CHAPTER 2
HB 397 - FINAL VERSION

22Feb2023... 0459h
4Jan2024... 0085EBA

2024 SESSION

23-0574
05/04

HOUSE BILL ***397***

AN ACT relative to the prohibition of the possession of hypodermic needles by minors.

SPONSORS: Rep. Phillips, Rock. 7; Rep. Yokela, Rock. 32; Rep. Layon, Rock. 13; Rep. Love, Rock. 13; Rep. Popovici-Muller, Rock. 17

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill clarifies the circumstances under which a minor may be in possession of a hypodermic needle or syringe.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the prohibition of the possession of hypodermic needles by minors.

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

2:1 Control or Possession of Hypodermic or Like Instruments Without Prescription Prohibited for Minors. Amend RSA 318:52-e to read as follows:

318:52-e Control or Possession of Hypodermic or Like Instruments Without Prescription Prohibited for Minors. No person under 18 years of age shall have under such person's control or possess a hypodermic syringe[~~,~~] ***or*** hypodermic needle, [~~or any instrument adapted for the administration of drugs by injection,~~] unless the person has received a written or oral prescription issued under RSA 318:52-c***, or the recipient is acting as an authorized agent for another as defined in RSA 318:42, I under direct supervision***. For the purpose of this subdivision, no such prescription shall be valid which has been outstanding for more than [~~one year~~] ***2 years***. ***Use of a hypodermic syringe or hypodermic needle contrary to the intent of the prescription is not permitted under this statute.***

2:2 Sale of Hypodermic Syringes and Needles. Amend RSA 318:52-c, I to read as follows:

I. No person shall sell, furnish, or give to any person, under 18 years of age, an instrument commonly known as a hypodermic syringe[~~,~~] ***or*** hypodermic needle[~~, or any instrument adapted for the administration of drugs by injection~~] without the written or oral prescription of a licensed physician, physician assistant, dentist, veterinarian, podiatrist, or advanced practice registered nurse***, unless the recipient is acting as an authorized agent for another as defined in RSA 318:42***. Such prescription shall contain the name and address of the patient, the date of the prescription, the description of the instrument prescribed, and the number of instruments prescribed.

2:3 Effective Date. This act shall take effect January 1, 2025.

Approved: February 21, 2024
Effective Date: January 01, 2025

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