HB 1350-FN - AS INTRODUCED

2024 SESSION

24-2197
02/10

HOUSE BILL ***1350-FN***

AN ACT relative to therapeutic cannabis possession limits.

SPONSORS: Rep. H. Howard, Straf. 4; Rep. W. Thomas, Hills. 12; Rep. A. Murray, Hills. 20; Rep. Newell, Ches. 4; Rep. Seibert, Hills. 21

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill increases qualifying patients' limit on possession of therapeutic cannabis from 2 to 4 ounces, and increases the amount they may obtain in a 10-day period from 2 to 4 ounces.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

24-2197
02/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to therapeutic cannabis possession limits.

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

1 Therapeutic Use of Cannabis Protections. Amend RSA 126-X:2, I-II to read as follows:

I. A qualifying patient shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or denied any right or privilege for the therapeutic use of cannabis in accordance with this chapter, if the qualifying patient possesses an amount of cannabis that does not exceed the following:

(a) [~~Two~~] ***Four*** ounces of usable cannabis; and

(b) Any amount of unusable cannabis.

II. A designated caregiver shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or denied any right or privilege for the therapeutic use of cannabis in accordance with this chapter on behalf of a qualifying patient if the designated caregiver possesses an amount of cannabis that does not exceed the following:

(a) [~~Two~~] ***Four*** ounces of usable cannabis, or the total amount allowable for the number of qualifying patients for which he or she is a designated caregiver; and

(b) Any amount of unusable cannabis.

2 Prohibitions and Limitations on the Therapeutic Use of Cannabis. Amend RSA 126-X:3, VII to read as follows:

VII. The department may revoke the registry identification card of a qualifying patient or designated caregiver for violation of rules adopted by the department or for violation of any other provision of this chapter, including for obtaining more than [~~2~~] ***4*** ounces of cannabis in any 10-day period in violation of RSA 126-X:8, XIII(b), and the qualifying patient or designated caregiver shall be subject to any other penalties established in law for the violation.

3 Alternative Treatment Centers; Requirements. Amend RSA 126-X:8, XIII(b) to read as follows:

(b) Except as provided in subparagraph (c), a qualifying patient shall not obtain more than [~~2~~] ***4*** ounces of usable cannabis directly or through the qualifying patient's designated caregiver during a 10-day period.

4 Effective Date. This act shall take effect January 1, 2025.

LBA
24-2197
11/7/23

HB 1350-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to therapeutic cannabis possession limits.

FISCAL IMPACT: [X] State [X] County [X] Local [ ] None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
Revenue	$0	$0	$0	$0
Revenue Fund	None			
Expenditures	Indeterminable			
Funding Source	General Fund			
Appropriations	$0	$0	$0	$0
Funding Source	None			

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
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

The Department of Health and Human Services states the bill will have no fiscal impact on that department.

AGENCIES CONTACTED:

Department of Health and Human Services, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association