

HB 1490-FN - AS INTRODUCED

2022 SESSION

22-2465

05/08

HOUSE BILL ***1490-FN***

AN ACT relative to equal access to places of public accommodation regardless of vaccination status.

SPONSORS: Rep. Comtois, Belk. 7; Rep. Kofalt, Hills. 4; Rep. Hough, Belk. 3

COMMITTEE: Judiciary

ANALYSIS

This bill provides that an individual shall not be denied access to places of public accommodation based on vaccination status or the decision not to use a medical device.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to equal access to places of public accommodation regardless of vaccination status.

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

1 1 Equal Access to Public Accommodations a Civil Right. Amend RSA 354-A:16 to read as
2 follows:

3 354-A:16 Equal Access to Public Accommodations a Civil Right. The opportunity for every
4 individual to have equal access to places of public accommodation without discrimination because of
5 age, sex, gender identity, race, creed, color, marital status, physical or mental disability,
6 **vaccination status**, or national origin is hereby recognized and declared to be a civil right. In
7 addition, no person shall be denied the benefit of the rights afforded by this section on account of
8 that person's sexual orientation **or because the person refuses to use a medical device**.

9 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1490-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to equal access to places of public accommodation regardless of vaccination status.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill provides that an individual shall not be denied access to places of public accommodation based on vaccination status or the decision not to use a medical device.

The Department of Justice states this bill would expand RSA 354-A:16 adding to this section a new provision that would prohibit public accommodations from discriminating based upon vaccination status and a person's refusal to use a medical device. The bill does not distinguish specific vaccines or medical devices and would likely lead to an increase in complaints received by the Attorney General's Office. The Department has no information on how many places of public accommodation have policies refusing service based upon vaccination status or usage of a medical device and states the financial impact is indeterminable.

The Human Rights Commission indicates the bill would expand RSA 354-A:16 to include vaccination status as a protected class for anti-discrimination protections in the area of public accommodation. The Commission states it is unknown how many new cases may result from the legislation. Therefore, the Commission has no information at present to determine if additional resources or staff will be needed.

It is assumed that any fiscal impact would occur after FY 2022.

AGENCIES CONTACTED:

Department of Justice and Human Rights Commission

