

Amendment to SB 624-FN

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

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3 1 New Paragraph; Hemp; Definition Added. Amend RSA 439-A:2 by inserting after paragraph
4 II the following new paragraph:

5 II-a. "Container" means the innermost wrapping, packaging, or vessel in direct contact with
6 the final hemp derived cannabinoid product when sold at retail (such as a bottle, jar, cartridge, or
7 can).

8 2 Hemp; Definition. Amend RSA 439-A:2, V to read as follows:

9 V. "Hemp" means the plant *Cannabis sativa* L. and any part of the plant, [~~whether growing~~
10 ~~or not, with a delta-9 tetrahydrocannabinol concentration (THC) of not more than 0.3 percent on a~~
11 ~~dry weight basis~~] ***including the seeds thereof and all derivatives, extracts, cannabinoids,***
12 ***isomers, acids, salts, and salts of isomers, whether growing or not, with a total***
13 ***tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more***
14 ***than 0.3 percent on a dry weight basis.***

15 3 Hemp; Prohibitions. Amend RSA 439-A:4 to read as follows:

16 439-A:4 Hemp-Derived Products Containing THC Prohibited.

17 ***I.*** Nothing in this chapter shall be construed to authorize the sale of products that are
18 derived from hemp which contain natural or synthetic tetrahydrocannabinol (THC) greater than 0.3
19 percent on a dry weight basis, which appear in any formulation, including delta-8 THC, delta-9 THC,
20 or any other THC isomer variant. ***Such products are prohibited.***

21 ***II. Notwithstanding any other provision of law:***

22 ***(a) Final hemp-derived cannabinoid products shall not include products that***
23 ***contain more than 0.4 mg total THC per container, including all forms of***
24 ***tetrahydrocannabinols (including delta-9 THC and THCA) and other cannabinoids with***
25 ***similar human or animal effects.***

26 ***(b) Products exceeding this limit are not authorized for sale, and are excluded***
27 ***from the legal definition of hemp.***

28 ***III. No person under the age of 21 may purchase, possess, or consume a product***
29 ***derived from hemp which contains natural or synthetic THC in any amount, which appear***
30 ***in any formulation, including delta-8 THC, delta-9 THC, or any other THC isomer variant***
31 ***or tetrahydrocannabinolic acid (THCA).***

1 **IV. Any person who knowingly possesses a product in violation of paragraph I, II,**
2 **or III shall be guilty of a violation for a first through third offense, and a class B**
3 **misdemeanor for any fourth or subsequent offense.**

4 **V. Any person who is convicted of violating paragraph I shall be subject to a fine of**
5 **\$100 for a first or second offense, or a fine of up to \$300 for any third or subsequent offense.**
6 **The offender shall forfeit the hemp-derived product to the state.**

7 **VI. A corporation or unincorporated association shall be subject to a fine not to**
8 **exceed \$20,000 for a misdemeanor and \$1,000 for a violation. A writ of execution may be**
9 **issued by the court against the corporation or unincorporated association to compel**
10 **payment of the fine, together with costs and interest.**

11 4 Premises Restrictions; Unlawful Purpose. Amend RSA 179:50 to read as follows:
12 179:50 Unlawful Purpose.

13 **I. No licensee shall use, or allow to be used, his or her premises for any purpose contrary to**
14 **law.**

15 **II. All licensees shall comply with the provisions of RSA 439-A:4 relative to certain**
16 **hemp-derived products containing THC prohibited.**

17 5 New Paragraph; Prohibited Sales. Amend RSA 179:5 by inserting after paragraph II the
18 following new paragraph:

19 **III. No licensee, salesperson, nor any other person, shall sell or give away or cause or allow**
20 **or procure to be sold, delivered, or given away any product derived from hemp which contains**
21 **natural or synthetic tetrahydrocannabinol (THC) in any amount, which appear in any formulation,**
22 **including delta-8 THC, delta-9 THC, or any other THC isomer variant or tetrahydrocannabinolic**
23 **acid (THCA), to a person under the age of 21.**

24 6 Effective Date. This act shall take effect January 1, 2027.

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AMENDED ANALYSIS

This bill sets penalties for possession of certain hemp-derived products, directs liquor licensees to comply with the prohibition, and amends the definition of hemp.