

SB 624-FN - AS AMENDED BY THE HOUSE

03/05/2026 0843s
23Apr2026... 1499h
14May2026... 1846h

2026 SESSION

26-2219
09/08

SENATE BILL

624-FN

AN ACT restricting access to certain hemp-derived products and establishing the offenses of criminal adulteration and distribution of adulterated controlled substances.

SPONSORS: Sen. Gannon, Dist 23; Rep. Litchfield, Rock. 32; Rep. M. Pearson, Rock. 34; Rep. Bernardy, Rock. 36

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill:

I. Prohibits certain hemp-derived products, directs liquor licensees to comply with the prohibition, and amends the definition of hemp.

II. Establishes the offenses of criminal adulteration and distribution of adulterated controlled substances.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 restricting access to certain hemp-derived products and establishing the offenses of criminal adulteration and distribution of adulterated controlled substances.

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

1 1 Hemp; Definition. Amend RSA 439-A:2, V to read as follows:

2 V. "Hemp" means the plant Cannabis sativa L. and any part of the plant, [~~whether growing~~
3 ~~or not, with a delta-9 tetrahydrocannabinol concentration (THC) of not more than 0.3 percent on a~~
4 ~~dry weight basis]~~ ***including the seeds thereof and all derivatives, extracts, cannabinoids,***
5 ***isomers, acids, salts, and salts of isomers, whether growing or not, with a total***
6 ***tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more***
7 ***than 0.3 percent on a dry weight basis.***

8 2 Hemp; Prohibitions. Amend RSA 439-A:4 to read as follows:

9 439-A:4 Hemp-Derived Products Containing THC Prohibited.

10 Nothing in this chapter shall be construed to authorize the sale of products that are derived from
11 hemp which contain natural or synthetic tetrahydrocannabinol (THC) greater than 0.3 percent on a
12 dry weight basis, which appear in any formulation, including delta-8 THC, delta-9 THC,
13 ***tetrahydrocannabinolic acid (THCA)***, or any other THC isomer variant. ***Such products are***
14 ***prohibited.***

15 3 Premises Restrictions; Unlawful Purpose. Amend RSA 179:50 to read as follows:

16 179:50 Unlawful Purpose.

17 ***I.*** No licensee shall use, or allow to be used, his or her premises for any purpose contrary to
18 law.

19 ***II.*** ***All licensees shall comply with the provisions of RSA 439-A:4 relative to certain***
20 ***hemp-derived products containing THC prohibited.***

21 4 New Paragraph; Prohibited Sales. Amend RSA 179:5 by inserting after paragraph II the
22 following new paragraph:

23 III. No licensee, salesperson, nor any other person, shall sell or give away or cause or allow
24 or procure to be sold, delivered, or given away any product derived from hemp which contains
25 natural or synthetic tetrahydrocannabinol (THC) in any amount, which appear in any formulation,
26 including delta-8 THC, delta-9 THC, or any other THC isomer variant or tetrahydrocannabinolic
27 acid (THCA), to a person under the age of 21.

28 5 Legislative Findings. With respect to section 6 of this act, the general court finds that:

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1 I. The presence of unapproved substances in the illicit drug supply poses an immediate and
2 severe threat to the health and safety of the citizens of New Hampshire.

3 II. The state of New Hampshire currently provides widespread access to harm-reduction
4 testing resources.

5 III. The intentional adulteration of controlled substances with unapproved additives
6 demonstrates a reckless disregard for human life.

7 IV. The distribution of controlled substances without verification of contents, given the
8 availability of testing resources, constitutes a significant public safety hazard warranting enhanced
9 penalties.

10 6 New Section; Criminal Adulteration and Distribution of Adulterated Controlled Substances.
11 Amend RSA 318-B by inserting after section 2-e the following new section:

12 318-B:2-f Criminal Adulteration and Distribution of Adulterated Controlled Substances.

13 I. A person is guilty of a class B felony if they knowingly combine, mix, or adulterate a
14 controlled substance with any substance not approved for human consumption, with the intent to
15 distribute the resulting mixture. The state may establish intent through the presence of processing
16 equipment, including but not limited to, scales, cutting agents, blenders, presses, or the
17 simultaneous possession of a controlled substance and an unapproved additive in a manufacturing
18 context.

19 II. A person is guilty of a class A felony if they possess with intent to distribute, or
20 distribute, any controlled substance which they know or have reasonable cause to believe contains
21 an unapproved additive. For the purposes of this section, "reasonable cause to believe" includes the
22 failure to utilize accessible harm-reduction testing resources or the distribution of substances in a
23 market known to be contaminated with unapproved additives.

24 III. The penalties provided for in this section shall be in addition to, and not in lieu of, any
25 other penalties or offenses provided for under this chapter or any other provision of law, and shall
26 not be construed to limit the state's authority to prosecute any other applicable criminal offense.

27 7 Effective Date. This act shall take effect January 1, 2027.

**SB 624-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT # 2026-1846h)**

AN ACT restricting access to certain hemp-derived products and establishing the offenses of criminal adulteration and distribution of adulterated controlled substances.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
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 2026	FY 2027	FY 2028	FY 2029
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