



Representative Erica Layon, Chair
Executive Department and Administrative Committee
Granite Place
1 Granite Place
Concord, NH 03301

January 11, 2026

Dear Committee Members,

The New Hampshire Library Association (NHLA), representing hundreds of Librarians, Library workers, Library Trustees, School Librarians and information professionals across the state, respectfully urges the Committee to find HB 1788 inexpedient to legislate.

HB1788 would declare any state or municipal contract containing Diversity, Equity, and Inclusion (DEI) provisions void as a matter of law and would create a private right of action allowing any taxpayer to sue public entities or state agencies for entering into or failing to investigate such contracts. NHLA opposes HB 1788 because it threatens the stability, effectiveness, and legal compliance of public institutions across New Hampshire.

Public Libraries rely on partnerships with vendors, service providers, and professional organizations that follow nationally recognized nondiscrimination and inclusion standards. These standards are not political; they are foundational to ethical public service and to the trust communities place in their Libraries. HB 1788 would prevent Libraries and municipalities from contracting with organizations that include routine DEI commitments such as anti-harassment training, accessibility and inclusion policies, workforce nondiscrimination statements, and vendor compliance with federal civil rights laws. These provisions are standard components of modern contracting. Restricting them would undermine local control, disrupt operations, and force communities to accept lower-quality or non-compliant services.

The bill also introduces significant legal and financial instability. Declaring contracts void as a matter of law exposes municipalities to termination penalties, litigation costs, service disruptions, and the potential withdrawal of reputable vendors from the New Hampshire market. The taxpayer-lawsuit mechanism invites ideologically motivated litigation, diverting public funds away from essential community services and toward legal defense. Libraries, which operate with limited budgets and lean staffing, would be especially vulnerable to these burdens.

HB 1788 further risks placing Libraries and municipalities in conflict with federal requirements. Many federal grants and programs mandate nondiscrimination assurances, accessibility compliance, inclusive service planning, and civil rights training. By prohibiting contracts that include DEI-related provisions,

the bill jeopardizes federal funding streams that support Library operations, technology, and community programming.

The Institute of Museum and Library Services (IMLS) is the single most important federal funding source for New Hampshire's public Libraries. Through the Library Services and Technology Act (LSTA), IMLS provides essential grants that support statewide resource sharing, the interlibrary loan system, technology modernization, digital equity initiatives, workforce development, and summer reading and literacy programs. These grants require recipients to comply with federal nondiscrimination statutes, accessibility mandates, inclusive service planning standards, and civil rights assurances. Each of these requirements falls squarely within what HB 1788 defines as "DEI provisions."

If HB 1788 were enacted, any contract containing the federally required language associated with LSTA funding could be deemed void under state law. This would place New Hampshire libraries in an untenable position: comply with federal civil rights requirements and risk violating state law, or comply with state law and jeopardize eligibility for federal funding. The consequences would be immediate and far-reaching. Statewide resource sharing could be disrupted, the interlibrary loan system could lose critical support, technology upgrades could stall, and core literacy and workforce programs could be diminished or eliminated. HB 1788 therefore threatens not only administrative stability but the essential services that New Hampshire residents rely on every day. It would also shift the financial burden onto state and local taxpayers, who would be forced to absorb the cost of maintaining these vital systems without the federal aid that currently sustains them.

The language of the bill is also overly broad and ambiguous. It does not clearly define what constitutes a DEI provision, leaving agencies uncertain about which contracts are permissible, what language is prohibited, how to evaluate vendor compliance, and how to avoid triggering taxpayer lawsuits. This ambiguity will require costly legal review of routine contracts and create inconsistent enforcement across the state, adding unnecessary administrative burdens to already stretched municipal departments.

At its core, HB 1788 undermines the ability of Libraries to serve every resident of New Hampshire. DEI principles help ensure equitable access to information, safe and welcoming public spaces, fair hiring and employment practices, compliance with civil rights laws, and strong relationships between public institutions and the communities they serve. Restricting these principles weakens—not strengthens—public service.

For these reasons, the New Hampshire Library Association respectfully urges the Committee to vote "**Inexpedient to Legislate**" on HB 1788.

Thank you,

Denise van Zanten, NHLA President/Director, Manchester City Library
Sheryl Bass, NHLA Vice President/Director, Durham Public Library
Rachel Baker, NHLA Past President/Director, Elkins Public Library
Corinne Chronopoulos, NHLA Secretary/Director, Peterborough Library
Heather Rainier, NHLA Treasurer/Director, Hookset Public Library