

SB 562-FN - AS INTRODUCED

2024 SESSION

24-2872

09/05

SENATE BILL

***562-FN***

AN ACT

relative to state recognition of biological sex.

SPONSORS:

Sen. Avar, Dist 12; Sen. Gannon, Dist 23; Sen. Lang, Dist 2; Sen. Pearl, Dist 17; Sen. Gendreau, Dist 1; Sen. Murphy, Dist 16; Sen. Abbas, Dist 22; Rep. Notter, Hills. 12; Rep. Hill, Merr. 2; Rep. Kofalt, Hills. 32; Rep. Mooney, Hills. 12

COMMITTEE:

Judiciary

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ANALYSIS

This bill provides a definition for "biological sex" and provides that certain designations by biological sex do not constitute unlawful discrimination.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                      relative to state recognition of biological sex.

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

1            1    New Section; State Commission for Human Rights; Miscellaneous Provisions; State  
2    Recognition of Biological Sex. Amend RSA 354-A by inserting after section 25 the following new  
3    section:

4            354-A:25-a State Recognition of Biological Sex.

5            I. Nothing in RSA 5-C:87, RSA 260-263, RSA 354-A, or any other law or regulation shall  
6    mean that it is unlawful discrimination based on sex or gender identity for any person or  
7    organization, public or private, to classify based on biological sex with respect to the following  
8    matters:

9            (a) In the construction, maintenance, operation, and use of lavatory facilities or locker  
10   rooms designed for usage by multiple persons at the same time, even if such facilities have  
11   individual urinals, stalls, or similar apparatus.

12           (b) In athletic or sporting events or competitions in a sport or similar activity in which  
13   physical strength, speed, or endurance is generally recognized to give an advantage to biological  
14   males.

15           (c) In the operation, maintenance, and use of facilities designed for usage as prisons,  
16   houses of correction, juvenile detention or commitment centers, mental health hospitals or treatment  
17   centers and like facilities to which persons may be committed involuntarily.

18           II. "Biological sex" shall mean the male and female biological sexes. This section does not  
19   mean that any public or private entity is required by state statute to separate persons based upon  
20   biological sex.

21           2 Effective Date. This act shall take effect 60 days after its passage.

SB 562-FN- FISCAL NOTE  
AS INTRODUCED

AN ACT                    relative to state recognition of biological sex.

FISCAL IMPACT:    ☒ State                    ☐ County                    ☐ Local                    ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	\$0	\$0	\$0
Revenue Fund(s)	None			
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source(s)	General Fund			
Appropriations	\$0	\$0	\$0	\$0
Funding Source(s)	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ See Below
- Does this bill authorize new positions to implement this bill? ☒ No

METHODOLOGY:

This bill provides a definition for "biological sex" and provides that certain designations by biological sex do not constitute unlawful discrimination.

The Human Rights Commission states the fiscal impact of this bill is indeterminable. The Commission indicates there is currently no way to gage the number of public interactions, trainings, or other activities that the Commission will engage in based on the proposed language.

AGENCIES CONTACTED:

Human Rights Commission