

HB 667-FN - AS INTRODUCED

2025 SESSION

25-0407

02/05

HOUSE BILL            **667-FN**

AN ACT                relative to health education and requiring the viewing of certain videos demonstrating gestational development from embryo to fetus through birth by public school students and college or university students.

SPONSORS:            Rep. Sellers, Graf. 18; Rep. Panek, Hills. 1; Rep. Seidel, Hills. 29; Rep. Aures, Merr. 13; Rep. Ulery, Hills. 13; Rep. Perez, Rock. 16

COMMITTEE:          Education Policy and Administration

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ANALYSIS

This bill requires public school students and college or university students to watch a simulated video demonstrating gestational development.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to health education and requiring the viewing of certain videos demonstrating gestational development from embryo to fetus through birth by public school students and college or university students.

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

1 1 Short Title. This act shall be known and cited as the "Baby Olivia Act".

2 2 New Section; Video Viewing Required. Amend RSA 193-E by inserting after section 3-f the  
3 following new section:

4 193-E:3-g Video Viewing Required.

5 I. Pursuant to a local school district or chartered public school's requirement to demonstrate  
6 that it provides the opportunity for an adequate education, in order to demonstrate that it has  
7 provided health and wellness education under RSA 193-E:3-b, I(a)(7) each school shall annually  
8 submit to the department of education proof of compliance with this section.

9 II. For students grades 6 through 12, as part of health and wellness education each school  
10 shall annually show a video meeting the following requirements:

11 (a) A high-definition ultrasound video, at least 3 minutes in duration, showing the  
12 development of the brain, heart, sex organs, and other vital organs in early fetal development; or

13 (b) The Meet Baby Olivia video developed by Live Action, showing the process of  
14 fertilization and each stage of human development inside the uterus, noting significant markers in  
15 cell growth and organ development for every stage of pregnancy until birth.

16 III. Upon request, a school district or chartered public school shall provide any materials  
17 associated with the instruction offered under paragraph II of this section to a parent or guardian.

18 IV. The department of education shall conduct an annual audit of each school district or  
19 chartered public school at the start of each school year, relative to its compliance with the  
20 instruction requirements of this section. The department shall publish the findings of each audit not  
21 later than 120 days after the start of the school year. The department's findings shall be  
22 prominently posted on its web site.

23 V. The commissioner of the department of education shall not approve any waiver of any  
24 requirement of this section.

25 VI. The attorney general shall have authority to sue to enforce this section on behalf of any  
26 or all residents or citizens of New Hampshire, and shall have a cause of action to sue for damages  
27 and injunctive relief on behalf of any or all residents or citizens of New Hampshire against any  
28 person or entity that violates this section.

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1           3 New Section; Gestational Development Video; Graduation Requirement. Amend RSA 187-A  
2 by inserting after section 16-c the following new section:

3           187-A:16-d Gestational Development Video; Graduation Requirement. Every student admitted  
4 or transferring to an institution in the university system of New Hampshire on or after January 1,  
5 2026 shall, as a requirement for graduation and in addition to any other baccalaureate degree  
6 graduation requirements, show proof of having viewed a gestational development video which meets  
7 the requirements of RSA 193-E:3-g, II. University system of New Hampshire institutions shall  
8 establish procedures to administer, certify, and record such proof for students needing to satisfy this  
9 requirement. Exchange students and foreign nationals shall be exempt from this section.

10          4 New Section; Gestational Video Viewing; Graduation Requirement. Amend RSA 188-F by  
11 inserting after section 6-a the following new section:

12          188-F:6-b Every student admitted or transferring to an institution in the community college  
13 system of New Hampshire on or after January 1, 2026 shall, as a requirement for graduation and in  
14 addition to any other degree graduation requirements, show proof of having viewed a gestational  
15 development video which meets the requirements of RSA 193-E:3-g, II. Community college system  
16 of New Hampshire institutions shall establish procedures to administer, certify, and record such  
17 proof for students needing to satisfy this requirement. Exchange students and foreign nationals  
18 shall be exempt from this section.

19          5 Effective Date. This act shall take effect July 1, 2025.

**HB 667-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT relative to health education and requiring the viewing of certain videos demonstrating gestational development from embryo to fetus through birth by public school students and college or university students.

**FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.**

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
<b>Revenue</b>	\$0	Indeterminable		
<i>Revenue Fund(s)</i>	CCSNH Revenue			
<b>Expenditures*</b>	\$0	Department of Justice - Indeterminable Department of Education - \$102K in FY26, \$104K in FY27, and \$107K in FY28 CCSNH - \$10K to \$100K Per Year USNH - \$135K Per Year		
<i>Funding Source(s)</i>	General Fund, CCSNH Operating Expenses, USNH Operating Expenses			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	\$0	Indeterminable		

**METHODOLOGY:**

This bill, assumed effective for the 2025-2026 school year, requires public school students and college or university students to watch a simulated video demonstrating gestational development. This bill also provides the Attorney General authority to sue to enforce this requirement on behalf of NH citizens. Any impact to the Department of Justice is indeterminable as it is unknown how many, if any, of such instances may occur.

School District and Public Charter School Impact

This bill requires the Department of Education (NHED) to conduct an annual audit of each school district and public charter school at the start of each school year to ensure compliance with this law and shall publish its findings online within 120 days from the start of each school year. To meet this requirement, NHED states it would need to either hire several part-time or seasonal positions to conduct the audits, or one (1) full-time position to work with the schools throughout the prior year to conduct the audit in preparation for a report within 120 days to the start of the school year, at an estimated salary and benefit cost of \$102,000 in FY 2026, \$104,000 in FY 2027, and \$107,000 in FY 2028. This bill provides neither authority nor appropriation for new personnel.

Any cost to school districts to comply with this bill is indeterminable and would vary from district to district.

#### Community College System of New Hampshire (CCSNH)

Under this bill, CCSNH would be required to establish a procedure to administer, certify and record proof that students viewed the video. Such proof would need to be interfaced with college registrar student records to ensure compliance, and CCSNH would be required to withhold degrees and certificates otherwise earned by any student who has not viewed such video. CCSNH estimates increased operational costs of between \$10,000 and \$100,000 per year, based on the following:

- Costs would be incurred in acquiring or producing the video and building it as a component in the colleges' learning management systems to be accessible to students and interfaced with the colleges' registrar's offices to record video viewing as completed prior to students' graduation.
- To establish a mechanism for incoming students to show, and the college to record, proof that they viewed the material prior to enrolling in a CCSNH institution.
- Communicating with students approaching their graduation date (which includes multiple points across the academic year) who have not met this requirement.
- Addressing any issues related to withholding degrees or certificates from non-completers.
- If CCSNH were subject to a lawsuit to enforce any provision of this statute, it would incur legal costs and be subject to unspecified damages.

In addition, CCSNH states it could experience a decrease in revenue if students choose not to attend/to attend a college without this requirement. While this is impossible to predict, for the present purpose CCSNH estimates potential decrease in revenue to be between \$10,000 and \$100,000 per year.

#### University System of New Hampshire (USNH)

Under this bill, USNH institutions would be required to enforce, as a graduation requirement, that all baccalaureate students who are US citizens view a high-definition ultrasound video of at least three (3) minutes in duration showing the development of the brain, heart, sex organs, and other vital organs in early fetal development. USNH institutions would be required to administer, certify, and record proof of student compliance. USNH estimates that this bill would increase its operating expense by \$135,000 annually. The additional expense would support three (3) non-benefitted, half-time administrative positions with annual compensation of \$45,000 to ensure compliance (one position at each of the three institutions). Given the requirement that USNH institutions administer, certify and record proof that every graduating baccalaureate student has satisfied the requirement stipulated by law, and given the provision for legal action against an institution that violates the law, and given that approximately 4,200 students graduate with a bachelor's degree from the University System annually, and given that graduation may occur at various points throughout the academic year, a half-time position at each institution is expected to be a reasonable allocation of resources to enforce requisite student participation and thus to ensure institutional compliance.

**AGENCIES CONTACTED:**

Department of Education, Community College System of New Hampshire, and University System of New Hampshire