

Senate Judiciary Committee

Brendan Bunnell 271-4063

SB 624-FN, restricting access to certain hemp-derived products.

Hearing Date: February 10, 2026

Time Opened: 1:59 p.m.

Time Closed: 2:27 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Carson, Altschiller and Reardon

Members of the Committee Absent: None

Bill Analysis: This bill sets penalties for possession of certain hemp-derived products and directs liquor licensees to comply with the prohibition.

Sponsors:

Sen. Gannon

Rep. Litchfield

Rep. M. Pearson

Rep. Bernardy

Who supports the bill: 86 individuals signed in support. Contact Brendan Bunnell (brendan.bunnell@gc.nh.gov) for a complete list.

Who opposes the bill: 41 individuals signed in opposition. Contact Brendan Bunnell (brendan.bunnell@gc.nh.gov) for a complete list.

Who is neutral on the bill: Matt Simon (Granite Leaf Cannabis) and Alicia Bennett.

Summary of testimony presented:

Senator William Gannon (SD-23), introduced the bill, explaining that it had come about as a result of reports that he had received from concerned residents who had seen hemp-based products in certain stores that were potentially available to minors.

Lieutenant Danielle Ellston, Deputy Chief of New Hampshire Liquor Enforcement, spoke in support of the bill. She explained that her department was heavily invested in this bill because their responsibility for regulating the New Hampshire licensees in the state.

- Explained that her department had found hemp-based products on sale in many stores throughout the state, which were being sold via a loophole in the Federal Farm Bill from 2018. This bill had created a definition of hemp,

and sought to regulate that substance. It was intended to be used for other hemp items, including textiles, papers, construction materials, bio fuel, and certain health products. However, the bill had included a loophole where hemp producers were able to produce it for the purposes of creating food and drink derived from their crops.

- Argued that this is a serious issue in New Hampshire, as many of these products are freely available in stores without testing, label requirements, or age restrictions.
- Stated that the New Hampshire Liquor Force had received several complaints of children as young as 12 acquiring the product and sometimes overdosing on them from the high THC content.
- Elaborated that the goal is to mirror what has been done federally in the recent changes to the Farm bill and close these loopholes.
- Explained that this bill would redefine hemp to include all parts of the plant and the derivatives to include not more than 3% on a dry weight basis of THCA content. It also imposes a 4mg THC restriction per container. The bill would also require the purchaser of hemp products to be at least 21 years of age. The bill would also create potential penalties for possession and would point licensees in New Hampshire to the new definition so that they are aware of what they can and cannot sell.
- Elaborated that currently the department only has the administrative authority to establishments that they have licensed, and this would extend that to other establishments that do not hold a license through the department.
- Senator Abbas asked what the penalty was not for a store selling hemp products.
 - Lieutenant Ellston replied that there was not one, and that the department only had limited authority over the issue.
- Senator Abbas asked what the penalty would be for those stores after the bill had been passed into law.
 - Lieutenant Ellston replied that the penalty would be defined in the rules making process but was not defined in this bill.
- Senator Reardon asked if this bill accounted for hemp-based products acquired over the internet.
 - Lieutenant Ellston responded that it did, as it would prohibit possession for those under 21.

- Lieutenant Ellston elaborated that part of the issue was that other states have their own laws on hemp, and often hemp-based products will be shipped into New Hampshire with packaging that looks legitimate and legal but which clashes with New Hampshire laws. This bill would give more authority to take action against this.
- Lieutenant Ellston pointed out that there will be an amendment submitted with this that will include the federal definition with the container size.

Matt Simon, a representative of Granite Leaf Cannabis, stated that his organization was neutral on the bill. He stated that he supported the goal of getting these products out of New Hampshire retailers, that the age restriction made sense, and that giving the state more authority to regulate this product also made sense. However, he expressed some concern about the structure of the bill.

- Argued that the definition of Hemp within the bill as drafted would not close the intended loopholes.
- Stated that the revised federal law would not come into effect until November and that it might change before that time.
- Recommended that, if the lawmakers chose to continue with the penalties included, that lines 11 through 13 be altered to make the penalties more harsh than marijuana is currently.

Kaylee McGlynn, a student at Southern New Hampshire University, spoke in support of the bill.

- Explained that THC is a known psychoactive in cannabis, and can be very harmful for minors. Ms. McGlynn argued that large corporations are preying on minors to entice the use of Delta 8 and Delta 9.
- Argued that the decision in legislation put forward sets a tone for standards and safety, and that closing this loophole is necessary for protecting the public and molding the laws to meet the current needs of the state.

Marissa McGlynn, spoke in support of the bill and argued that this legislation is necessary towards regulating products marked as “hemp derived” that are a public health concern.

- Explained that recent data showed that 11% of 12 grade students reported past-year use of Delta 8 THC, highlighting just how accessible these products are. Ms.

McGlynn stated that THC can impair brain development and affect the areas responsible for memory, attention, decision-making, and coordination.

- Explained that while cannabis can sometimes have therapeutic health benefits, recent studies have cast some doubt on the veracity or extent of these claims.
- Argued that this bill struck a careful balance of preserving lawful hemp production while protecting consumers, and especially the youth, from exposure to substances with psychoactive effects.

Kate Frey, Vice President of Advocacy at New Futures, spoke in support of the bill, explaining that it would strengthen New Hampshire's ban on intoxicating hemp products.

- Stated that the best part of this bill was that it would mandate all licensees to comply with these new restrictions on hemp-based products and potentially deter those who continue to sell.
- Explained that these companies producing and distributing hemp-based THC products often employ deceptive marketing tactics like packaging THC products like candy or school supplies in an attempt to intentionally sell to minors.
- Argued that it was time to get tough on establishments that put profits over people.
- Expressed some concern with the personal possession fines that might be put in place by the bill, and argued that the focus should be on the establishments.

Kristen Makara, Director of the Doorway Program in Nashua, spoke in support of the bill.

- Argued that the hemp-based products that the bill was concerned with contain THC that, while a derivative, produces the same effects as cannabis while intoxicated. These symptoms can include euphoria, paranoia, hallucinations, anxiety, and psychosis.
- Stated that these products are often put into the form of gummies, candy, brownies, cookies, and other such forms which look appealing to those who are unaware of their effects.
- Explained that there have been many reports to Poison Control and other healthcare organizations across the country of strong negative reactions to these products.

- Argued that these producers are seeking to circumvent New Hampshire laws regarding cannabis sales and profit from communities' exposure to unregulated drugs.

Sue Hamola, a representative of SAM New Hampshire, sought to support Mr. Simon's comments on the implementation of the Federal Farm Act changes. She argued that this bill has been facing many challenges federally, and that there is little certainty that it will be implemented as currently written. For this reason, she advocated that the committee should support this bill so that New Hampshire can emerge as a leader on the issue.

- Stated that many hemp-derived products listed as compliant are actually mislabeled. A 2024 report by the American Council of Independent Laboratories 69% of products independently tested exceeded Delta 9 limits and 81% of those products exceeded the legal standards when THC and THCA were cumulatively added.
- Argued that the wording of THCA should be added to lines 8-9 to more closely mirror the coming federal changes.

The Honorable Jerry Knirk, stated that he was not here representing the Therapeutic Cannabis Medical Oversight board, as they had not considered the bill. He echoed the closing comments of Ms. Sue Hamola, and argued that the amendment to the bill did not include the changes to lines 8-9 that she had advocated.

- Explained that THCA was not included in being an isomer of THC, but instead had the addition of a caroxil group which is removed by heat, resulting in an 87% conversion rate when smoked or vaped due to heat exposure. He stated that this is why the Farm bill had defined the total THC as including THCA.
- Stated that while the amendment to the bill did include this definition on lines 11-14, it did not include this language later in lines 28-29, where it instead specified Delta 8, Delta 9, or any other THC isomer variant, which does not include THCA. He argued that the language here should instead mirror lines 22-25 where THCA is mentioned. He explained that without this, the bill would include a major loophole that was unintended.
- Senator Abbas asked to clarify if he had seen the amendment, which the Honorable Jerry Knirk clarified he had, and that it contained this issue.
- Senator Altschiller asked whether the language could be modified to repeat "all forms of tetrahydrocannabinoids."

- The Honorable Jerry Knirk replied that it could be, and that it would be effective for consistency. He went on to clarify that any definition that included THCA should be sufficient to prevent a loophole from existing in the bill.

BMB

Date Hearing Report completed: February 12, 2026