

SB 549-FN - AS AMENDED BY THE SENATE

03/12/2026 1040s
03/12/2026 1162s

2026 SESSION

26-2141
09/05

SENATE BILL **549-FN**

AN ACT requiring certain syringe service program entities to provide options for disposal of used syringes and needles and creating reporting requirements for such entities.

SPONSORS: Sen. Murphy, Dist 16; Sen. Pearl, Dist 17; Sen. Ward, Dist 8; Sen. Lang, Dist 2; Sen. Avar, Dist 12; Sen. Gannon, Dist 23; Sen. Sullivan, Dist 18; Sen. McGough, Dist 11; Sen. Innis, Dist 7; Sen. Birdsell, Dist 19

COMMITTEE: Health and Human Services

AMENDED ANALYSIS

This bill requires certain syringe service program entities to provide options for disposal of used syringes and needles and creates reporting requirements for such entities.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT requiring certain syringe service program entities to provide options for disposal of used syringes and needles and creating reporting requirements for such entities.

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

1 1 New Paragraph; Pharmacists and Pharmacies; Regulation of Pharmacies; Syringe Service
2 Programs; Authorized Activities and Funding Sources. Amend RSA 318:43-a by inserting after
3 paragraph II the following new paragraph:

4 II-a.(a) Any entity operating a syringe service program in New Hampshire that involves the
5 provision of sterile needles and syringes shall provide options for the disposal of used syringes,
6 needles, and other related paraphernalia. Such options shall be free to the public.

7 (b) Any organization required to provide options for the disposal of used syringes,
8 needles, and other related paraphernalia shall undertake an annual marketing campaign to inform
9 participants of free disposal options.

10 (c) At the time of a quarterly report, each entity operating a syringe service program in
11 New Hampshire shall report to the department whether they are required to provide options for
12 disposal as outlined in this paragraph and, if so, shall demonstrate their compliance.

13 (d) At the time of a quarterly report, each entity operating a syringe service program in
14 New Hampshire shall report to the department calculated return rates. In addition to calculated
15 return rates, each program shall provide a description of methods used in syringe counting or
16 estimation; separation of returns from direct participant exchange versus secondary/community
17 sources; and a narrative of factors affecting performance and improvement efforts. Strengthening
18 syringe services programs (SSPs) shall seek to achieve and maintain a return rate of 95 percent or
19 higher in each calendar quarter. The department shall assess performance over rolling 4-quarter
20 periods. A return rate may exceed 100 percent. If an SSP reports a return rate below 95 percent for
21 2 consecutive quarters, it must submit a corrective action plan within 30 days. The plan shall
22 include strategies to increase return rate, such as enhanced drop box access, peer outreach,
23 incentives, or community partnerships; a timeline with measurable targets; and a statement of
24 resource or technical needs. Upon request, the department shall provide support, including
25 guidance on data gathering and best practices. The department shall adopt rules pursuant to RSA
26 541-A establishing a schedule of fines for failure to file required reports or implement corrective
27 action plans.

28 (e) No municipality shall adopt any local ordinance or other rule to prohibit any activity
29 authorized by this paragraph.

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1 2 Effective Date. This act shall take effect 90 days after its passage.

SB 549-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENTS #2026-1040s and #2026-1162s)

AN ACT requiring certain syringe service program entities to provide options for disposal of used syringes and needles and creating reporting requirements for such entities.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$115,000	\$120,000	\$126,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires all syringe service programs (SSP) that distribute sterile syringes to:

- (1) provide free disposal options for used syringes and related paraphernalia;
- (2) conduct an annual marketing campaign regarding disposal options;
- (3) submit quarterly reports documenting compliance with disposal requirements; and
- (4) report syringe return rates and associated methodology, narrative context, and performance factors.

In addition, the bill establishes a 95 percent return rate goal, requires corrective action plans for programs falling below this threshold for two consecutive quarters, and directs the Department of Health and Human Services to provide technical assistance upon request. The Department must also assess performance over rolling four quarter periods and adopt administrative rules to

establish a schedule of fines for non-compliance. The Department states these new, ongoing oversight responsibilities will result in the need for a new, full-time program specialist position, at an estimated cost of \$115,000 in FY27, \$120,000 in FY28, and \$126,000 in FY29.

To the extent that any local funds are budgeted for SSPs, the fiscal impact on municipalities is indeterminable.

AGENCIES CONTACTED:

Department of Health and Human Services