

HB 1446 - AS INTRODUCED

2026 SESSION

26-2753

05/09

HOUSE BILL **1446**

AN ACT providing that an individual's use of therapeutic cannabis shall not disqualify the individual from the purchase, ownership, or possession of a firearm.

SPONSORS: Rep. Tom Mannion, Hills. 1; Rep. Giasson, Hills. 29; Rep. Layon, Rock. 13; Rep. H. Howard, Straf. 4; Rep. Drew, Hills. 19; Rep. Tim Mannion, Hills. 1; Rep. Polozov, Merr. 10

COMMITTEE: Criminal Justice and Public Safety

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ANALYSIS

This bill provides that lawful participation in the state's therapeutic cannabis program shall not disqualify an individual exercising their constitutional right to purchase, possess, carry or transfer a firearm.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT providing that an individual's use of therapeutic cannabis shall not disqualify the individual from the purchase, ownership, or possession of a firearm.

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

1 1 Statement of Purpose. The general court finds that:

2 I. The right to keep and bear arms is protected by the Second Amendment to the United  
3 States Constitution and article 2-a of the New Hampshire constitution.

4 II. Patients who lawfully participate in New Hampshire's therapeutic cannabis program  
5 should not be forced to surrender their constitutional rights as a condition of accessing medical care.

6 III. The ability of qualifying patients to exercise their firearm rights is an integral  
7 component of the implementation of New Hampshire's therapeutic cannabis program.

8 IV. State law shall not permit cooperation with federal enforcement actions that seek to  
9 disarm patients solely on the basis of their lawful participation in this program.

10 2 New Section; Therapeutic Use of Cannabis Protections; Right to Purchase, Possess, and  
11 Transfer Firearms. Amend RSA 126-X by inserting after section 2 the following new section:

12 126-X:2-a Firearm Rights of Qualifying Patients.

13 I. A qualifying patient, caregiver, or other person lawfully registered under this chapter  
14 shall not be denied the right to purchase, possess, carry, or transfer firearms and ammunition under  
15 New Hampshire law on the basis of their participation in the therapeutic cannabis program.

16 II. For purposes of this chapter, the right to keep and bear arms is deemed an essential and  
17 inseparable element of the implementation of the therapeutic cannabis program. Any federal action  
18 that criminalizes or burdens the exercise of firearm rights by qualifying patients shall be construed  
19 as an action preventing the state of New Hampshire from implementing its therapeutic cannabis  
20 law.

21 III. No state or local agency, employee, or law enforcement officer shall expend resources,  
22 cooperate with, or assist in the enforcement of federal prohibitions against the possession of firearms  
23 by qualifying patients acting in compliance with this chapter.

24 IV. The attorney general shall have authority to intervene, appear, or provide defense in any  
25 judicial proceeding where a qualifying patient faces federal prosecution under 18 U.S.C. section  
26 922(g)(3) solely by virtue of their lawful participation in the therapeutic cannabis program.

27 3 Severability. If any provision of this act or its application is held invalid, such invalidity shall  
28 not affect other provisions or applications that can be given effect without the invalid provision or  
29 application, and to this end the provisions of this act are declared to be severable.

30 4 Effective Date. This act shall take effect 60 days after its passage.