

CACR 17 - AS INTRODUCED

2024 SESSION

24-2234

02/08

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **17**

RELATING TO: the rights of parents.

PROVIDING THAT: parents shall have a fundamental right to direct the upbringing, education, and care of their minor children.

SPONSORS: Rep. Cordelli, Carr. 7; Rep. Packard, Rock. 16; Rep. Osborne, Rock. 2; Rep. Lynn, Rock. 17; Rep. Roy, Rock. 31; Rep. Bernardy, Rock. 36; Rep. Terry, Belk. 7; Rep. K. Perez, Rock. 16; Sen. Carson, Dist 14; Sen. Birdsell, Dist 19

COMMITTEE: Children and Family Law

ANALYSIS

This constitutional amendment concurrent resolution adds an amendment to the constitution stating that parents have a fundamental right to direct the upbringing of their minor children.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type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

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the rights of parents.

PROVIDING THAT: parents shall have a fundamental right to direct the upbringing, education, and care of their minor children.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

1 I. That the first part of the constitution be amended by inserting after article 2-b the
2 following new article:

3 [Art.] 2-c. [Rights of Parents] Parents have a fundamental right and responsibility to direct the
4 upbringing, education, and care of their minor children. Neither the state nor any political
5 subdivision shall infringe these rights without demonstrating that its compelling governmental
6 interest as applied to the person is of the highest order and not otherwise served. This article shall
7 not be construed to apply to a parental action or decision that would end life or otherwise physically
8 harm a child.

9 II. That the above amendment proposed to the constitution be submitted to the qualified
10 voters of the state at the state general election to be held in November, 2024.

11 III. That the selectmen of all towns, cities, wards and places in the state are directed to
12 insert in their warrants for the said 2024 election an article to the following effect: To decide
13 whether the amendments of the constitution proposed by the 2024 session of the general court shall
14 be approved.

15 IV. That the wording of the question put to the qualified voters shall be:
16 “Are you in favor of amending the first part of the constitution by inserting after article 2-b a new
17 article to read as follows:

18 [Art.] 2-c. [Rights of Parents] Parents have a fundamental right and responsibility to direct the
19 upbringing, education, and care of their minor children. Neither the state nor any political
20 subdivision shall infringe these rights without demonstrating that its compelling governmental
21 interest as applied to the person is of the highest order and not otherwise served. This article shall
22 not be construed to apply to a parental action or decision that would end life or otherwise physically
23 harm a child.”

24 V. That the secretary of state shall print the question to be submitted on a separate ballot
25 with other constitutional questions or on the official ballot. The ballot containing the question shall
26 include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the
27 ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular

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1 official ballot except that the words “Questions Relating to Constitutional Amendments proposed by
2 the 2024 General Court” shall be printed in bold type at the top of the ballot.

3 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it
4 becomes effective when the governor proclaims its adoption.

5 VII. Voters' Guide.

6 AT THE PRESENT TIME, the constitution does not address the rights of parents of
7 minor children.

8 IF THE AMENDMENT IS ADOPTED, the constitution will state that parents have a
9 fundamental right and responsibility to direct the upbringing, education, and care of their minor
10 children.