

SB 557-FN - AS AMENDED BY THE HOUSE

03/12/2026 1159s
03/26/2026 1211s
23Apr2026... 1473h
14May2026... 1971h

2026 SESSION

26-2144
07/09

SENATE BILL **557-FN**

AN ACT making synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research, and relative to the official ballot referendum form of town meetings.

SPONSORS: Sen. Altschiller, Dist 24; Sen. Watters, Dist 4; Sen. Prentiss, Dist 5; Rep. Manos, Rock. 12; Rep. N. Murphy, Hills. 12

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill:

I. Makes synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research.

II. Amends the method of adopting official ballot referendum form of meeting.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 making synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research, and relative to the official ballot referendum form of town meetings.

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

1 1 New Paragraph; Alcoholic Beverages; Definitions and General Provisions; Definitions. Amend
2 RSA 175:1 by inserting after paragraph LXIV-g the following new paragraph:

3 LXIV-h. "Unauthorized Kratom Products" means any consumable kratom product,
4 including, but not limited to, edibles, liquids, powders, capsules, tablets, extracts, inhalants, or vapor
5 products that fall into one or more of the following categories:

6 (a) An alkaloid or alkaloid derivative contained in a kratom leaf extract that has been
7 exposed to chemicals or processes that confer a structural change in the alkaloids, including, but not
8 limited to, oxidation, reduction, and ring opening or closing, resulting in material that has been
9 chemically altered.

10 (b) An alkaloid or alkaloid derivative of the kratom leaf that has been created by
11 chemical synthesis or biosynthetic means, including fermentation, recombinant techniques, yeast-
12 driven techniques, and enzymatic techniques, rather than by traditional food preparation
13 techniques, such as heating or extracting.

14 (c) Purified mitragynine with enhanced levels of 7-hydroxymitragynine that are not
15 found in the natural kratom leaf.

16 2 Enforcement, Requirements and Penalties; Premises Restrictions; Unlawful Purpose. RSA
17 179:50 is repealed and reenacted to read as follows:

18 179:50 Unlawful Purpose.

19 I. No licensee shall use, or allow to be used, their premises for any purpose contrary to law.

20 II. No licensee shall permit or allow the on-premises ingestion, inhalation, smoking, or
21 vaping of any unauthorized kratom products, as defined by RSA 175:1, LXIV -h, on any licensed
22 premises.

23 III. No licensee shall sell, distribute, furnish, offer for sale, advertise, manufacture, or
24 possess any unauthorized kratom products as defined by RSA 175:1, LXIV-h.

25 IV. The penalty for violations of paragraph II or paragraph III shall be determined by the
26 state liquor commission in accordance with rules adopted under RSA 541-A. However, a second
27 offense under paragraph II or paragraph III shall result in revocation of the license.

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1 3 Method of Adopting Official Ballot Referendum Form of Meeting. Amend RSA 40:14, III to
2 read as follows:

3 III. The local political subdivision shall place the question on the warrant of the annual
4 meeting under the procedures set out in RSA 39:3 or RSA 197:6, ***and the question shall be voted***
5 ***on by official ballot in accordance with the procedures established in RSA 669:19-29, RSA***
6 ***670:5-7, and RSA 671:20-30, including all requirements pertaining to absentee voting,***
7 ***polling places, and polling hours.*** ~~[Voting on the question shall be by ballot, but the question~~
8 ~~shall not be placed on the official ballot used to elect officers. Polls shall remain open and ballots~~
9 ~~shall be accepted by the moderator for a period of not less than one hour following the completion of~~
10 ~~discussion on the question.]~~

11 4 Method of Adopting Official Ballot Referendum Form of Meeting. Amend RSA 40:14, VII to
12 read as follows:

13 VII. Any local political subdivision which has adopted RSA 40:13 may consider rescinding its
14 action in the manner described in paragraphs III-VI~~[-except that the question shall be placed on the~~
15 ~~official ballot]~~. The wording of the question shall be: "Shall we rescind the provisions of RSA 40:13
16 (known as SB 2), as adopted by the (local political subdivision) on (date of adoption), so that the
17 official ballot will no longer be used for voting on all questions, but only for the election of officers
18 and certain other questions for which the official ballot is required by state law?" A 3/5 majority of
19 those voting on the question shall be required to rescind the provisions of this subdivision, except in
20 the case of repeal by charter enactment under RSA 49-D. Only votes in the affirmative or negative
21 shall be included in the calculation of the 3/5 majority.

22 5 Effective Date.

23 I. Sections 1 and 2 of this act shall take effect upon its passage.

24 II. The remainder of this act shall take effect July 1, 2026.

SB 557-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT # 2026-1473h)

AN ACT making it illegal for liquor commission licensees to sell, distribute, furnish, offer for sale, advertise, manufacture, possess, or allow the ingestion, inhalation, smoking, or vaping of certain kratom products.

FISCAL IMPACT:

This bill makes it illegal for Liquor Commission licensees to sell, distribute, furnish, offer for sale, advertise, manufacture, possess, or allow the use of certain unauthorized kratom products. The Liquor Commission states the requirements of this bill could be absorbed into their current budget. To the extent penalties are imposed for violations, there may be an indeterminable increase in state revenue; however, any such impact is expected to be minimal and would be attributable to rules and not this bill. Therefore, the Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

Liquor Commission