

HB 1356 - AS INTRODUCED

2024 SESSION

24-2258

02/08

HOUSE BILL **1356**

AN ACT relative to the use of children's names and pronouns by public school employees.

SPONSORS: Rep. Cole, Hills. 26; Rep. A. Davis, Coos 2; Rep. Ouellet, Coos 3; Rep. Lascelles, Hills. 14; Rep. Tierney, Coos 1

COMMITTEE: Education

ANALYSIS

This bill prohibits public school employees and contractors from using students' preferred names and pronouns, absent permission from the parents or guardians.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the use of children's names and pronouns by public school employees.

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

1 1 New Section; Names and Pronouns of Students. Amend RSA 189 by inserting after section 1-e
2 the following new section:

3 189:1-f Names and Pronouns of Students.

4 I. In this section:

5 (a) "Parent" or "guardian" means a resident of this state who is the parent, stepparent,
6 adoptive parent, foster parent, or otherwise the legal guardian of a qualified student.

7 (b) "Sex" means biological sex, as listed on an individual's original birth certificate.

8 (c) "Student" means any person enrolled in a public school or public academy who is
9 under the age of 18, or a person who has not been emancipated.

10 (d) "Employee" means any individual working in a public school or public academy in
11 any capacity, whether performance of such work is voluntary or paid, including, but not limited to
12 teachers, administrators, janitors, or cafeteria workers.

13 (e) "Contractor" means any individual working in any capacity for any public school or
14 public academy through a contract between any such school, school district, or employee or member
15 of any school or school district and that individual or that individual's employer.

16 II. An employee or contractor shall not:

17 (a) Use a name to address or refer to a student that does not match the name listed on
18 the student's birth certificate, or derivatives thereof, without written permission from the student's
19 parent or legal guardian;

20 (b) Use a pronoun to address or refer to a student, unless that pronoun corresponds to
21 the gender listed on the student's birth certificate, without written permission from the student's
22 parent or legal guardian; or

23 (c) Carry out any act or communication in the course of his or her official duties that
24 would violate subparagraphs (a) or (b) of this section.

25 III. Notwithstanding paragraph II of this section, no employee or contractor shall be
26 required to use a pronoun that does not match a person's biological sex if contrary to the employee's
27 or contractor's religious or moral convictions.

28 IV. Nothing in this section shall prohibit employees and contractors from discussing any
29 matters of public concern outside the context of their official duties.

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1 V. Any aggrieved individual under this section may seek relief through a private right of
2 action for damages against any institution engaged in such prohibited discrimination, to include
3 attorneys fees.

4 2 Effective Date. This act shall take effect January 1, 2025.