

SB 549-FN - AS INTRODUCED

2026 SESSION

26-2141

09/05

SENATE BILL **549-FN**

AN ACT prohibiting the state or local government from distributing or funding organizations that distribute drug paraphernalia.

SPONSORS: Sen. Murphy, Dist 16; Sen. Pearl, Dist 17; Sen. Ward, Dist 8; Sen. Lang, Dist 2; Sen. Avar, Dist 12; Sen. Gannon, Dist 23; Sen. Sullivan, Dist 18; Sen. McGough, Dist 11; Sen. Innis, Dist 7; Sen. Birdsell, Dist 19

COMMITTEE: Health and Human Services

ANALYSIS

This bill prohibits the state or local governments from distributing or funding organizations that distribute drug paraphernalia.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT prohibiting the state or local government from distributing or funding organizations that distribute drug paraphernalia.

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

1 1 Syringe Service Programs Authorized. Amend RSA 318-B:43, III to read as follows:

2 III. Nothing in this section shall be construed to prohibit the department of health and
3 human services from administering and/or disbursing federal [~~or other~~] funds to syringe service
4 programs authorized under this section. The use of state general funds **or local funds** shall be
5 prohibited unless otherwise appropriated by the general court or if deemed necessary to control a
6 disease outbreak pursuant to RSA 141-C:3.

7 ***IV. Agencies of the state and all municipalities are prohibited from distributing***
8 ***any drug paraphernalia, as defined in RSA 318-B:1, including needles and syringes,***
9 ***directly or indirectly to any person.***

10 2 Syringe Service Programs; Authorized Activities and Funding Sources. Amend RSA 318:43-a,
11 II to read as follows:

12 II. State funds including, but not limited to, funds received by the state in the New
13 Hampshire opioid litigation settlement may be used to support the activities of syringe service
14 programs as permitted under this section and RSA 318-B:43, ***except that no state funds may be***
15 ***used for or provided to organizations that distribute drug paraphernalia, as defined in***
16 ***RSA 318-B:1, including needles and syringes, directly or indirectly to any person.***

17 3 Effective Date. This act shall take effect 60 days after its passage.

**SB 549-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT prohibiting the state or local government from distributing or funding organizations that distribute drug paraphernalia.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	(\$1.7 million)	(\$1.7 million)	(\$1.7 million)
<i>Funding Source(s)</i>	General Funds, Federal Funds, Other Funds			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	\$0	\$0	\$0
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable Decrease	Indeterminable Decrease	Indeterminable Decrease

METHODOLOGY:

This bill prohibits the state and local governments from distributing drug paraphernalia, including needles and syringes, either directly or indirectly. It also prohibits the use of state or local funds to support organizations that distribute such paraphernalia, including syringe service programs (SSP), unless funds are specifically appropriated or the distribution is deemed necessary to control a disease outbreak under RSA 141-C:3. The Department of Health and Human Services states that current annual funding for SSPs is as follows:

- Governor’s Commission Funding: \$800,000 (General Funds/Other Funds from Carryforward)
- Overdose Data 2 Action Funding: \$561,901 (Federal Funds)
- Opioid Abatement Commission: \$875,000 (Other Funds)

The Department anticipates that certain funding streams will need to be adjusted to ensure compliance with the proposed restrictions. While some of the above funds may be redirected to other purposes, the Department anticipates an overall reduction of approximately \$1.7 million in expenditures as a result of this bill. The Department cautions against interpreting this figure as a net savings to the public and behavioral health systems, as costs may be shifted to hospitalizations and other medical services.

The New Hampshire Municipal Association states that to the extent any local funds are currently budgeted for SSPs, there may be indeterminable savings to municipalities, ranging from less than \$10,000 for small communities to \$100,000 for large communities with significant substance abuse issues. The Association states that it is unable to determine any potential long-term public health or safety costs or savings resulting from the bill.

AGENCIES CONTACTED:

Department of Health and Human Services and New Hampshire Municipal Association