

Senate Commerce Committee

Aaron Jones 271-2609

HB 1630-FN, prohibiting the sale of nitrous oxide and certain inhalants for recreational purposes.

Hearing Date: April 7, 2026

Time Opened: 10:37 a.m.

Time Closed: 11:02 a.m.

Members of the Committee Present: Senators Innis, Birdsell and Reardon

Members of the Committee Absent : Senators Ricciardi, Murphy and Fenton

Bill Analysis: This bill prohibits licensees from using their premises for illegal purposes, requires compliance with laws on inhaling toxic vapors, and bans selling nitrous oxide devices, with violations subject to enforcement by the liquor commission and repeat offenses leading to license revocation.

Sponsors:

Rep. N. Murphy

Rep. Newell

Rep. Rung

Rep. Woods

Rep. Lucas

Rep. B. Boyd

Rep. Mooney

Sen. Ricciardi

Sen. Fenton

Sen. Abbas

Who supports the bill: 106 individuals were in support. Full sign in sheets are available upon request by contacting the Legislative Aide, Aaron Jones (aaron.jones@gc.nh.gov).

Who opposes the bill: 4 individuals were in opposition. Full sign in sheets are available upon request by contacting the Legislative Aide, Aaron Jones (aaron.jones@gc.nh.gov).

Who is neutral on the bill: 1 individual was neutral. Full sign in sheets are available upon request by contacting the Legislative Aide, Aaron Jones (aaron.jones@gc.nh.gov).

Summary of testimony presented in support:

Representative Nancy Murphy

- Nitrous oxide is a widely accessible recreational inhalant that can induce rapid euphoric and hallucinogenic effects. With repeated use, it can cause severe neurologic, cardiovascular, and psychiatric signs and symptoms.

- This bill does not address use or possession; it is solely focused on the sale of these products.
- As amended by the House Commerce Committee, this bill would use liquor licensing for enforcement.
- Representative Murphy said this bill had the support of stakeholders, including the New Hampshire Chiefs of Police, the House Commerce Committee, and the Liquor Commission.
- This bill would make toxic inhalants less accessible for misuse, while also ensuring availability for safe, non-recreational uses. It also would act as a deterrent for individuals who sell inhalants for recreational use, hold individuals accountable who choose to sell inhalants unlawfully, and increase the penalties for doing so.
- This bill would focus on increasing public safety on roadways by reducing traffic accidents, injuries, and fatalities caused by drug impairment.

Brian Levesque, Chief of Police, Merrimack Police Department

- Nitrous oxide can be used for legitimate purposes, such as at the dentist, to pressurize whip cream, and allow race cars to go fast.
- Bottles, which have bright colors and designs, are currently sold in smoke shops and some gas stations throughout the state.
- Since the effects of nitrous oxide are short lived, it often leads to repeated exposure.
- In 2013, the CDC reported 37 deaths involving nitrous oxide poisoning. By 2023, there were 156 deaths, which was equal to a 450 percent increase.
- Nitrous oxide is commonly abused by teenagers and young adults between the ages of 14 and 22. This can be attributed to cost, a misconception that it is relatively safe, ease of access, and its legality.
- Frequent or chronic use of nitrous oxide can lead to disabling brain or spinal cord injuries, memory loss, B12 depletion, brain and nerve damage, paralysis, and depression.
- Withdrawals from nitrous oxide use can cause anger outbursts, dopamine imbalances, anxiety, and irritability.
- Chief Levesque said this addiction can lead to a long and difficult recovery. As individuals become more tolerant to inhalants, they require a larger amount to negate withdrawals. As this addiction becomes increasingly expensive, individuals are more likely to look for cheaper drugs.
- RSA 644:5 refers to the act of inhaling, and it does not regulate the sale of this product, which is known to be abused by teenagers and young adults.
- While this was not an end all solution, Chief Levesque said it was an important step towards protecting youth from having easy access to a highly abused substance.
- **Senator Birdsell** asked where these products were manufactured.

- **Chief Levesque** said he did not know, but they were present in almost all smoke shops and gas stations.

Peter Albert and Cathi Albert

- Mr. and Mrs. Albert shared a personal story about their son who became addicted to using nitrous oxide. Over a period of 4 or 5 months, their son spent nearly \$25,000, depleted his savings account, and maxed out his credit cards.
- Mrs. Albert said the availability of nitrous oxide in smoke shops convinced their son that it was harmless to use.
- When their son went to rehab, they found about 200 large canisters of nitrous oxide in his apartment.
- As a retired police officer, Mr. Albert said he saw all types of drugs; however, he never talked to his children about nitrous oxide.

Holley Hill

- Ms. Hill told her personal story of using nitrous oxide. About 4 years ago, she said she was admitted into a psychiatric ward suffering from drug psychosis. In her car, she said there were over 7,000 nitrous oxide cartridges.
- Prior to using nitrous oxide, Ms. Hill said she was a mother, librarian, and qualified educator. During her addiction, however, she said she focused on nothing but nitrous oxide.
- At the end of her addiction, Ms. Hill said she could not walk, participate in discussions, form new memories, or perform chores. She said her physical, mental, and emotional health is still affected to this day.
- Over 6 months, Ms. Hill said she spent over \$26,000 on nitrous oxide through Amazon and smoke shops between Laconia and Concord.

Kate Frey, Vice President of Advocacy, New Futures

- Along with other legislation, this bill sought to address the issue of continued marketing of addictive products to minors.
- Ms. Frey said industries that sell addictive products have found workarounds to market dangerous products to minors, individuals with substance misuse disorders, and other vulnerable populations.
- This is a problem nationwide, not just in New Hampshire. In response, Ms. Frey said several states have acted.
- **Senator Birdsell** asked if Massachusetts had done anything.
 - **Ms. Frey** believed there were over 30 states working on legislation to ban these products.
- **Senator Birdsell** asked if individuals would go over the border if New Hampshire banned these products, but Massachusetts did not.
 - **Ms. Frey** said that was a concern, and they have seen it with intoxicating hemp products. This bill would give enforcement authority to the Division of Liquor Enforcement, so if they see these products, they can act.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

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Date Hearing Report completed: April 10, 2026