



January 27, 2026

**Statement of Support from Pacific Legal Foundation for House Bill 1340—
Right to Earn a Living Act**

Chair Layon, Vice Chair Slottje, and Members of the Committee:

My name is Jaimie Cavanaugh, and I am Senior State Policy Counsel at Pacific Legal Foundation (PLF). PLF is a nonprofit public interest law firm dedicated to defending Americans' liberties when threatened by government overreach and abuse. Since its founding more than 50 years ago, PLF has been helping Americans protect their constitutional rights in courthouses and state houses across the country. PLF has 18 victories at the United States Supreme Court, and has worked to enact more than 60 laws nationwide.

One of PLF's core goals is to protect and enhance economic freedom and economic opportunity for all Americans.

I write to express PLF's strong support for House Bill 1340, which codifies the Right to Earn a Living. In short, this bill enshrines the right to earn a living and ensures that occupational regulations are not unreasonably burdensome. While the government may have a legitimate role to play in protecting the public from true health or safety threats, the government should not enact occupational regulations that arbitrarily or unnecessarily burden the right to economic liberty.

The Right to Earn a Living

Since the founding, Americans have understood the importance of the right to earn a living—that is the right to provide for oneself and one's family and the right to do so free from unreasonable government interference. Despite the existing constitutional protections for this right, legislatures and regulators often ignore it when crafting occupational regulations.

Government often regulates in a way that interferes with the right to earn a living without any corresponding benefits to the public. For example, arbitrary limits on occupations reduces competition and consumer choice, increases prices for goods and services, and restricts newcomers from ever entering the market.

States have legitimate authority to protect public health and safety, but that does not translate into blanket authority to regulate every facet of businesses and professions. Sadly, courts have abdicated their constitutional duty to protect the right to earn a living, but legislators can fix this problem.

House Bill 1340

House bill 1340 offers a reasonable solution that will protect the right to earn a living, while still allowing for appropriate occupational regulations. This Act gives state and local government the opportunity to review their relevant occupational regulations and eliminate protectionism or other illegitimate regulations.

House bill 1340 also creates a private right of action, allowing for legal challenges to regulations that are not corrected during this review process. In such a challenge, the government must show that a challenged occupational regulation is carefully tailored to fulfill a legitimate public health or safety objective and that objective cannot be accomplished by less burdensome regulations.

PLF supports House Bill 1340 because it restores the right to earn a living to its proper status and ensures that everyone in the Granite State will have the opportunity to provide for themselves and their families. It will encourage entrepreneurship and allow small businesses to thrive and is a good governance measure.

Thank you for considering this testimony. I am happy to answer any questions; my contact information is listed below.

Respectfully,



Jaimie Cavanaugh
Senior State Policy Counsel
jcavanaugh@pacificlegal.org
248-895-1555