



HB 1590: AN ACT harmonizing the age of personhood under the criminal code and the fetal life protection act.

Committee: House Judiciary

Date: February 25, 2026

Position: Oppose

Background on New Hampshire’s Abortion Ban and Personhood Laws:

In 2018 New Hampshire passed SB 66, a “fetal personhood” law, which recognized the fetus (after 20 weeks) as an independent victim if killed or injured during a criminal act allowing for homicide or assault charges under [RSA 630:1-a](#). This bill was heard in the NH House Criminal Justice and Public Safety Committee and includes an exception for abortion. RSA 630:1a was enacted as a **criminal justice statute**, designed to address *third party violence* against a pregnant person by recognizing a fetus as an additional victim. The current version of RSA 630:1-a has critical exceptions that protect pregnant people, those that provide help to pregnant people, and for physicians providing abortion.

This bill would establish a 20-week abortion ban in New Hampshire and create a risk that pregnant people will face homicide charges for pregnancy losses.

HB 1590 would amend RSA 329:44 to institute a 20-week abortion ban and would apply the state’s first-degree homicide law to violations of that ban, including against pregnant people. In New Hampshire, homicide in the first degree is punishable by life imprisonment without parole.

With only narrow exceptions to the ban, the bill will force pregnant people that need abortion after 20 weeks to leave the state to get necessary, life-saving care, and will particularly burden families that receive diagnoses of fetal diagnoses as well as those experiencing pregnancy complications.

Worse still, by narrowing the exceptions in the homicide law (RSA 630:1-a), the bill would leave open the possibility that pregnant people that experience miscarriage or stillbirth after the twentieth week of pregnancy could be investigated and prosecuted for first degree murder. Current law provides a blanket exception for pregnant people – this bill severely limits that exception. It would also allow prosecution against people that offer help to a pregnant person – like a doula - if the help results in an abortion after 20 weeks. This, too, could result in obtrusive investigations into a person’s actions preceding a pregnancy loss.

This type of malicious pregnancy criminalization was never the goal of SB 66 when this legislature passed that bill in 2018. Nor did this legislature seek to create uniformity across the code when it passed RSA 329:44 (the “Fetal Life Protection Act”) in 2021. Rather, the distinctions between the criminal code and civil medical licensure and health regulation provisions in the code reflect the vastly different purposes of those provisions. The current exceptions in RSA 630:1-a only further emphasize that **the murder statute was never meant to apply to those that seek abortion or to those that support or provide that care.**

Do not be fooled by claims that this bill is aimed at “harmonizing” these statutes – the changes this bill would enact are sweeping and extraordinarily dangerous. HB 1590 is yet another attempt to further restrict abortion in New Hampshire, stigmatize abortion providers, and use law enforcement to threaten and control pregnant people.

HB 1590 would prevent patients from accessing abortion from trusted providers after 20 weeks. Banning abortion is the true purpose of this bill.

Abortion is extraordinarily safe at every stage of pregnancy. With absolutely no justification, this bill would prohibit highly qualified and trained providers from offering abortion care after 20 weeks. There is no scientific or medical basis for this prohibition, and despite the purported “exceptions” in this bill, it would not provide meaningful access to people that require care beyond 20 weeks. Patients seek care at this stage of pregnancy for a variety of reasons, including because they have been forced to delay care in order to travel from ban states. These patients deserve to receive care from their provider of choice, in their home state, free from unnecessary costs, delays, and burdensome restrictions. This bill disregards the best interests of patients by further limiting the availability of this time-sensitive care and creating even more barriers for pregnant people and their families.

HB 1590 criminalizes providers for doing their jobs, a full month earlier than the current law.

20 weeks is a completely arbitrary cut-off point, often well before critical tests regarding fetal development can be performed. It’s important to remember that one-size-fits-all laws have no place in complex medical decisions. We need to listen to medical experts and respect patients’ and families’ decisions. Instead, New Hampshire’s law criminalizes our highly trained, world class physicians with a class B felony, which could come with up to seven years in prison and a fine of up to \$100,000. Beyond New Hampshire’s abortion ban, there are simply no other medical procedures in New Hampshire law subject to felony charges and imprisonment for health care professionals. This bill would only exacerbate those risks, by threatening providers and helpers with prosecution under the first-degree murder statute.

HB 1590 will subject pregnant people and their families to untold trauma.

Abortion bans have led to countless stories of women forced to travel out of state for necessary abortion, enduring dangerous delays in care, experience life-threatening medical trauma, and even

death. Since the United States Supreme Court overturned *Roe v. Wade* in June 2022, at least 20 million Americans – including 1 in 3 women of reproductive age – have lost access to abortion in their home state. [Banning abortion is deeply unpopular with Granite State voters.](#) This bill is a solution in search of a problem. It does nothing to protect anyone's health or safety; instead, the goal of this bill is to shut down abortion providers entirely in New Hampshire.

We urge the House Judiciary Committee to vote “Inexpedient to Legislate” on HB 1590.

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Planned Parenthood New Hampshire Action Fund (PPNHAF) is an independent, nonpartisan, not-for-profit organization formed as the advocacy and political arm of Planned Parenthood of Northern New England in New Hampshire. The Action Fund engages in educational and electoral activity, including voter education, grassroots organizing, and legislative advocacy.

Planned Parenthood of Northern New England (PPNNE) is the largest provider of reproductive and sexual health care across the State of New Hampshire. We serve New Hampshire residents through 5 health centers in Derry, Exeter, Keene, Manchester and White River Junction, VT. Last fiscal year we saw more than 11,000 patients at these sites. [PPNNE was named a 2021 Guardian of Excellence Award® winner](#) by [Press Ganey](#), the national leader in health care consumer and workforce engagement. Press Ganey recognizes PPNNE as a top-performing health care organization, achieving the 95th percentile or above for performance in patient experience.