

Amendment to HB 1469-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to prohibited acts for banks, credit unions, and businesses.

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 New Subparagraph; Bank and Credit Union Regulatory and Enforcement; Prohibited Acts.

8 Amend RSA 383-A:7-701 by inserting after subparagraph (f) the following new subparagraph:

9 (g)(1) All banks and other financial institutions doing business in the state of New
10 Hampshire, either directly or through the use of an outside contractor, shall not discriminate
11 against, impose as a precondition, advocate for or cause adverse treatment of, any person, business,
12 or organization in their business practices based on the following, unless such action is necessary for
13 the physical safety of its employees:

14 (A) The entity's ideological, philosophical, or political views and opinions;

15 (B) Non-financial criteria such as, but not limited to, social media posts; Internet
16 browsing history, dietary habits, medical status, participation or membership in any clubs,
17 associations, or unions, etc.; political affiliation; or place of employment or source of legal income;

18 (C) Property or investments already owned by the entity;

19 (D) Gun ownership;

20 (E) Nature of business, if that business is governed or regulated or otherwise
21 permitted to operate legally in the state of New Hampshire.

22 (2) Notwithstanding paragraph (g)(1), banks and other financial institutions may
23 offer customers investments, products, and services that include subjective criteria, provided that
24 criteria are fully disclosed and explained to any potential customer or investor prior to entering into
25 a contract for such products and services.

26 (3) No provision of this law shall interfere with a person or business' ability to
27 discontinue or refuse to conduct business with a customer when such action is necessary for the
28 physical safety of the person, the business, or the business' employees.

29 2 New Paragraph; Regulation of Business Practices for Consumer Protection; Acts Unlawful.

30 Amend RSA 358-A:2 by inserting after paragraph XVIII the following new paragraph:

31 XIX.(a) Discriminate against, impose as a precondition, advocate for or cause adverse
32 treatment of any person, business, or organization in their business practices based on the following:

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- 1 (1) The entity's ideological, philosophical, or political views and opinions;
- 2 (2) Non-financial criteria such as, but not limited to, social media posts; Internet
- 3 browsing history, dietary habits, medical status, participation or membership in any clubs,
- 4 associations, or unions, etc.; political affiliation; or place of employment or source of legal income;
- 5 (3) Property or investments already owned by the entity,
- 6 (4) Gun ownership; or
- 7 (5) Nature of business, if that business is governed or regulated or otherwise
- 8 permitted to operate legally in the state of New Hampshire, unless the practice is fully disclosed to
- 9 the potential consumer before the consumer and business enter into any business transaction.
- 10 (b) No provision of this law shall interfere with a person or business' ability to
- 11 discontinue or refuse to conduct business with a customer when such action is necessary for the
- 12 physical safety of the person, the business, or the business' employees.
- 13 3 Effective Date. This act shall take effect January 1, 2023.

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AMENDED ANALYSIS

This bill prohibits banks, credit unions, and businesses from engaging in discriminatory practices.