

New Hampshire

LGBTQ+ Business Climate Score

out of a possible 100 points

78.33

LOW RISK



Out Leadership's Business Climate Index for the 50 United States is an assessment of states' performance on LGBTQ+ inclusion. It measures the impact government policies and prevalent attitudes have on the LGBTQ+ people residing in each state, quantifying the economic imperatives for inclusion and the costs of discrimination. It equips business leaders and policy makers with a clear sense of the most impactful steps states can take to make themselves more hospitable to forward-thinking, innovative, inclusive businesses.

Color Coding



For more context around these scores, and to learn more about the criteria we used to assess how state laws, actions and attitudes toward LGBTQ+ people create business and talent risks, please visit outleadership.com/driving-equality/us-state-ceo-briefs/

New Hampshire



Legal & Nondiscrimination Protection

The Legal and Nondiscrimination Protections section includes two subsections: The **Personal Legal Scale** assesses the state's laws directly impacting LGBTQ+ individuals. This includes processes for transgender people to change their gender markers on birth certificates and driver's licenses, as well as protections for individuals in housing, the workplace, public spaces, foster care, and more. **Two Nondiscrimination Protections Scales** assess the extent to which LGBTQ+ people are protected under state law. One evaluates nondiscrimination laws related to employment and the other evaluates any nondiscrimination laws related to housing, public accommodations, credit and lending.



Youth & Family Support

The Youth and Family Support section contains three subsections. The **Family Support Scale** measures how supportive the state is of LGBTQ+ people who are in or wish to start families. Elements of this scale include: the percentage of LGBTQ+ families raising children, and whether state family leave laws cover same-gender couples and allow workers to care for the children they are raising. The **Children and Youth Scale** assesses the resources available to LGBTQ+ children and youth in the state, including whether the state has non-discrimination laws and policies for LGBTQ+ students. The **Targeted Laws** section evaluates states on whether they ban discussion of same-gender marriage in schools, and whether they ban conversion therapy for minors.





Political & Religious Attitudes

The Political and Religious Attitudes section contains two subsections. Taken together, these scales assess the tone of the state's conversation around LGBTQ+ rights. The **Religious Protections Scale** assesses the extent and impacts of a state's constitutional or statutory religious exemption laws, and whether state law provides for targeted religious exemption from laws governing child welfare services, private wedding services, and the provision of medical care. The **State Leadership Scores** are Out Leadership's unique measures evaluating the state's most senior elected officials – the Governor and the two U.S. Senators – and assessing how they've represented their views of LGBTQ+ people in speeches and in their political platforms, and in terms of how they've acted with regard to laws impacting LGBTQ+ equality.

18.0/20



Health Access & Safety

The Health Access and Safety section contains two subsections. The **Health Scale** assesses LGBTQ+ people's access to insurance and medical care in each state, giving particular emphasis to the most economically precarious and vulnerable members of the community. The **Safety Scale** is based on two significant laws protecting or criminalizing behaviors affecting LGBTQ+ people. It asks whether the state protects LGBTQ+ people in its hate crime laws. It also assesses whether the state criminalizes exposure to or transmission of HIV.

18.0/20



Work Environment & Employment

The Work Environment and Employment section contains two subsections. The **Work Environment Scale** assesses transgender individuals' experiences at work, including incidences of verbal harassment, sexual assault, and other mistreatment. The **Employment Scale** is based on assessments of LGBTQ+ employment in the state. This scale includes the percentage of LGBTQ+ people making less than \$24,000 annually (approximately the current Federal poverty line), and the differences in unemployment rates and food insecurity between LGBTQ+ and non-LGBTQ+ identified individuals.

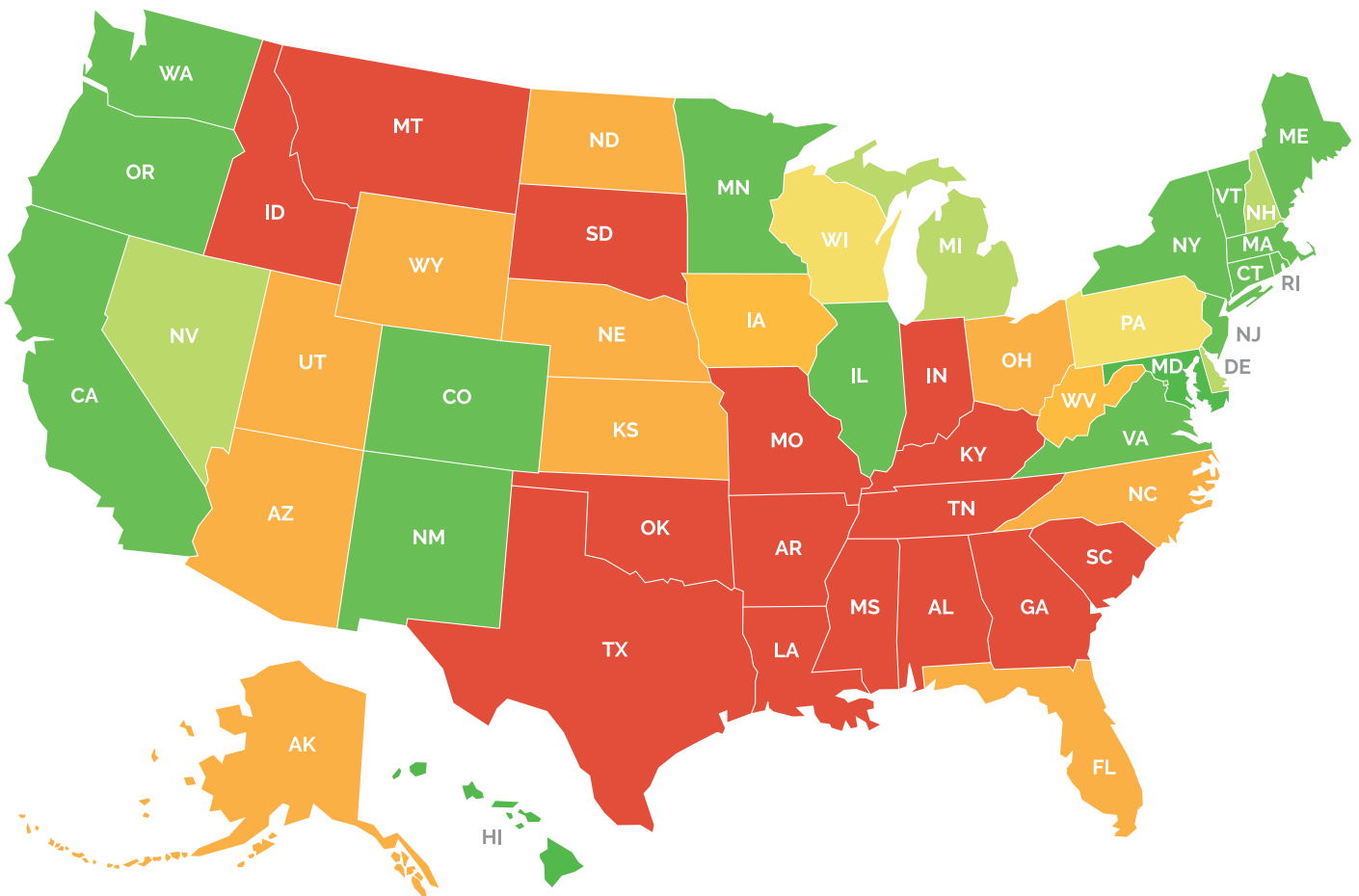
10.0/20

A Note on Methodology

Download this report to learn how and why Out Leadership created the LGBTQ+ Business Climate Index for the 50 U.S. States, with important details about our methodology, including our data standards and practices. NOTE: *HIV criminalization laws are discriminatory and ineffective. These laws fail to account for advances made in treating and controlling HIV, may deter people from getting tested and seeking treatment, and can exacerbate the stigma targeting people living with HIV and LGBTQ+ people.

United States Heat Map

The legal and cultural situation for LGBTQ+ people varies widely across the country. This map, based on each state's total Business Climate Score, illustrates the states where LGBTQ+ people are empowered to participate more fully and openly in the economy, and the states that are lagging behind.





New Hampshire Talking Points

4.7% of New Hampshire residents identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$3.9 billion – it's a market my business can't afford to ignore.

When LGBTQ+ employees don't feel welcome at work, they're less likely to stay, and employee turnover is a drag on the state economy and business competitiveness. It costs companies an average of \$10,208 to replace an employee in New Hampshire, and it can cost up to \$383,932 to replace senior executives. New Hampshire and the businesses operating there have strong financial incentives to create inclusive workplaces in the interest of keeping these costs down.

New Hampshire's comprehensive nondiscrimination law protects LGBTQ+ people, so the state is already experiencing the positive economic impacts of such policies. One estimate suggests that the state's economy may have grown 3%, or \$2.5 billion, thanks to its inclusive approach. That said, there's still a gap between policy and culture, and organizations in New Hampshire have a business imperative to ensure that LGBTQ+ people feel welcome in their workplaces.

New Hampshire has a favorable economic environment for business investment – but taking steps to make LGBTQ+ people feel safer and more included would better enable companies to attract top LGBTQ+ talent.

Millennial and Gen Z consumers prefer to do business with companies with LGBTQ+ friendly advertising and policies – 54% say they're more likely to choose an LGBTQ+ inclusive brand over a competitor – which is why it's important that New Hampshire continue to foster a business environment where being inclusive is supported.

Regional Context

The Northeast

Out Leadership and FCB partnered on original market research into the attitudes of American workers on LGBTQ+ inclusion, which fielded in 2019 and 2020. These briefs as a whole will be updated on an ongoing basis by Out Leadership because we recognize the ever-changing nature of policy on the local, state, and national level.

The Northeast has the lowest percentage of those who are out at work (49.6%). LGBTQ+ workers in urban environments, however, do feel slightly more comfortable talking about their personal lives vs. urban LGBTQ+ workers for the rest of the country (17% more likely than nationwide). Workers in this region are more likely to hear or engage in negative conversations about LGBTQ+ people at work. Particularly for the non-LGBTQ+ group, which is 23% more likely to report observing or experiencing negative conversations about LGBTQ+ people vs the nation as a whole. Despite being more likely to hear negative conversations at work, workers in this region are the least likely to say that they hear this negativity from state leadership. They are 61% less likely to report that leadership in their state talks about LGBTQ+ people in predominantly negative terms. Like most regions, there is a strong difference between urban and rural audiences, especially for the self-rated importance of team diversity when looking for jobs. LGBTQ+ / Allies living in Rural areas care the least about diverse teams when looking for jobs (49% less likely than nationwide). Finally, audiences in the Northeast were 20% more likely to list "Supporting LGBTQ+ Pride celebrations" as one of their top three ways businesses can demonstrate their support for the community.

Unless otherwise noted, all comparisons for more or less likely are compared to the National results. Regional results are based off of 1,500 respondents (LGBTQ+ and Non-LGBTQ+ responses have been weighted to be age-representative for each audience in each region). National results are based off of 600 respondents representative of each audience (LGBTQ+ vs Non-LGBTQ+).

States in the Northeast region included: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont.

Impact of LGBTQ+ Discrimination on Business Talent

1

NO RISK

2

LOW RISK

3

MODERATE RISK

4

NOTABLE RISK

5

HIGH RISK

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Brand Risk

1

NO RISK

Companies incur no brand risk by doing business in New Hampshire, which has comprehensive laws protecting LGBTQ+ people and a correspondingly great reputation.

Client Risk

2

LOW RISK

There is low risk of LGBTQ+ or strong ally clients pulling their business from companies operating in New Hampshire in light of the state's business climate and reputation.

Talent Risk

1

NO RISK

New Hampshire has strong legal protections for LGBTQ+ people, making working there attractive to LGBTQ+ professionals.

Marketing Risk

1

NO RISK

There is no risk involved in marketing to the LGBTQ+ community in New Hampshire.

Future Risk

1

NO RISK

The state has comprehensive nondiscrimination protections in place and there seems to be low appetite to pursue discriminatory legislation, albeit with a recent uptick. We currently see no risk of a future negative event.



Current Legal Status of LGBTQ+ People in New Hampshire

Legal status of the Lesbian, Gay and Bisexual Community

New Hampshire has statewide legislation that explicitly protects individuals from discrimination based on sexual orientation and gender identity in employment, housing, and public accommodations.

State employees are protected from discrimination on the basis of sexual orientation and gender identity.

Youth in foster care are protected from discrimination on the basis of sexual orientation and gender identity.

Adoption by same-sex couples is permitted on the same terms as opposite-sex couples.

New Hampshire does not have any adoption non-discrimination protections for LGBTQ+ parents, suggesting that agencies may decline prospective adoptive parents based on religious beliefs.

New Hampshire does not have a religious exemption law, but the state's nondiscrimination law does allow religious organizations the right to give preference to their own members.

New Hampshire does not have any criminal statutes explicitly addressing HIV exposure, but people living with HIV have faced prosecution for HIV exposure under general criminal laws.

New Hampshire's hate crime law covers sexual orientation and gender identity.

Licensed counseling services are forbidden from offering conversion therapy to minors.

Legal Status of the Transgender Community

In New Hampshire, transgender individuals can amend the gender markers on a birth certificate, but the state requires proof of surgery. The individual must submit a petition in probate court for a court-ordered "sex change." With the court order in-hand, birth certificate amendments are made through the city or town clerk. A name change, physician's letter, and therapist letter are not required.

Transgender people can amend the gender designation on their driver's license. A physician, nurse practitioner, clinical social worker, or clinical mental health counselor must attest to the individual's current gender identity and that in their professional opinion this gender identity will continue for the foreseeable future. Applicants then submit a form in person to the New Hampshire Department of Safety Division of Motor Vehicles. Surgery is not required to change the gender markers on a driver's license.

Starting in 2020, New Hampshire driver's licenses include a non-binary gender option.

Since 2017, New Hampshire's state Medicaid policy explicitly covers transition-related healthcare, including surgery. Hormone treatment is not specifically mentioned.

As of August 2019, New Hampshire has gender identity discrimination protections for health insurance, residential care, and mental health services.

Government Statements and Actions

When a bill that would ban the "gay panic defense" was introduced in the state house in March 2021, Republican State Rep. Dick Marston derailed debate by referring to LGBTQ+ people as having a "deviant sexuality." He subsequently apologized. The bill currently awaits approval by the New Hampshire Senate as of April 2023.

There was a bill before the state house in 2021 that would limit girl's sports teams to cisgender participants only, which was blocked by the New Hampshire legislature in 2022.

Additionally, Republican Governor Chris Sununu also signed bills into law in 2018 that extended nondiscrimination protections to trans people and banned conversion therapy for minors.



Socio-cultural Environment of LGBTQ+ People in New Hampshire

Status of LGBTQ+ Organizing and Community

In 2019, New Hampshire held 6 full-on Pride events (Concord Pride, Portsmouth Pride, Nashua Pride, White Mountain Pride in Conway, Rural Pride in Claremont, Rochester Pride) and an additional LGBTQ+ event that effectively was also a pride event (The Queen City Pride Block Party in Manchester).

The state also has a yearly Trans Equality Rally in Manchester during the month of July.

Cultural Views of the LGBTQ+ Community

61% of New Hampshire residents oppose allowing religious exemptions for small business owners to discriminate against LGBTQ+ people.

75% of New Hampshire residents favor laws that protect LGBTQ+ people from discrimination.



Partners

Our partnerships make our work possible. The first State LGBTQ+ Business Climate Index released in 2019 was funded by a grant from the Gill Foundation. The Index is based on data graciously shared by the Movement Advancement Project and the Williams Institute. Ropes & Gray is our pro bono legal partner for the CEO Business Briefs globally, and their research informs this Index. FCB partnered with us to conduct original market research into American attitudes toward LGBTQ+ workplace inclusion, informing the Regional Context section of the State CEO Briefs. America Competes supported the development of the scoring for the Risk Assessments, particularly for the Future Risk score.

