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Rep. Ouellet, Coos 3  
Rep. H. Howard, Straf. 4  
Rep. Labrie, Hills. 2  
February 3, 2026  
2026-0484h  
08/09

Amendment to HB 1752-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Short Title. This act may be known as and cited to as "The Forest and Land Protection Act."

4 2 Findings and Purpose. The general court finds that:

5 I. New Hampshire forests and timber resources are vital economic and strategic assets of  
6 the state.

7 II. The generation of carbon sequestered in New Hampshire trees is a forestry business  
8 practice that should be regulated under RSA 227-J:15.

9 III. Carbon credits generated from New Hampshire trees represent the monetization of  
10 forest resources and therefore should be regulated as a forest product under RSA 227-J:15.

11 IV. The state has an existing New Hampshire carbon credit registry maintained by the  
12 department of natural and cultural resources, division of forests and lands, which currently records  
13 properties enrolled in carbon credit programs.

14 V. The expansion of carbon markets requires enhanced transparency, chain of custody and  
15 transaction-level reporting to protect landowners, taxpayers, and the public interest.

16 VI. Without clear statutory authority and preparation time, state agencies cannot  
17 adequately track ownership, transfers, or foreign influence in markets for carbon credits generated  
18 from carbon sequestered in New Hampshire trees.

19 VII. The legislature has a compelling interest in ensuring transparency, traceability, and  
20 state oversight over carbon credits generated from carbon sequestered in New Hampshire trees prior  
21 to the continuation or expansion of market activity.

22 VIII. The purpose of this act is to regulate carbon credits generated from carbon sequestered  
23 in New Hampshire trees as a forest product under RSA 227-J:15, and integrate carbon credit  
24 transaction reporting into the existing New Hampshire carbon credit registry.

25 3 Deceptive Forestry Business Practices. RSA 227-J:15, II is repealed and reenacted to read as  
26 follows:

27 II. In this section, "adulterated" means varying from a standard of composition or quality  
28 prescribed by any statute providing criminal penalties for such variance, or set by established  
29 commercial usage. In this section, "mislabeled" means varying from a standard of truth or  
30 disclosure in labeling prescribed by any law providing criminal penalties for such variance, or set by

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1 established commercial usage. In this section, "scale slip" means a written or printed form or  
2 combination of forms which provide an accurate, readily understandable record containing the  
3 species of wood product, board footage of each individual log when the standard unit of measurement  
4 is per thousand board feet, or tonnage or cordage when not sold per thousand board feet, gross scale,  
5 defect, net scale, date wood was measured, origin of timber, and the name of the party scaling the  
6 wood.

7 4 New Paragraphs; Origin of Timber. Amend RSA 227-J:15 by inserting after paragraph II the  
8 following new paragraph:

9 II-a. "Origin of timber" means the municipality with either a numeric street address or a  
10 map and lot number. In cases where a notice of intent to cut timber has been filed with a  
11 municipality, the notice of intent to cut timber number may be used as the origin of timber.

12 5 New Section; Forest Management-Derived Carbon; Chain of Custody. Amend RSA 227-J by  
13 inserting after section 15 the following new section:

14 227-J:16 Forest Management-Derived Carbon; Chain of Custody.

15 I. "New Hampshire forest management-derived carbon" means any carbon credit, offset,  
16 allowance, unit, certificate, or other tradable interest representing carbon sequestration or storage  
17 derived directly or indirectly from New Hampshire timber, forest biomass, or forestland.

18 II.(a) The origin of New Hampshire forest management-derived carbon shall be identified as  
19 the municipality and parcel from which the underlying timber or forestland is derived.

20 (b) A continuous chain of custody shall be maintained documenting the originating  
21 parcel, project developer, registry entry, and each sale, transfer, assignment, retirement or other  
22 conveyance.

23 (c) No New Hampshire forest management-derived carbon shall be transferred unless  
24 such chain of custody is complete and current.

25 III.(a) The department of natural and cultural resources, division of forests and lands shall  
26 keep, maintain, and administer all data required under this section as part of the forest carbon  
27 credit registry established in RSA 227-G:4.

28 (b) The registry shall serve as the official public record of the origin, chain of custody,  
29 ownership, transfer history, and status of all New Hampshire forest management-derived carbon.

30 (c) Any sale, transfer, trade, assignment, or retirement of New Hampshire forest  
31 management-derived carbon shall be reported to the department within 30 days, of the authorization  
32 of the transaction.

33 IV.(a) Ownership or control shall include direct or indirect beneficial ownership.

34 (b) The department shall investigate any intermediary entity, trust, partnership, fund or  
35 contractual arrangement to identify the ultimate beneficial owner.

36 (c) Beneficial ownership certification shall be required at initial registry entry and upon  
37 each transfer.

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1           V. No New Hampshire forest management-derived carbon shall be sold, transferred or  
2 controlled directly or indirectly, by any entity that is headquartered in, controlled by, or beneficially  
3 owned in whole or in part by a foreign adversary, as designated under 15 C.F.R. section 791.4. Any  
4 transaction in violation of this paragraph shall be void and unenforceable.

5           VI. The department shall assess reasonable fees not to exceed \$300 for registration,  
6 reporting, registry maintenance, and compliance monitoring of New Hampshire forest management-  
7 derived carbon, structured comparably to existing forestry reporting requirements. The department  
8 shall set fees not to exceed \$300 in rules in accordance with RSA 541-A for registration, reporting,  
9 registry maintenance, and compliance monitoring of New Hampshire forest management-derived  
10 carbon.

11           VII. Any violation of this section relative to New Hampshire forest management-derived  
12 carbon shall constitute a deceptive forestry business practice under this chapter and be subject to a  
13 civil penalty of not less than \$50 per metric ton of carbon involved. Each day a violation continues  
14 shall be a separate offense.

15           VIII. The department of natural and cultural resources, division of forests and lands shall  
16 adopt rules under RSA 541-A relative to the administration of this section by July 1, 2027.

17           6 Effective Date. This act shall take effect January 1, 2027.