

HB 528-FN - AS AMENDED BY THE HOUSE

26Mar2025... 0488h

2025 SESSION

25-0086

09/05

HOUSE BILL

528-FN

AN ACT amending the penalties for the possession and use of psilocybin for persons 18 years of age or older.

SPONSORS: Rep. Verville, Rock. 2

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

This bill modifies the penalties for a person 18 years of age or older to obtain, purchase, transport, possess, or use psilocybin.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT amending the penalties for the possession and use of psilocybin for persons 18 years of age or older.

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

1 1 New Section; Personal Possession of Psilocybin. Amend RSA 318-B by inserting after section
2 2-e the following new section:

3 318-B:2-f Personal Possession of Psilocybin.

4 I. Notwithstanding RSA 318-B:2 and 318-B:26, a person 18 years of age or older who
5 obtains, purchases, transports, possesses, or uses psilocybin shall be subject to the following
6 penalties:

7 (a) For a first offense, a violation and a fine of not more than \$100.

8 (b) For a second offense, a class B misdemeanor and a fine of not more than \$500.

9 (c) For a third offense, a class B misdemeanor and a fine of not more than \$1,000.

10 (d) For a fourth or subsequent offense, the person shall be subject to the penalties in
11 RSA 318-B:26.

12 II. Any person under 18 years of age who obtains, purchases, transports, possesses, or uses
13 psilocybin shall be subject to the penalties in RSA 318-B:26.

14 2 Effective Date. This act shall take effect January 1, 2026.

**HB 528-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-0488h)**

AN ACT amending the penalties for the possession and use of psilocybin for persons 18 years of age or older.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association