CHAPTER 286
HB 639-FN - FINAL VERSION

13Mar2025... 0445h
02/05/2026 0291s
03/12/2026 1048s
03/12/2026 1169s
4Jun2026... 2065CofC

2026 SESSION

25-0715
07/11

HOUSE BILL ***639-FN***

AN ACT relative to the use of and disputes over blockchain and digital currencies.

SPONSORS: Rep. Ammon, Hills. 42; Rep. Beaulier, Graf. 1; Rep. Osborne, Rock. 2; Rep. Alexander Jr., Hills. 29; Rep. Sweeney, Rock. 25; Rep. Warden, Hills. 39; Sen. Avard, Dist 12

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

This bill:

I. Creates an act to protect blockchain technology and its users.

II. Establishes a blockchain dispute docket to oversee blockchain-related disputes.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the use of and disputes over blockchain and digital currencies.

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

286:1 Purpose and Findings. The general court makes the following findings:

I. The general court adopts the findings of the Report of Governor Sununu's Commission on Cryptocurrency and Digital Assets.

II. The general court hereby finds that:

(a) Blockchain technology is an important technical innovation with many important applications for our state and national society and economy.

(b) The uncertain legal and regulatory status of blockchain technologies undermines investor and consumer confidence and stifles beneficial innovation.

(c) New Hampshire should establish a state legal regime that offers an attractive jurisdiction for the best responsible blockchain innovators, entrepreneurs, and businesses while protecting their investors and consumers.

(d) New Hampshire is a unique state. Our citizen legislature has proven itself to have the unique capacity to undertake prompt and regular modernization of legal systems that often take other states decades. New Hampshire should play a leading role now, as Blockchain technology continues to develop its place within our global economic system.

III. The general court seeks to implement key recommendations from the Report of Governor Sununu's Commission and to make New Hampshire an attractive jurisdiction for blockchain-related business and innovation, thereby:

(a) Promoting investment and development in New Hampshire; and

(b) Establishing a leading role for New Hampshire in fostering the blockchain industry and developing a legal regime protecting blockchain technology.

286:2 Short Title. This act shall be known as "The Blockchain Basic Laws."

286:3 New Chapter; Blockchain Basic Laws. Amend RSA by inserting after chapter 359-U the following new chapter:

CHAPTER 359-V

BLOCKCHAIN BASIC LAWS

359-V:1 Definitions.

In this chapter:

I. "Blockchain" means any technology:

(a) Where data is:

(1) Shared across a network to create a public ledger of verified transactions or information among network participants;

(2) Linked using cryptography to maintain the integrity of the public ledger and to execute other functions; and

(3) Distributed among network participants in an automated fashion to concurrently update network participants on the state of the public ledger and any other functions; and

(b) Composed of source code that is publicly available.

II. “Blockchain protocol” means any executable software deployed to a blockchain composed of source code that is publicly available and accessible, including a smart contract or any network of smart contracts.

III. “Decentralized” means a blockchain system in which no person has the unilateral authority, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise, to control or materially alter the functionality or operation of the blockchain system.

IV. “Digital asset” means any fungible or non-fungible digital representation of value, unit of value, voting, or usage right that can be exclusively possessed and transferred, person to person, without necessary reliance on an intermediary, and is recorded on a blockchain system. This includes virtual currencies, cryptocurrencies, natively electronic assets (such as stablecoins and non-fungible tokens), and other digital-only assets that confer economic, proprietary, access rights, or powers.

IV-a. "Digital asset mining" or "mining" means using a computer or node for the purpose of securing a blockchain network through computational processes. For the purposes of this chapter only, mining shall also include securing a blockchain through validation mechanisms based on proof-of-stake.

V. "Digital asset exchange" means any platform or network established for purchasing, selling, staking, or exchanging digital assets.

VI. “Digital asset mining business” means a person or entity operating a group of computers on one contiguous property that together consume more than one megawatt of energy for the purpose of securing a blockchain protocol.

VII. “Discriminatory rates” mean electricity rates substantially different from other industrial uses of electricity in similar geographic areas.

VIII. “Node” means a computational device which contains and updates a copy of a blockchain.

IX. “Self-hosted wallet” means a digital interface used to secure and transfer digital assets; and under which the owner of the digital asset retains independent control over the digital assets that are secured by such digital interface.

X. “Smart contract” means software code deployed in a blockchain system that consists of a set of predefined and deterministic instructions and conditions that may be executed in a decentralized manner by participants in the underlying blockchain network. Execution of a smart contract shall produce a change in the blockchain state and may autonomously enforce, execute, and record rules and actions, including but not limited to financial transactions, compliance mechanisms, and the creation of irrevocable digital arrangements. A smart contract need not meet the common law requirements of a legal contract to satisfy this definition.

XI. "Staking" means using a node to lock digital assets in order to operate the consensus mechanism of a blockchain protocol.

359-V:2 Holding and Use of Private Digital Currency.

No state or local government agency or subdivision thereof shall prohibit, restrict, or otherwise impair the ability of an individual to:

I. Use digital assets to purchase legal goods or services.

II. Self-custody digital assets using a self-hosted wallet or third-party wallet.

III. Use digital assets as a method of payment without the imposition of any tax, withholding, assessment, or charge based solely on the fact that a digital asset was used as the method of payment.

359-V:3 Processes Regarding Blockchain Networks.

I. No state or local government agency or subdivision thereof shall prohibit any person or business from operating a node for the purpose of connecting to a blockchain protocol or a protocol built on top of a blockchain protocol and transferring digital assets on a blockchain protocol or participating in staking on a blockchain protocol.

II. A person engaged in home digital asset mining or a digital asset mining business shall not be required to obtain a money transmitter license under RSA 399-G.

III. Operating a node or a series of nodes on a blockchain protocol shall not require an individual or business to obtain a money transmitter license under RSA 399-G.

IV. A person engaging in the act of digital asset mining or staking solely with that person's own funds or digital assets and not the funds or digital assets of another, shall not be deemed to be offering or selling a security pursuant to RSA 421-B.

V. A digital asset exchange that offers to provide staking as a service to any person shall not be deemed to be offering or selling a security pursuant to RSA 421-B provided that:

(a) The digital assets staked do not leave the control of the digital asset exchange; or

(b) The digital assets remain under the control of the person who owns them. Nothing in this chapter shall preclude the secretary of state or the secretary of state's designee from instituting appropriate proceedings against a person or digital asset exchange that falsely claims to be offering digital asset staking as a service under RSA 421-B.

VI. Notwithstanding any other provision of law, anyone engaged in digital asset mining, operating a node or series of nodes on a blockchain network, or providing digital asset mining or staking services for individuals or other businesses shall not face liability related to a specific transaction merely by validating that transaction.

359-V:4 Civil Remedies.

I. Any person directly affected by a violation of this chapter may petition the superior court or the blockchain dispute docket for relief.

II. The superior court may order declaratory, injunctive, or other equitable relief.

III. Any person who prevails on any claim brought pursuant to this chapter, and shows by a preponderance of the evidence that the defendant engaged in a purposeful violation of this chapter, shall be entitled to an award of reasonable attorney's fees.

359-V:5 Severability.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application. This chapter shall retain its purpose and effect to the maximum extent permitted under the state and federal constitutions, whether through the severance of provisions or applications, judicial injunction or construction, or any other just and proper remedy.

286:4 New Section; Courts; Superior Courts; Blockchain Dispute Docket. Amend RSA 491 by inserting after section 7-b the following new section:

491:7-c Blockchain Dispute Docket.

I. Without limiting the jurisdiction vested in any court in the state, and subject to the appointment of a presiding justice by the governor with the consent of the executive council as provided in this section, the supreme court may establish by court order not inconsistent with this section, a blockchain dispute docket in the superior court which shall have jurisdiction to hear and determine blockchain technology disputes, as described in this section, when:

(a) The parties have consented to the jurisdiction of the blockchain dispute docket by agreement or stipulation; and

(b) The dispute concerns “blockchain” technology as defined in RSA 359-V:1.

II. The governor, with the consent of the executive council, may appoint the first presiding justice of the blockchain dispute docket, who shall be qualified by reason of such person's knowledge and experience in matters of law and technology. The chief justice of the superior court, following the appointment or designation of the initial presiding justice, may designate such additional justices to preside over blockchain docket cases, as necessary, based upon caseload, disqualification of the presiding justice, or efficient allocation of judicial resources.

III. The presiding justice of the blockchain dispute docket shall be an associate justice of the superior court and shall be entitled to the compensation and benefits provided to all such justices under applicable law, including, but not limited to, RSA 491-A:1 and RSA 100-C.

IV. The workload of the presiding justice of the blockchain dispute docket shall be the matters before that docket. The presiding justice may be assigned to any other matter within the jurisdiction of the superior court or sit by designation on any other court in the same manner as any other associate justice of the superior court, as determined to be necessary by the chief justices of the superior and supreme courts.

V. Subject to the provisions of this section, all civil actions in which the principal claim or claims arise from or involve the following shall be assigned to the blockchain dispute docket for all purposes, including motion practice, discovery, injunctive relief, alternative dispute resolution, and hearing on the merits with or without a jury:

(a) Claims arising out of RSA 359-V.

(b) Claims arising from breach of contract or fiduciary duties, fraud, misrepresentation, business tort, or statutory violations arising out of blockchain technology dealings or transactions.

(c) Other complex disputes of a blockchain technology nature.

286:5 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 10, 2026
Effective Date: September 08, 2026