

**CHAPTER 311**  
**SB 235-FN - FINAL VERSION**

03/14/2019 0857s  
06/27/2019 2601CofC

2019 SESSION

19-1083  
10/05

SENATE BILL            ***235-FN***

AN ACT                relative to sexual harassment complaints in the general court and authorizing an independent human resources professional.

SPONSORS:            Sen. Feltes, Dist 15; Sen. Soucy, Dist 18; Sen. Hennessey, Dist 5

COMMITTEE:          Executive Departments and Administration

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AMENDED ANALYSIS

This bill authorizes an independent human resources professional in the general court administrative office, who shall be responsible for complaints involving sexual harassment. The bill also allows the legislative facilities committee to propose rules for required training on harassment and 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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT                    relative to sexual harassment complaints in the general court and authorizing an independent human resources professional.

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

1            311:1 New Subdivision; General Court Administrative Office. Amend RSA 14 by inserting after  
2 section 51 the following new subdivision:

General Court Administrative Office

4            14:52 Administrative Office.

5            I. There shall be a general court administrative office in the state house under a director of  
6 the administrative office. The director may employ and contract for such additional professional,  
7 technical, clerical, or other employees necessary to perform the functions and duties of the office.

8            II. The director shall designate a person as the independent human resources professional.  
9 The director shall ensure the person designated has had or will receive training or certification in  
10 sexual harassment investigations. In addition to the procedure in RSA 14-B:3, I(d), the designated  
11 person shall carry out obligations as set forth in the general court's sexual harassment policy,  
12 including but not limited to, the receipt, investigation, and processing of verbal or written  
13 complaints from legislative staff, members of the public, or other members of the general court  
14 concerning current members of the general court, or members of the general court whose service  
15 ceased within 2 years prior to the complaint. Neither the office of the senate president nor the office  
16 of the speaker of the house of representatives shall have any oversight or responsibility for any  
17 complaints involving sexual harassment.

18            III. A sexual harassment complaint filed with the general court administrative office shall  
19 be confidential and not subject to disclosure to any third party, including but not limited to the  
20 attorney general's office; provided that the complainant may waive such confidentiality protections  
21 with informed, written consent. Nothing in this paragraph shall prevent the independent human  
22 resources professional from consulting with any person reasonably necessary to conduct an  
23 investigation.

24            311:2 New Paragraph; Joint Committee on Legislative Facilities; Duty Added. Amend RSA 17-  
25 E:5-a by inserting after paragraph X the following new paragraph:

26            XI. Prior to the beginning of each biennium, to review sexual harassment policies of other  
27 jurisdictions and legislatures and adopt a sexual harassment policy consistent with best practices,  
28 which shall include procedures for the independent human resources professional in the general  
29 court administrative office to address sexual harassment complaints and ensure independence from

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1 the office of the senate president and the office of the speaker of the house of representatives. Prior  
2 to the beginning of each biennium, the committee shall determine whether to propose to the senate  
3 and house of representatives that each body shall propose by rule that all legislators, legislative  
4 officers, and legislative staff shall attend in-person education and training regarding sexual and  
5 other unlawful discrimination and harassment. The sexual harassment policy shall be posted online  
6 and shall be included in the ethics guidelines, statutes, and procedural rules booklet.

7 311:3 Effective Date. This act shall take effect January 1, 2020.

Approved: August 02, 2019  
Effective Date: January 01, 2020