

Amendment to HB 639-FN

1 Amend RSA 359-V:1, V as inserted by section 3 of the bill by replacing it with the following:

2

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

5

6 Amend RSA 359-V:3, IV and V as inserted by section 3 of the bill by replacing it with the following:

7

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

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

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

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