adoptive child, considered in relation to the religious or moral beliefs of
16 a prospective adoptive parent when determining which placement is in the best interests of the
17 child.

18 5 New Paragraph; Child Placing Licensing; Prohibition Against Endangerment; Exclusion.
19 Amend RSA 170-E:27 by inserting after paragraph II the following new paragraph:

20 III. For the purposes of this section:

21 (a) A licensee or prospective licensee's refusal, unwillingness, or lack of support for
22 enabling a child to engage in gender transition, or belief that a child should be raised consistent with
23 the child's biological sex, including, but not limited to, referring to a child consistent with the child's
24 biological sex and making related mental health or medical decisions based on the child's biological
25 sex, shall not constitute endangerment. Nor shall such refusal, unwillingness, lack of support, or
26 belief be the basis for the department to deny any license, renewal, or other authorization required
27 to serve as a foster parent.

28 (b) Nothing in subparagraph (a) shall be construed to relieve the department of its duty
29 to make each placement consistent with the best interests of the child as otherwise required by law.
30 Nothing in subparagraph (a) shall preclude the department from taking into account the religious or
31 moral beliefs of a particular foster child, considered in relation to the religious or moral beliefs of a
32 prospective foster parent when determining which placement is in the best interests of the child.