

Floor Amendment to HB 1616-FN

1 Amend the title of the bill by replacing it with the following:

2  
3 AN ACT relative to the legalization and regulation of cannabis and making appropriations  
4 therefor.  
5

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

7  
8 1 Purpose and Findings. The general court hereby finds that:

9 I. In the interest of allowing law enforcement to focus on violent and property crimes,  
10 generating revenue for education, prevention, treatment, and recovery related to the use of both  
11 legal and illegal drugs and for other public purposes, and advancing individual freedom, the people  
12 of the state of New Hampshire find and declare that the use of cannabis by a person 21 years of age  
13 or older should be legal and subject to reasonable regulation and taxation.

14 II. In the interest of the health and public safety of our citizenry, the people of the state of  
15 New Hampshire further find and declare that cannabis should be regulated in a manner similar to  
16 alcohol so that:

17 (a) Individuals will have to show proof of age before purchasing cannabis.

18 (b) Selling, distributing, or transferring cannabis to minors and other individuals under  
19 the age of 21 shall remain illegal.

20 (c) Driving under the influence of cannabis shall remain illegal.

21 (d) Moving cannabis production and sales from the underground, sometimes dangerous,  
22 illicit market to legal, taxpaying businesses allows for appropriate regulations and control.

23 (e) Cannabis sold in this state will be tested, labeled, and subject to additional  
24 regulations to ensure that consumers are informed and protected and to protect the environment.

25 (f) Some of the tax revenue generated from legal cannabis sales will be used to support  
26 programs for education, prevention, treatment, and recovery related to the use of both legal and  
27 illegal drugs.

28 2 New Subparagraphs; Application of Receipts; Cannabis Fund. Amend RSA 6:12, I(b) by  
29 inserting after subparagraph (399) the following new subparagraphs:

30 (400) Moneys deposited in the cannabis fund established in RSA 318-F:26.

31 (401) Moneys in the substance misuse prevention, treatment, and recovery fund  
32 established by RSA 318-F:27.

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1       3 New Subdivision; Substance Misuse Prevention, Treatment, and Recovery Funds. Amend  
2 RSA 126-A by inserting after section 105 the following new subdivision:

3                       Substance Misuse Prevention, Treatment, and Recovery Funds

4       126-A:106 Substance Misuse Prevention, Treatment, and Recovery Funds; Management and  
5 Distribution of Funds.

6           I. The commissioner of the department of health and human services, in coordination with  
7 the governor's commission on alcohol and other drugs under RSA 12-J, shall administer the  
8 substance misuse prevention, treatment, and recovery fund established in RSA 318-F:27.

9           II. Funds shall be deposited into the substance misuse prevention, treatment, and recovery  
10 fund as established by RSA 318-F:27 to be distributed by the commissioner of the department of  
11 health and human services in coordination with the governor's commission on alcohol and other  
12 drugs under RSA 12-J. Funds may be awarded to a qualifying governmental entity or program for  
13 an approved use. All funds shall be nonlapsing and continually appropriated for the purposes of this  
14 section.

15          III. The commissioner of the department of health and human services, in coordination with  
16 the governor's commission on alcohol and other drugs per RSA 12-J, shall continue to make  
17 distributions from the fund.

18          IV. The department of health and human services shall adopt rules pursuant to RSA 541-A  
19 necessary to implement this section. Such rules shall include funding qualifications, application  
20 procedures, time-lines for receiving, reviewing, and acting upon application requests, and reporting  
21 requirements.

22          V. Allocations shall be used for one or more of the following:

23               (a) Evidence-based, voluntary programs for substance misuse-related education,  
24 prevention, treatment, and recovery.

25               (b) Mental health treatment, with a focus on dual-diagnosis of both mental health and  
26 substance misuse disorders.

27               (c) Funding and training to foster an informed, adequately paid behavioral health  
28 workforce.

29               (d) Scientifically and medically accurate public education campaigns educating youth  
30 and adults about the health and safety risks of alcohol, tobacco, cannabis, and other substances,  
31 including education campaigns separately targeting youth and adults that provide medically and  
32 scientifically accurate information about the health and safety risks posed by cannabis use, including  
33 driving under the influence of cannabis.

34          VI. No later than 18 months after the effective date of this section, and every 2 years  
35 thereafter, the commissioner of the department of health and human services shall submit a report  
36 to the governor and fiscal committee of the general court detailing the activities of the  
37 administration of the substance misuse prevention, treatment and recovery fund, the amount

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distributed in the past year, the amount remaining in the fund, a summary of how funds were used in the past year, and any recommendations for future legislation.

4 Alcoholic Beverages; Statement From Purchaser as to Age. Amend RSA 179:8, I(d) to read as follows:

(d) A valid passport ~~from~~ **issued by the United States or by** a country with whom the United States maintains diplomatic relations.

5 Model Drug Dealer Liability Act; Definition of Illegal Drug. Amend RSA 318-C:4, I to read as follows:

I. "Illegal drug" means any drug which is a schedule I-IV drug under RSA 318-B, ***the possession, use, manufacture, sale, or transportation of which is not otherwise authorized by law.***

6 New Chapter; Regulation of Cannabis. Amend RSA by inserting after chapter 318-E the following new chapter:

CHAPTER 318-F  
REGULATION OF CANNABIS

318-F:1 Definitions. In this chapter:

I. "Alternative treatment center" means an entity as defined in RSA 126-X:1, I.

II. "Cannabis" or "marijuana" means all parts of the plant of the genus cannabis containing over 0.3 percent THC on a dry weight basis, whether growing or not, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, or its resin, including cannabis concentrate. "Cannabis" shall not include seeds of plants from the genus cannabis, hemp as defined by RSA 439-A, fiber produced from the stalks, oil, or cake made from the seeds of the plant, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product.

III. "Cannabis accessories" or "cannabis paraphernalia" means any equipment, products, or materials of any kind that are intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body. "Cannabis accessories" and "cannabis paraphernalia" do not include products that are not designed or marketed for use related to cannabis.

IV. "Cannabis concentrate" means the resin extracted from a cannabis plant and every preparation that is composed primarily of such resin, including, but not limited to, hashish and cannabis oils for vaporization. "Cannabis concentrate" shall not include cannabis products made from cannabis concentrate where the majority of the content by weight is something other than cannabis such as, but not limited to, edible products, topical products, and tinctures.

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1           V. "Cannabis cultivation facility" or "cultivation facility" means an entity licensed to  
2 cultivate, prepare, and package cannabis, and sell cannabis to retail cannabis stores, to cannabis  
3 product manufacturing facilities, to alternative treatment centers, and to other cannabis cultivation  
4 facilities, but not to consumers. A cannabis cultivation facility shall not produce cannabis  
5 concentrates or cannabis products unless the licensee also holds another type of license authorizing  
6 cannabis product or cannabis concentrate manufacturing.

7           VI. "Cannabis establishment" means a cannabis cultivation facility, a cannabis testing  
8 facility, a cannabis product manufacturing facility, a retail cannabis store, a cannabis transporter, or  
9 any other type of cannabis business authorized and licensed by the commission.

10          VII. "Cannabis product manufacturing facility" or "product manufacturing facility" means  
11 an entity licensed to purchase cannabis, to manufacture, prepare, and package cannabis products,  
12 and to sell cannabis and cannabis products to other cannabis product manufacturing facilities, to  
13 alternative treatment centers, and to retail cannabis stores, but not to consumers.

14          VIII. "Cannabis products" means any product that contains cannabis, including cannabis  
15 extracts, concentrated cannabis products, and products that contain cannabis and other ingredients  
16 and are intended for use or consumption, such as, but not limited to, edible products, ointments, and  
17 tinctures. This term shall not include cannabis in its plant or flower form.

18          IX. "Cannabis testing facility" or "testing facility" means an entity licensed to test cannabis  
19 for potency and contaminants.

20          X. "Cannabis transporter" means an entity licensed to transport cannabis between cannabis  
21 establishments.

22          XI. "Cannabis trim" means leaves, stems, trichomes, and other plant materials that are no  
23 longer attached to a cannabis plant. It does not include cannabinoids or resins extracted from  
24 cannabis.

25          XII. "Canopy" or "canopy space" means the surface area utilized to produce mature plants  
26 calculated in square feet and measured using the outside boundaries of any area that includes  
27 mature marijuana plants, including all the space within the boundaries. The square footage of  
28 canopy space is measured horizontally starting from the outermost point of the furthest mature  
29 flowering plant in a designated growing space and continuing around the outside of all mature  
30 flowering plants located within the designated growing space. If growing spaces are stacked  
31 vertically, each level of space shall be measured and included as part of the total canopy space  
32 measurement.

33          XIII. "Commission" means the cannabis commission established in RSA 318-F:7.

34          XIV. "Consumer" means a person 21 years of age or older who purchases cannabis or  
35 cannabis products for personal use by a person 21 years of age or older, but not for resale.  
36 "Consumer" does not include a qualifying patient or designated caregiver purchasing cannabis from  
37 an alternative treatment center pursuant to RSA 126-X.

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1           XV. "Department" means the department of health and human services.

2           XVI. "Designated caregiver" means "designated caregiver" as defined in RSA 126-X:1, VI.

3           XVII. "Documentation" means all records, in any form, including electronic records.

4           XVIII. "Dual use certificate" means a license allowing an alternative treatment center  
5 registered to operate pursuant to RSA 126-X to co-locate with and operate a retail cannabis store,  
6 cannabis cultivation facility, cannabis product manufacturing facility, cannabis transporter, or any  
7 combination of those licenses. A dual use certificate is required in addition to registration as an  
8 alternative treatment center and the license required pursuant to this chapter for each type of  
9 cannabis establishment operated by the alternative treatment center.

10           XIX. "Immature cannabis plant" means a cannabis plant that has not flowered and that does  
11 not have buds that may be observed by visual examination.

12           XX. "Inflation" means the 12-month percentage change in the consumer price index for all  
13 urban consumers, northeast region as published by the Bureau of Labor Statistics, United States  
14 Department of Labor.

15           XXI. "Mature cannabis plant" means a cannabis plant that has flowered and has buds that  
16 may be observed by visual examination.

17           XXII. "Municipality" means a city, town, or an unincorporated place.

18           XXIII.(a) "Possession limit" means:

19                   (1) Two ounces of cannabis flower or cannabis trim or any combination thereof;

20                   (2) Ten grams of cannabis concentrate;

21                   (3) Cannabis products other than cannabis concentrate containing no more than  
22 2,000 milligrams of THC;

23                   (4) Six cannabis plants, with 3 or fewer being mature, flowering plants; and

24                   (5) Any additional cannabis, cannabis concentrate, and cannabis products produced  
25 from the person's cannabis plants, provided that any amount of cannabis in excess of 2 ounces of  
26 cannabis, 10 grams of cannabis concentrate, and cannabis products containing no more than 2,000  
27 milligrams of THC shall be possessed in the same location where the plants were cultivated.

28                   (b) This paragraph shall not apply to the possession limits set forth in RSA 126-X:2.

29           XXIV. "Public place" means any place to which the general public has access, except it does  
30 not include privately owned, outdoor locations where cannabis is used with the permission of the  
31 property owner.

32           XXV. "Premises" means and includes all parts of the contiguous real estate occupied by a  
33 licensee over which the licensee has direct or indirect control or interest and which the licensee uses  
34 in the operation of the licensed business, and which have been approved by the commission as proper  
35 places in which to exercise the licensee's privilege.

36           XXVI. "Qualifying patient" means "qualifying patient" as defined in RSA 126-X:1, X.

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1 XXVII. "Retail cannabis store" or "retail store" means an entity licensed to purchase  
2 cannabis from cannabis cultivation facilities, to purchase cannabis and cannabis products from  
3 cannabis product manufacturing facilities, and to sell, transfer, and deliver cannabis and cannabis  
4 products or cannabis accessories or cannabis paraphernalia to consumers. Retail stores with  
5 therapeutic cannabis endorsements are also licensed to sell, transfer, and deliver cannabis and  
6 cannabis products, cannabis accessories, or cannabis paraphernalia to designated caregivers and  
7 qualifying patients.

8 XXVIII. "Resident" means a natural person who:  
9 (a) Is domiciled in New Hampshire; and  
10 (b) Maintains a place of abode in New Hampshire, unless the individual was homeless  
11 and residing in New Hampshire for at least 51 percent of the time.

12 XXIX. "Volatile extraction" means:  
13 (a) Extractions using any solvent identified as volatile or hazardous by the commission;  
14 and  
15 (b) Any method of extraction identified as potentially hazardous by the commission.

16 318-F:2 Personal Use of Cannabis.

17 I. Except as otherwise provided in this chapter, the following acts, if undertaken by a person  
18 21 years of age or older, shall not be illegal under New Hampshire law or the law of any political  
19 subdivision of the state or be a basis for seizure or forfeiture of assets under New Hampshire law:

20 (a) Possessing, consuming, using, displaying, obtaining, purchasing, processing,  
21 producing, or transporting an amount of cannabis that does not exceed the possession limit, except  
22 that no adult other than one who is acting in his or her capacity as a staffer of a cannabis product  
23 manufacturer or alternative treatment center may perform volatile extractions.

24 (b) Transferring an amount of cannabis that does not exceed the possession limit to a  
25 person who is 21 years of age or older without remuneration. For purposes of this paragraph, a  
26 transfer is for remuneration if cannabis is given away contemporaneously with another transaction  
27 between the same parties, if a gift of cannabis is offered or advertised in conjunction with an offer for  
28 sale of goods, services, or admission to an event, or if the gift of cannabis is contingent upon a  
29 separate transaction for goods, services, or the price of admission to an event.

30 (c) Transferring cannabis, including cannabis products, to a cannabis testing facility.

31 (d) Controlling property where the acts described under this section occur.

32 (e) Assisting another person who is 21 years of age or older in any of the acts described  
33 under this section.

34 II. No law enforcement officer employed by an agency that receives state or local  
35 government funds shall expend any state or local resources, including the officer's time, to effect any  
36 arrest or seizure of cannabis, or conduct any investigation, on the sole basis of activity the officer  
37 believes to constitute a violation of federal law if the officer has reason to believe that such activity is

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1 in compliance with this chapter, nor shall any such officer expend any state or local resources,  
2 including the officer's time, to provide any information or logistical support related to such activity to  
3 any federal law enforcement authority or prosecuting entity.

4 318-F:3 Home Cultivation.

5 I. Except as provided in paragraph II, if undertaken by a person 21 years of age or older, it  
6 shall not be illegal under New Hampshire law, shall not be a criminal or civil offense under New  
7 Hampshire law or the law of any political subdivision of New Hampshire, and shall not be a basis for  
8 seizure or forfeiture of assets under New Hampshire law to grow, process, or cultivate an amount of  
9 cannabis that does not exceed the possession limit.

10 II. No person who is 21 years of age or older shall cultivate cannabis plants except as  
11 provided in this section:

12 (a) Cannabis plants shall not be cultivated in a location where the plants are subject to  
13 public view, including to view from another private property, without the use of binoculars, aircraft,  
14 or other optical aids.

15 (b) A person who cultivates cannabis shall take reasonable precautions to ensure the  
16 plants are secure from unauthorized access. Cultivating cannabis in an enclosed, locked space to  
17 which unauthorized persons do not have access, or other similar security precautions, shall be prima  
18 facie evidence of reasonable precautions.

19 (c) Cannabis cultivation shall only occur at the cultivator's primary residence.

20 (d) A person who violates this section shall be guilty of a violation and may be fined not  
21 more than \$750.

22 318-F:4 Smoking or Vaping Cannabis in Public Prohibited; Penalty. No person shall smoke or  
23 vaporize cannabis in any public place.

24 I. First offense: Any person who violates this section shall be guilty of a violation for the  
25 first offense and shall be fined not more than \$100, and shall forfeit all cannabis and cannabis  
26 products on their person.

27 II. Second offense: Any person who violates this section a second time within 5 years of the  
28 first violation under section I shall be guilty of a violation and shall be fined not more than \$500, and  
29 shall forfeit all cannabis and cannabis products on their person.

30 III. Subsequent offense: Any person who violates this section, a third or more times, when  
31 having 2 prior violations within 5 years of the third or subsequent offense, shall be guilty of a  
32 violation and shall be fined not more than \$1,000, and shall forfeit all cannabis and cannabis  
33 products on their person.

34 318-F:5 Odor and Personal Possession of Cannabis Not Grounds for a Search.

35 I. Except as provided in paragraph II of this section, the odor of cannabis or burnt cannabis,  
36 or the possession of a quantity of cannabis that the officer does not have probable cause to believe  
37 exceeds the possession limit of cannabis, shall not constitute in part or in whole probable cause or

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1 reasonable suspicion and shall not be used as a basis to support any stop or search of a person or  
2 motor vehicle.

3 II. Nothing in this section prevents a law enforcement official from conducting a test for  
4 impairment based in part on the odor of recently burnt cannabis if the law enforcement official  
5 would otherwise be permitted to do so under New Hampshire law.

6 318-F:6 Cannabis Accessories Authorized.

7 I. Except as provided by this section, it shall not be illegal under New Hampshire law or be a  
8 basis for seizure or forfeiture of assets under New Hampshire law for a person 21 years of age or  
9 older to manufacture, possess, or purchase cannabis accessories, or to distribute or sell cannabis  
10 accessories to a person who is 21 years of age or older.

11 II. Except as provided by this section, a person who is 21 years of age or older, or a business  
12 entity, may manufacture, possess, obtain, and purchase cannabis paraphernalia, and may distribute,  
13 deliver, or sell cannabis paraphernalia to a person who is 21 years of age or older.

14 III. No person or entity shall manufacture, distribute, or sell cannabis accessories that  
15 violate rules enacted by the commission. Any person or entity that violates this paragraph shall be  
16 guilty of a violation for a first offense and subject to a fine of up to \$1,000 and forfeiture of the  
17 cannabis accessories. A person shall be guilty of a class A misdemeanor for a second or subsequent  
18 offense and shall forfeit the cannabis accessories.

19 318-F:7 Cannabis Commission.

20 I. There is hereby established a cannabis commission, which shall have regulatory and  
21 licensing authority over cannabis establishments. The commission shall consist of the chairperson of  
22 the commission, 2 commissioners, and staff.

23 II. No later than 90 days after the effective date of this chapter, the governor shall nominate  
24 the chairperson of the commission and the commissioners, who shall be confirmed with the advice  
25 and consent of the executive council following a public hearing before the executive council.  
26 Vacancies shall be filled in like manner for the unexpired term.

27 (a) The chairperson of the commission shall serve a term of 6 years.

28 (b) Commissioners shall each serve a term of 4 years, except that one of the 2  
29 commissioners appointed in 2025 shall serve a term of 2 years.

30 (c) The chairperson of the commission and commissioners shall be appointed based on  
31 their ability and commitment to fully implement the provisions of this chapter.

32 (d) The chairperson shall be a full-time unclassified employee and shall engage in no  
33 other gainful employment during his or her term.

34 (e) The annual salary of the commission chairperson shall be as specified in RSA 94:1-a  
35 and shall be established by the joint committee on employee classification pursuant to the procedure  
36 set forth in RSA 14:14-c and RSA 94:1-d. The chairperson shall receive his or her reasonable  
37 expenses while traveling in the performance of his or her duties, provided that the chairperson shall

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1 not be allowed as expenses travel between his or her place of residence and the commission  
2 chairperson's office in Concord, nor shall the commission chairperson be allowed board or lodging  
3 while in Concord.

4 (f) Except as provided in this section, each commissioner shall be paid \$300 a day, or  
5 \$150 per half-day, plus mileage at the state employee rate while engaged in his or her official duties.  
6 These rates shall be adjusted annually to account for inflation or deflation based on the consumer  
7 price index.

8 III.(a) The chairperson of the commission shall be appointed and commissioned as such and  
9 shall be the administrative head of the commission.

10 (b) The commission shall meet at least once per month for the 12 months after the  
11 effective date of this section and at least once every 3 months thereafter.

12 (c) The chairperson of the commission shall lead the administration of the commission  
13 and oversee the licensing and regulation of cannabis, with guidance from the commissioners.

14 (d) The commission may hire and terminate such staff necessary to carry out the  
15 purpose of the commission and to fix their compensation, subject to the rules of the director of  
16 personnel. The commission may authorize expenditures that are reasonably necessary for the  
17 administration of this chapter and may secure any necessary technical or professional assistance.

18 IV.(a) The commission may, subject to rules adopted by the director of personnel, employ  
19 and dismiss cannabis control investigators. Cannabis control investigators shall, under the direction  
20 of the commission, investigate any or all matters arising under this chapter.

21 (b) Any cannabis control investigator employed by the commission shall, within 6  
22 months of employment, satisfactorily complete a police training program as provided by RSA 106-  
23 L:6, unless he or she has already completed such a program.

24 (c) The chairperson of the commission, commissioner, staff, or cannabis control  
25 investigator may enter any cannabis establishment, at any time, and may examine any license  
26 issued or purported to have been issued under the terms of this chapter.

27 V. The chairperson of the commission and commissioners shall not have any interest,  
28 directly or indirectly, in any business under the jurisdiction of the commission or any other cannabis  
29 business.

30 VI. The governor and council may remove a chairperson of the commission or a  
31 commissioner for neglect of duty, misconduct, or malfeasance in office, after providing the individual  
32 with a written statement of the charges and an opportunity to be heard.

33 VII. No chairperson of the commission and no commissioner shall render any professional  
34 service for any cannabis establishment in this state, or any affiliate thereof, or act as attorney or  
35 render professional service against any such cannabis establishment or affiliate; nor shall he or she  
36 be a member of a firm which renders any such service; nor shall he or she directly or indirectly be a

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1 party to any contract with any such cannabis establishment. This prohibition shall remain in force  
2 for 18 months following membership on the commission.

3 VIII. In addition to any other type of behavior or activity of a chairperson of the commission  
4 or commissioner that is proscribed by law, a chairperson of the commission or commissioner shall  
5 conduct himself or herself in accordance with a code of ethics that shall include, but not be  
6 limited to, the following elements:

7 (a) Avoiding impropriety and the appearance of impropriety in all of his or her activities;

8 (b) Performing his or her duties impartially and diligently;

9 (c) Avoiding of all ex parte communications concerning a case pending before the  
10 commission;

11 (d) Abstaining from public comment about a matter pending before the commission and  
12 requiring similar abstention on the part of commission personnel;

13 (e) Requiring staff and personnel, subject to commission direction, to observe the  
14 standards of fidelity and diligence that apply to the chairperson of the commission and  
15 commissioners;

16 (f) Initiating appropriate disciplinary measures against commission personnel for  
17 unprofessional conduct;

18 (g) Disqualifying himself or herself from proceedings in which his or her impartiality  
19 might be reasonably questioned;

20 (h) Informing himself or herself about personal and fiduciary interests and making a  
21 reasonable effort to inform himself or herself about the personal financial interests of his or her  
22 spouse and minor children;

23 (i) Regulating his or her extracurricular activities to minimize the risk of conflict with  
24 his or her official duties;

25 (j) Refraining from solicitation of funds for any political purpose, nor being listed as an  
26 officer, director, or trustee of any such organizations soliciting such funds; and

27 (k) Refraining from financial or business dealings that would tend to reflect adversely on  
28 his or her impartiality.

29 IX. The chairperson of the commission or a commissioner may speak, write, or lecture  
30 concerning the regulatory process in New Hampshire but shall be reimbursed only for actual  
31 expenses incurred therein.

32 X. No chairperson of the commission or commissioner shall accept any employment with any  
33 cannabis establishment regulated by the commission until one year after he or she shall become  
34 separated from the commission.

35 XI. The commission shall be provided with suitable offices in the city of Concord and shall  
36 adopt a proper seal.

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1           XII. The commission shall be provided with an office in which its records, documents, and  
2 books shall be kept, and with a suitable room in which it may hold hearings.

3           XIII. The commission may confer and cooperate with any other state or local agency in any  
4 matter relating to its duties.

5           318-F:8 Cannabis Advisory Board.

6           I. There shall be a cannabis advisory board to study and make recommendations consistent  
7 with the purpose and findings of this chapter on the regulation of cannabis and cannabis products in  
8 New Hampshire.

9           II. No later than 90 days after the effective date of this chapter, the governor shall nominate  
10 members of the advisory board, who shall be confirmed with the advice and consent of the executive  
11 council. The board shall consist of 15 members, and shall consist of:

12               (a) One expert in cannabis cultivation;

13               (b) One expert in cannabis retailing;

14               (c) One expert in cannabis product manufacturing;

15               (d) One expert in cannabis testing;

16               (e) One board member or officer of an alternative treatment center;

17               (f) One registered therapeutic cannabis patient;

18               (g) One individual who represents cannabis consumers;

19               (h) Two experts in public health;

20               (i) One expert in law enforcement;

21               (j) One expert in social welfare or criminal justice;

22               (k) One expert in financing small cannabis businesses;

23               (l) One attorney with experience providing legal services to cannabis businesses,  
24 cannabis consumers or therapeutic cannabis patients;

25               (m) One prevention specialist who is currently certified by the New Hampshire  
26 prevention certification board; and

27               (n) The attorney general, or his or her designee.

28           III. Members of the board shall serve terms of 2 years. Except as provided in this  
29 paragraph, each member of the board shall be paid a \$100 stipend for each meeting, and shall be  
30 reimbursed for their expenses actually and necessarily incurred in the discharge of their official  
31 duties, including mileage at the state employee rate for attendance to meetings and other official  
32 functions. These rates shall be adjusted annually to account for inflation or deflation based on the  
33 consumer price index. The stipend is not available to any member of the board who is serving in  
34 their professional capacity and who is being compensated for their time by their employer, client, or  
35 other entity. Reimbursements are not available to any member of the board who is serving in their  
36 professional capacity and is reimbursed by their employer, client, or other entity.

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1           IV. The board shall meet at the discretion of the commission, but shall meet no less  
2 frequently than once every 2 months for the first 9 months after the effective date of this section.

3           V. A majority of the members of the board present and voting shall constitute a quorum.

4           VI. The cannabis advisory board shall:

5               (a) Advise the commission on regulations to ensure the thorough and efficient  
6 implementation of this chapter.

7               (b) Advise the commission on what additional types of cannabis establishments, if any,  
8 the commission should license, including on-site consumption facilities, along with recommendations  
9 on their licensure and regulation.

10              (c) Consider all matters submitted to it by the commission.

11              (d) Hold a hearing to solicit public input no less frequently than once every 6 months,  
12 including input on the availability of reasonably priced therapeutic cannabis at alternative  
13 treatment centers with dual use certificates.

14              (e) Advise the commission on spending and recommend any modifications to ensure the  
15 thorough and efficient implementation of this chapter.

16              (f) Make recommendations for changes to the law and regulations, including:

17                   (1) Changes that are necessary or advisable once federal law allows interstate  
18 cannabis sales;

19                   (2) Whether the allocations from the cannabis fund should be revised;

20                   (3) Whether the personal possession, cultivation, and purchase limits should be  
21 modified or eliminated; and

22                   (4) Whether to alter or abolish the commission.

23           318-F:9 Enforcement Authority.

24           I. The commission shall have the primary responsibility for enforcing this chapter. Local,  
25 county, and state law enforcement officers shall also have jurisdiction to enforce this chapter. Such  
26 authority may be delegated to agents working under their authority.

27           II. The commission shall have the authority to interpret statutes and administrative rules  
28 as they relate to this chapter.

29           III. The commission may transfer funds within and among all accounting units within the  
30 commission's operating budget and create accounting units and expenditure classes as required and  
31 as the commissioner deems necessary and appropriate to address present or projected budget  
32 deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as  
33 necessary for the efficient management of the cannabis commission and cannabis funds. The  
34 provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.

35           318-F:10 Regulation of Cannabis.

36           I. Not later than 15 months after the effective date of this section, the commission shall  
37 adopt rules pursuant to RSA 541-A for the licensing and regulation of cannabis cultivation facilities

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1 and for the issuance of dual use certificates. Not later than 18 months after the effective date of this  
2 section, the commission shall adopt rules pursuant to RSA 541-A for the issuance of therapeutic  
3 cannabis endorsements, for the licensing and regulation of all other cannabis establishments, and on  
4 the manufacture and sale of cannabis accessories. The rules shall include the following:

5 (a) Procedures for the application for, issuance, transfer, approval, denial, renewal,  
6 suspension, and revocation of a license for cannabis establishments, including procedures to hear  
7 complaints and impose penalties if alternative treatment centers with dual use certificates fail to  
8 provide an adequate supply and variety of therapeutic cannabis and cannabis products for qualifying  
9 patients.

10 (b) A fee schedule of reasonable application, license, and annual renewal fees, provided:

11 (1) That the non-refundable portion of application fees shall not exceed \$1,000, with  
12 this upper limit adjusted annually for inflation.

13 (2) That annual licensing fees shall not exceed the following, with each upper limit  
14 adjusted for inflation or deflation based on the consumer price index:

15 (A) \$2,500 for product manufacturers that are not authorized to perform volatile  
16 extractions;

17 (B) \$5,000 for cannabis testing facilities;

18 (C) \$10,000 for retail cannabis stores and cannabis product manufacturing  
19 facilities;

20 (D) \$10,000 for product manufacturers that are authorized to perform volatile  
21 extractions;

22 (E) \$250 for a tier 1 cannabis cultivation facility;

23 (F) \$5,000 for a tier 2 cannabis cultivation facility;

24 (G) \$12,500 for a tier 3 cannabis cultivation facility; and

25 (H) \$25,000 for a tier 4 cannabis cultivation facility.

26 (3) That the fee for a therapeutic cannabis endorsement may not exceed \$250.

27 (c) Qualifications for licensure that are directly and demonstrably related to the  
28 operation of a cannabis establishment and which may not disqualify applicants solely for cannabis  
29 offenses prior to the effective date of this chapter.

30 (d) Criteria for selection among applicants when there are more qualified applicants  
31 than there are number of licenses available in a particular municipality.

32 (e) Regulations to create at least 4 tiers of cultivation facilities, based on the size of the  
33 facility or the number of plants cultivated and providing:

34 (1) That outdoor cultivation facilities shall be allowed to cultivate 3 times the square  
35 footage of canopy as indoor cultivation facilities of the same tier;

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1                   (2) That security regulations and licensing fees shall vary based on the size of the  
2 cultivation facility and that regulatory burdens shall be no more onerous than is reasonably  
3 necessary;

4                   (3) That cultivation facilities may move up to a higher tier at least once per year if  
5 they meet the security requirements and pay the associated fee; and

6                   (4) That the tiers shall include the following:

7                   (A) The canopy of a tier 1 cannabis cultivation facility shall be no larger than  
8 500 square feet if the licensee is an indoor cultivation facility;

9                   (B) The canopy of a tier 2 cannabis cultivation facility shall be no larger than  
10 2,000 square feet if the licensee is an indoor cultivation facility;

11                  (C) The canopy of a tier 3 cannabis cultivation facility shall be no larger than  
12 5,000 square feet if the licensee is an indoor cultivation facility; and

13                  (D) The canopy of a tier 4 cannabis cultivation facility shall be no larger than  
14 10,000 square feet if the licensee is an indoor cultivation facility.

15                  (f) Recordkeeping requirements for cannabis establishments, including requirements for  
16 implementation and compliance with the tracking system.

17                  (g) Requirements for the transportation of cannabis and cannabis products between  
18 cannabis establishments, including documentation that shall accompany any cannabis being  
19 transported.

20                  (h) A schedule of fines as are authorized in this chapter for violations of statutory  
21 requirements and rules adopted thereunder.

22                  (i) Procedures for hearings on penalties to include but not be limited to administrative  
23 fines, suspensions, and revocations of licenses.

24                  (j) Reasonable security requirements for each type of cannabis establishment, which  
25 may be varied based on the size of the cannabis establishment.

26                  (k) Health and safety rules, including but not limited to the packaging and preparing of  
27 cannabis products, restricting the use of pesticides and other chemicals during cultivation and  
28 processing that may be dangerous to cannabis consumers, and sanitation requirements.

29                  (l) Restrictions on the advertising, signage, marketing, and display of cannabis and  
30 cannabis products, including but not limited to:

31                   (1) A prohibition on mass-market campaigns that have a likelihood of reaching  
32 minors;

33                   (2) A prohibition on marketing to minors, including marketing specifically related to  
34 social media;

35                   (3) A prohibition on cannabis and cannabis products that are named, packaged,  
36 marketed, or designed in a way that mimics or is likely to cause confusion with commercially

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1 available, trademarked non-cannabis products, including relating to their logos, the sound of the  
2 product or brand, packaging, taste, appearance, and commercial impression;

3 (4) A prohibition on giveaways of cannabis, cannabis products, or cannabis  
4 accessories, including samples, to consumers;

5 (5) A prohibition on billboard advertising, sound trucks, or outdoor internally  
6 illuminated screen displays consistent with alcohol advertising prohibitions in RSA 179:31; and

7 (6) A requirement for any advertising to include a standard, recognizable symbol  
8 that a product contains cannabis or THC.

9 (m) Restrictions on where a cannabis establishment may be located, consistent with the  
10 provisions of this chapter.

11 (n) Restrictions on the hours of sale when a retail cannabis store may sell cannabis and  
12 cannabis products, provided the regulations shall not allow retail stores to begin sales before 6:00  
13 a.m. or to sell cannabis or cannabis products after 11:45 p.m.

14 (o) Packaging, product manufacturing, and labeling requirements for cannabis and  
15 cannabis products, including, but not limited to:

16 (1) Mandating the disclosure of the THC content of each product;

17 (2) Requirements to ensure cannabis, cannabis products, and their packaging are  
18 not designed to appeal to or be attractive to minors, including providing that they cannot be in the  
19 shape of cartoons, toys, animals, or people;

20 (3) Establishing the maximum amount of THC that may be included in each  
21 cannabis product serving as 10 milligrams, except that the commission may change this amount  
22 through rulemaking;

23 (4) Prohibiting flavors and designs of cannabis-infused beverages, oils, and edibles  
24 that resemble or imitate candy flavors that are marketed to minors;

25 (5) Warnings, including but not limited to, those described in RSA 318-F:18;

26 (6) A requirement for any label, and for certain products where appropriate, to  
27 include a standard, recognizable symbol that a product contains cannabis or THC; and

28 (7) Potency limits for cannabis products.

29 (p) Health and safety rules and standards for the cultivation of cannabis and  
30 manufacture of cannabis products, including, but not limited to:

31 (1) Prohibitions on additives to products that are toxic, misleading to consumers, or  
32 designed to make the product more appealing to children;

33 (2) Safety standards regulating the manufacture of cannabis extracts and  
34 concentrated cannabis products; and

35 (3) A prohibition on the inclusion of nicotine and other additives to cannabis  
36 products that are designed to make the product more addictive or more intoxicating.

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1           (q) Standards for the operation of testing laboratories, including requirements for  
2 equipment and qualifications for personnel.

3           (r) Requirements for the testing of cannabis and cannabis products, including, but not  
4 limited to:

5                 (1) Requirements to ensure at a minimum that cannabis and cannabis products sold  
6 for human consumption do not contain contaminants that are injurious to health and to ensure  
7 correct labeling;

8                 (2) That testing shall include, but not be limited to, analysis for residual solvents,  
9 poisons, or toxins; harmful chemicals; dangerous molds or mildew; filth; dangerous herbicides,  
10 pesticides, and fungicides; heavy metals; and harmful microbials, such as E. coli or salmonella;

11                (3) Threshold levels for each contaminant listed in subparagraph (2);

12                (4) Providing that in the event that test results indicate the presence of quantities of  
13 any substance determined to be injurious to health, such cannabis or cannabis products shall be  
14 immediately quarantined and immediate notification to the commission shall be made. The  
15 contaminated product shall be documented and properly destroyed;

16                (5) That testing shall also verify THC and other cannabis potency representations  
17 for correct labeling;

18                (6) That the commission shall determine an acceptable variance for potency  
19 representations and procedures to address potency misrepresentations;

20                (7) That the commission shall determine the protocols and frequency of cannabis  
21 testing by a cannabis testing facility;

22                (8) Allowances for remediation of cannabis and cannabis products whose test results  
23 are in excess of established thresholds; and

24                (9) Minimum testing requirements for an effective cannabis and cannabis product  
25 quality assurance program for cannabis cultivation facilities and cannabis product manufacturing  
26 facilities.

27           (s) Reasonable health and safety restrictions on cannabis accessories used for the  
28 inhalation of cannabis that may be manufactured or sold in New Hampshire, including a prohibition  
29 on any vaporization device that includes toxic or addictive additives. The commission may prohibit  
30 types of vaporizers that are particularly likely to be utilized by minors without detection, but may  
31 not completely ban or unreasonably restrict the manufacture or sale of vaporization devices.

32           (t) Training and continuing education required or recommended for licensees, which  
33 shall include training on checking photo identification and for false identification.

34           (u) Requirements that cannabis retail stores stock cannabis products, including flower,  
35 with low and moderate amounts of THC and that they be at least as prominently displayed as high  
36 potency products.

37           (v) Procedures and notices relating to all recalls of any products.

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1           II.(a) In order to ensure that individual privacy is protected, the commission shall not  
2 require a consumer to provide a retail cannabis store with personal information other than  
3 government-issued identification to determine the consumer's age, and a retail cannabis store shall  
4 not be required to acquire and record personal information about consumers.

5           (b) In order to ensure that individual privacy is protected, no cannabis establishment  
6 may record or store a consumer's name, address, purchases, or contact information unless the  
7 consumer consents in writing. No cannabis establishment may make granting permission for the  
8 collection or storage of such information a condition of a consumer purchasing cannabis from the  
9 establishment.

10          III. Not later than 18 months after the effective date of this chapter, the commission, in  
11 consultation with the department, shall develop an informational handout, which retail stores shall  
12 make available to all consumers, and which shall include information detailed in RSA 318-F:18.

13          IV. The commission shall require all cannabis establishments to utilize an inventory  
14 tracking system, including use of a universal product code, for tracking the transfer of cannabis and  
15 cannabis products between licensed cannabis establishments and the sale of cannabis and cannabis  
16 products to consumers. The system shall ensure an accurate accounting of the production,  
17 processing, and sale of cannabis and cannabis products and shall enable separate tracking of  
18 cannabis flowers, immature cannabis plants, and other parts of cannabis and cannabis products sold  
19 from cannabis cultivation facilities. The system shall allow for the tracking of lab testing results for  
20 all cannabis and shall be capable of swiftly identifying all products involved in a product recall. The  
21 commission may develop and maintain a system that satisfies the requirements of this section, or it  
22 may select a vendor to develop and maintain a system.

23          V. No later than 24 months after the effective date of this chapter, and every year  
24 thereafter, the commission shall reevaluate the fines and penalties established in RSA 318-F.

25          VI. The commission may regulate synthetic cannabinoids and intoxicating products derived  
26 from hemp.

27          VII.(a) No later than 36 months after the effective date of this section, the commission shall  
28 make written recommendations to the general court regarding the regulation of hemp including:

29               (1) What hemp products the commission would regulate;

30               (2) How the products would be regulated, including whether a license would be  
31 required and whether hemp processors and manufacturers should be licensed and regulated by the  
32 commission;

33               (3) Any license fees or other charges that would be assessed on hemp products and  
34 license fees assessed on hemp processors and manufacturers; and

35               (4) The resources required to regulate hemp processors, product manufacturers,  
36 hemp products, and the retail sale of intoxicating hemp products.

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1 (b) The regulations governing the production and the sale of intoxicating ingestible or  
2 smokable products containing hemp-derived cannabinoids may not be less restrictive than the  
3 provisions of RSA 318-F or administrative rules enacted pursuant to RSA 541-A. For purposes of  
4 this section, "intoxicating ingestible or smokable products containing hemp-derived cannabinoids"  
5 means any product that is intended to be consumed by humans or animals through inhalation or  
6 ingestion containing tetrahydrocannabinol and tetrahydrocannabinolic acids that are artificially or  
7 naturally derived from hemp where inhalation or ingestion is reasonably likely to result in  
8 alterations of perception, cognition, or behavior.

9 318-F:11 Dual Use Certificates.

10 I. No later than 18 months after the effective date of this chapter, the commission, after  
11 consulting with the department of health and human services and the therapeutic cannabis medical  
12 oversight board and holding at least one public hearing, shall develop regulations allowing  
13 alternative treatment centers registered to operate pursuant to RSA 126-X to apply for a dual use  
14 certificate.

15 II. A separate dual use certificate is required for each alternative treatment center  
16 dispensing location.

17 III. The commission shall grant or deny any application for a dual use certificate within 90  
18 days, provided that the commission shall begin issuing cannabis establishment licenses to holders of  
19 dual use certificates on the same date it begins issuing cannabis establishment licenses to applicants  
20 that are not dual use certificate holders for all categories of license.

21 IV. The regulations for a dual use certificate shall include, but are not limited to:

22 (a) Providing for separation of cannabis sales to qualifying patients and consumers, such  
23 as by requiring separate counters;

24 (b) Requiring dual-use cannabis establishments to prioritize therapeutic cannabis  
25 access;

26 (c) Requiring dual-use cannabis establishments to maintain or increase the diversity of  
27 therapeutic cannabis products available for qualifying patients;

28 (d) Requiring dual-use cannabis establishments to avoid raising prices for qualifying  
29 patients beyond the rate of inflation, for at least 2 years after dual use licensure;

30 (e) A requirement that in the event of crowding, inadequate parking, or similar issues  
31 limiting therapeutic cannabis access, the dual-use cannabis establishment shall take measures to  
32 prioritize therapeutic cannabis access, such as setting aside certain business hours when the  
33 establishment will only serve qualifying patients and their designated caregivers; and

34 (f) Providing for the suspension of sales of cannabis to consumers in the event of a  
35 product shortage.

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1           V.(a) Cannabis sold by alternative treatment centers holding dual use certificates to  
2           qualifying patients directly or via their designated caregivers shall meet the requirements of RSA  
3           126-X:8 and rules issued pursuant to chapter RSA 126-X.

4           (b) Cannabis sold by alternative treatment centers holding dual use certificates to  
5           qualifying patients directly or via their designated caregivers may have higher THC per serving than  
6           is permitted by rules governing cannabis establishments that are issued pursuant to RSA 318-F:13.

7           VI. Alternative treatment centers holding dual use certificates and the requisite cannabis  
8           establishment licenses may sell cannabis grown and processed by those alternative treatment  
9           centers to other cannabis establishments and to consumers from their cannabis retail stores  
10          provided they comply with rules issued pursuant to this chapter.

11          318-F:12 Transition of Therapeutic Cannabis Program.

12          I. No later than 12 months after the effective date of this chapter, the commission, jointly  
13          with the department of health and human services, shall develop a proposal on whether and how to  
14          move the therapeutic cannabis program to the commission. The chairperson of the commission shall  
15          deliver the proposal to the house of representatives health, human services and elderly affairs  
16          committee and the senate health and human services committee.

17          II. The proposal shall include a plan to allow cannabis retail stores to obtain a therapeutic  
18          cannabis endorsement that would allow them to serve qualifying patients without imposing the  
19          excise tax.

20          318-F:13 Licensure Procedures for Cannabis Establishments.

21          I. Each application for a license to operate a cannabis establishment shall be submitted to  
22          the commission.

23          II. Each application shall include both the fee established by the commission and a \$500 fee  
24          for the municipality to review the application, except that the municipal fee shall be \$75 in the case  
25          of the smallest tier of cultivation facilities.

26          III. The commission shall:

27               (a) Begin issuing cannabis establishment licenses to holders of dual use certificates on  
28               the same date it begins issuing cannabis establishment licenses to applicants that are not dual use  
29               certificate holders for all categories of license.

30               (b) Begin issuing cannabis cultivation facility licenses at least 90 days before it begins  
31               issuing retail store cannabis product manufacturing facilities and licenses.

32               (c) Immediately forward a copy of each application and the municipal fee to the  
33               municipality in which the applicant desires to operate the cannabis establishment.

34               (d) Issue a license to the applicant within 90 days after receipt of an application unless:

35                     (1) The commission finds the applicant is not in compliance with the requirements of  
36               this chapter or rules adopted under this chapter;

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1                   (2) The commission is notified by the relevant municipality that the applicant is not  
2 in compliance with an ordinance adopted pursuant to this chapter and in effect at the time of  
3 application; or

4                   (3) More qualified applicants have applied than the number of licenses available in  
5 the municipality, and the applicant was not selected.

6                   (e) Accept and process applications on an ongoing basis.

7           318-F:14 Enactment of Municipal Ordinances.

8           I. The voters of every municipality shall vote by ballot, in such manner as provided by the  
9 governing body, on whether to allow cannabis retail stores in their municipality at the first annual  
10 meeting after July 1, 2025. The wording of the question shall be substantially as follows: "Shall we  
11 allow the operation of cannabis retail stores within this city or town?" The recount of any local  
12 option vote, the procedures for holding such a recount, the declaration of the results of such a  
13 recount, and the procedure for an appeal from such a recount shall be as provided in RSA 660:13-15.  
14 A municipality may not prohibit transportation through the municipality by cannabis  
15 establishments located in other jurisdictions.

16           II. Notwithstanding any other provision of law to the contrary, the provisions of RSA 664:14  
17 through RSA 664:22 shall apply to any election or meeting at which the voters of a municipality  
18 decide the question set forth in this section.

19           III. If a majority of those voting on the question vote "yes," cannabis retail stores may be  
20 operated within the town or city.

21           IV. A municipality where a vote to allow cannabis retail stores fails shall propose the  
22 question to voters again in a subsequent municipal or other election upon a petition. The petition  
23 shall be of not less than 5 percent of the legal voters within the city or town filed with the secretary  
24 of state within the timeframe regulating other ballot measures for municipal elections. The same  
25 requirements established in paragraph I shall apply to that subsequent municipal election.

26           V. A municipality may enact an ordinance limiting the number of each type of cannabis  
27 establishment that may be permitted within the municipality.

28           VI. A municipality may not negotiate or enter into an agreement with a cannabis  
29 establishment or a cannabis establishment applicant requiring that the cannabis establishment or  
30 applicant provide money, donations, in-kind contributions, services, or anything of value to the  
31 municipality.

32           VII. In a municipality that voted to permit cannabis establishments, if the municipality has  
33 a zoning ordinance, it shall consider adoption of an innovative land use control pursuant to RSA  
34 674:21, II, specifying where a cannabis establishment will be a permitted use and further provide  
35 what, if any, conditions will be placed upon cannabis establishments. If a municipality has passed  
36 an innovative land use control relative to cannabis establishments, it shall notify the liquor  
37 commission within 90 days of passage. Municipalities without zoning ordinances or which have

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1 failed to pass an innovative land use control relative to cannabis establishments will be governed by  
2 the provisions of RSA 318-F and administrative rules relating to cannabis establishments enacted  
3 pursuant to RSA 541-A. No local ordinance may be less restrictive than the provisions of RSA 318-F  
4 or administrative rules enacted pursuant to RSA 541-A.

5 VIII. Continued use: Notwithstanding this section, a municipality may not prohibit the  
6 operation of a cannabis retail store at a location that was licensed to sell therapeutic cannabis to  
7 qualifying patients at retail pursuant to chapter RSA 126-X prior to the effective date of this act.

8 318-F:15 Residency Required.

9 I. Except as provided in this section, any person applying for a cannabis establishment  
10 license shall be a resident, or shall have at least one director, officer, or partner who is a New  
11 Hampshire resident.

12 II. This section shall not apply to an applicant for a cannabis testing facility license.

13 318-F:16 Financial Interests Prohibited.

14 I. No cannabis testing facility or individual with a controlling interest in a cannabis testing  
15 facility shall have a direct or indirect financial interest in an alternative treatment center, a retail  
16 cannabis store, a cannabis cultivation facility, or a cannabis product manufacturing facility.

17 II. Prior to 3 years after the effective date of this chapter, no person or business entity may  
18 have a controlling interest in more than 3 cannabis establishments of any single category.

19 III. Beginning 3 years after the effective date of this chapter, no person or business entity  
20 may have a controlling interest in more than 25 percent of operational cannabis cultivation facilities,  
21 cannabis product manufacturing facilities, or retail cannabis stores, unless the person or business  
22 entity has a controlling interest in no more than 3 cannabis establishments of a single category.

23 IV. Beginning 3 years after the effective date of this chapter, no person or business entity  
24 may have a controlling interest in more than 50 percent of cannabis testing facilities, unless the  
25 person or entity has a controlling interest in no more than 3 cannabis testing facilities.

26 V. No cannabis establishment or individual with a controlling interest in a cannabis  
27 establishment may hold a controlling interest in a vendor that provides cannabis inventory tracking  
28 in New Hampshire.

29 VI. No vendor that provides cannabis inventory tracking in New Hampshire and no  
30 individual with a controlling interest in a vendor that provides cannabis inventory tracking in New  
31 Hampshire may hold a controlling interest in a cannabis establishment.

32 VII. In this section, "controlling interest" means a financial or voting interest of 10 percent  
33 or greater.

34 318-F:17 Restrictions on Location Near Schools. No cannabis establishment shall operate, nor  
35 shall a prospective cannabis establishment apply for a license, if the establishment would be located  
36 within 1,000 feet of the property line of a pre-existing public or private pre-school, elementary, or  
37 secondary school.

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1       318-F:18 Informational Materials and Warning Labels.

2           I. The commission, in consultation with the department, shall design at least 2 versions of  
3 informational handouts, one of which is specific to high potency products.

4           II. A retail cannabis store shall include an informational handout designed by the  
5 commission in consultation with the department with all cannabis and cannabis products sold to  
6 consumers, and shall include the high potency version in all cannabis concentrates and other high  
7 potency sales. The informational handouts shall include scientifically accurate information,  
8 including:

9           (a) Advice about the potential risks of cannabis, and, in the case of the high potency  
10 handout, risks specific to high potency products, including:

11               (1) The risks of driving under the influence of cannabis, and the fact that doing so is  
12 illegal;

13               (2) Any adverse effects unique to adolescents or young adults, including effects  
14 related to the developing mind;

15               (3) Potential adverse events and other risks, including related to mental health; and

16               (4) Risks of using cannabis during pregnancy or breastfeeding. This may be  
17 identical to that required under RSA 126-X:8, XVI(c)(7);

18           (b) Information about methods for administering cannabis;

19           (c) How long cannabis may impair a person after it is ingested in each manner;

20           (d) How to recognize problematic usage of cannabis and how to obtain appropriate  
21 services or treatment;

22           (e) Information regarding safe storage and disposal of cannabis and paraphernalia to  
23 prevent accidental poisonings, including the contact information for the Northern New England  
24 Poison Control Center. This may be identical to that required under RSA 126-X:8, XVI(c)(8); and

25           (f) Unless federal statutory law or case law has changed and such a warning is no longer  
26 accurate, a disclosure that:

27               (1) Cannabis is illegal under United States federal law; and

28               (2) Under the United States federal 1986 Gun Control Act, any "unlawful" user of a  
29 controlled substance is prohibited from purchasing or owning a gun.

30           III. The commission may require retail stores to display informational posters in  
31 conspicuous locations about the risks of cannabis use, including regarding risks during pregnancy  
32 and breastfeeding and risks of cannabis use in adolescents or by younger adults. The posters shall  
33 be scientifically accurate.

34           IV. All cannabis and cannabis products sold by a retail cannabis store shall include warning  
35 labels that provide the following information: "Warning: This product has intoxicating effects. For  
36 use by adults 21 and older. Keep out of reach of children."

37           V. All cannabis products sold by retail cannabis stores shall include:

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1           (a) A warning label that provides, “Caution: When eaten or swallowed, the intoxicating  
2 effects of this product may be delayed,” unless the commission determines that a specific time frame  
3 should be specified.

4           (b) A disclosure of ingredients and possible allergens.

5           (c) A nutritional fact panel, if the cannabis product is a food-based product.

6           (d) Opaque, child-resistant packaging, which shall be designed or constructed to be  
7 significantly difficult for children under 5 years of age to open and not difficult for adults to use  
8 properly.

9           318-F:19 Lawful Operation of Cannabis-Related Facilities. If undertaken by a person 21 years  
10 of age or older, the following acts shall not be illegal under New Hampshire law or be a basis for  
11 seizure or forfeiture of assets under New Hampshire law:

12           I. Possessing, displaying, or transporting cannabis or cannabis products; obtaining or  
13 purchasing cannabis from a cannabis cultivation facility; delivering or transferring cannabis to a  
14 cannabis testing facility; obtaining or purchasing cannabis or cannabis products from a cannabis  
15 product manufacturing facility; or sale, delivery, or distribution of cannabis or cannabis products to  
16 an adult who is 21 years of age or older or to retail cannabis stores or alternative treatment centers,  
17 if the person or business entity conducting the activities described in this paragraph has obtained a  
18 current, valid license to operate a retail cannabis store or is acting in his or her capacity as an  
19 owner, employee, or agent of a licensed retail cannabis store.

20           II. Selling, delivering, or distributing cannabis or cannabis products to a qualifying patient  
21 or designated caregiver if the person or business entity conducting the activities described in this  
22 paragraph has obtained a current, valid license to operate a retail cannabis store and a therapeutic  
23 cannabis endorsement or is acting in his or her capacity as an owner, employee, or agent of a  
24 licensed retail cannabis store with a therapeutic cannabis endorsement. The potency limits, serving  
25 size limits, and possession limits for sales to qualifying patients or designated caregivers may exceed  
26 limits for sales to consumers provided they conform with the limits in RSA 126-X:1 and the  
27 regulations issued pursuant to that chapter.

28           III. Cultivating, harvesting, processing, packaging, transporting, displaying, or possessing  
29 cannabis; obtaining or purchasing cannabis seeds or seedlings or immature cannabis plants from any  
30 adult 21 years of age or older; delivering or transferring cannabis to a cannabis testing facility;  
31 selling or transferring cannabis that has not been processed into extracts, concentrates, or other  
32 preparations to a cannabis cultivation facility, a cannabis product manufacturing facility, or a retail  
33 cannabis store or alternative treatment center; or obtaining or purchasing cannabis from a cannabis  
34 cultivation facility, if the person or business entity conducting the activities described in this  
35 paragraph has obtained a current, valid license to operate a cannabis cultivation facility or is acting  
36 in his or her capacity as an owner, employee, or agent of a licensed cannabis cultivation facility.

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1           IV. Packaging, processing, transporting, manufacturing, displaying, or possessing cannabis  
2 or cannabis products; delivering or transferring cannabis or cannabis products to a cannabis testing  
3 facility; selling cannabis or cannabis products to a retail cannabis store, alternative treatment  
4 center, or a cannabis product manufacturing facility; purchasing or obtaining cannabis from a  
5 cannabis cultivation facility; or purchasing or obtaining cannabis or cannabis products from a  
6 cannabis product manufacturing facility, if the person or business entity conducting the activities  
7 described in this paragraph has obtained a current, valid license to operate a cannabis product  
8 manufacturing facility or is acting in his or her capacity as an owner, employee, or agent of a  
9 licensed cannabis product manufacturing facility.

10           V. Possessing, obtaining, cultivating, processing, storing, transporting, receiving, or  
11 displaying cannabis or cannabis products if the person or business entity has obtained a current,  
12 valid license to operate a cannabis testing facility or is acting in his or her capacity as an owner,  
13 employee, or agent of a licensed cannabis testing facility.

14           VI. Engaging in any activities involving cannabis or cannabis products if the person or  
15 business entity conducting the activities has obtained a current, valid license to operate a cannabis  
16 establishment or is acting in his or her capacity as an owner, employee, or agent of a licensed  
17 cannabis establishment, and the activities are within the scope of activities allowed by the  
18 commission for that type of cannabis establishment.

19           VII. Possessing, obtaining, cultivating, processing, storing, transporting, or receiving  
20 cannabis obtained from a cannabis establishment or transporting, delivering, or transferring  
21 cannabis to a cannabis establishment if the person or business entity has obtained a current, valid  
22 license to operate a cannabis transporter or is acting in his or her capacity as an owner, employee, or  
23 agent of a licensed cannabis transporter.

24           VIII. Obtaining or purchasing cannabis from a cannabis cultivation facility; delivering or  
25 transferring cannabis to a cannabis testing facility; or obtaining or purchasing cannabis or cannabis  
26 products from a cannabis product manufacturing facility if the person or business entity conducting  
27 the activities described in this paragraph possesses a valid license to operate an alternative  
28 treatment center or is acting in his or her capacity as an owner, employee, or agent of a licensed  
29 alternative treatment center.

30           IX. Leasing or otherwise allowing the use of property owned, occupied, or controlled by any  
31 person, corporation, or other entity for any of the activities conducted lawfully in accordance with  
32 this chapter.

33           X. Selling, offering for sale, transferring, transporting, or delivering cannabis to  
34 establishments licensed to process or sell cannabis under the laws of other states if the person or  
35 business entity has obtained a current, valid license to operate a cannabis transporter, cannabis  
36 product manufacturing facility, or cannabis cultivation facility or is acting in his or her capacity as

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1 an owner, employee, or agent of a cannabis transporter, cannabis product manufacturing facility, or  
2 cannabis cultivation facility.

3 318-F:20 Proof of Purchaser's Identity.

4 I. For the purposes of this chapter, any person or entity making the sale of cannabis or  
5 cannabis accessories to any purchaser whose age is in question may accept any official  
6 documentation listed in RSA 179:8 as proof that the purchaser is 21 years of age or older.

7 II. Photographic identification presented under this section shall be consistent with the  
8 appearance of the person and shall not be expired, and shall be correct and free of alteration,  
9 erasure, blemish, or other impairment.

10 III. The establishment of all of the following facts by a retail cannabis store or an agent or  
11 employee of a retail store making a sale of cannabis or cannabis accessories to a person under the  
12 age of 21 shall constitute an affirmative defense to any prosecution for such sale:

13 (a) That the person presented what an ordinary and prudent person would believe to be  
14 valid documentation of a type listed in RSA 179:8.

15 (b) That the sale was made in good faith relying upon such documentation and  
16 appearance in the reasonable belief that the person was 21 years of age or older. No identification  
17 scanning or collection of personally identifiable information shall be required under this section.

18 318-F:21 Driving; Minors; and Control of Property.

19 I. Nothing in this chapter shall be construed to permit driving or operating under the  
20 influence of drugs or liquor pursuant to RSA 265-A, nor shall this section prevent the state from  
21 enacting and imposing penalties for driving under the influence of or while impaired by cannabis.

22 II. Nothing in this chapter shall be construed to permit the transfer of cannabis, with or  
23 without remuneration, to a person under the age of 21, or to allow a person under the age of 21 to  
24 purchase, possess, use, transport, grow, or consume cannabis.

25 III. Nothing in this chapter shall prohibit a state or county correctional facility from  
26 prohibiting the possession, consumption, use, display, transfer, distribution, sale, transportation, or  
27 growing of cannabis on or in the correctional facility's property.

28 IV.(a) Except as provided in this section, this chapter does not require any person,  
29 corporation, or any other entity that occupies, owns, or controls a property to allow the consumption,  
30 cultivation, display, sale, or transfer of cannabis on or in that property.

31 (b) In the case of the rental of a residential dwelling, a landlord shall not prohibit the  
32 possession of cannabis or the consumption of cannabis by non-smoked means unless:

33 (1) The tenant is a roomer who is not leasing the entire residential dwelling;

34 (2) The residence is incidental to the provision of educational, counseling, religious,  
35 or similar service;

36 (3) The residence is a transitional housing facility; or

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1                   (4) Failing to prohibit cannabis possession or consumption would violate federal law  
2 or regulations or cause the landlord to lose a monetary or licensing-related benefit under federal law  
3 or regulations.

4                   (c) This chapter shall not prevent a landlord from prohibiting cannabis smoking or  
5 cannabis cultivation.

6                   (d) An adult who is 21 or older may use cannabis on privately owned real property only  
7 with permission of the property owner or, in the case of leased or rented property, with the  
8 permission of the tenant in possession of the property, except that a tenant shall not allow a person  
9 to smoke cannabis on rented property if smoking on the property violates the lease or the lessor's  
10 rental policies that apply to all tenants at the property. However, a tenant may permit an adult who  
11 is 21 or older to use cannabis on leased property by ingestion or inhalation through vaporization  
12 even if smoking is prohibited by the lease or rental policies. For purposes of this chapter,  
13 vaporization shall mean the inhalation of cannabis without the combustion of the cannabis.

14           318-F:22 Enforcement of Contracts. Contracts related to the operation of a cannabis  
15 establishment licensed pursuant to this chapter shall be enforceable. No contract entered into by a  
16 licensed cannabis establishment or its employees or agents as permitted pursuant to a valid license,  
17 or by those who allow property to be used by an establishment, its employees, or its agents as  
18 permitted pursuant to a valid license, shall be unenforceable on the basis that cultivating, obtaining,  
19 manufacturing, distributing, dispensing, transporting, selling, possessing, or using cannabis is  
20 prohibited by federal law.

21           318-F:23 Non-Discrimination for State-Legal Cannabis Activities and Prior Convictions.

22           I. Except as provided in this section, a holder of a professional or occupational license may  
23 not be subject to professional discipline for:

24                   (a) Providing advice or services related to cannabis establishments or applications to  
25 operate cannabis establishments on the basis that cannabis is illegal under federal law; or

26                   (b) Engaging in activities allowed by this chapter.

27           II. An applicant for a professional or occupational license may not be denied a license based  
28 on:

29                   (a) Previous employment related to cannabis establishments operating in accordance  
30 with state law;

31                   (b) A prior conviction for a non-violent cannabis offense that does not involve  
32 distribution to minors; or

33                   (c) Engaging in activities allowed by this chapter.

34           III. Except as provided in this section, neither the state nor any of its political subdivisions  
35 may impose any penalty or deny any benefit or entitlement for conduct permitted under this chapter  
36 or for the presence of cannabinoids or cannabinoid metabolites in the urine, blood, saliva, breath,  
37 hair, or other tissue or fluid of a person who is 21 years of age or older.

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1           IV. Except as provided in this section, neither the state nor any of its political subdivisions  
2 may deny a driver's license, a professional license, housing assistance, social services, or other  
3 benefits based on cannabis use or for the presence of cannabinoids or cannabinoid metabolites in the  
4 urine, blood, saliva, breath, hair, or other tissue or fluid of a person who is 21 years of age or older.

5           V. A person shall not be denied custody of or visitation with a minor for acting in accordance  
6 with this chapter, unless the person's behavior is such that it creates an unreasonable danger to the  
7 minor that can be clearly articulated and substantiated.

8           VI. Except as provided in this section, neither the state nor any of its political subdivisions  
9 may discriminate against a person in hiring, termination, or any term or condition of employment, or  
10 otherwise penalize a person in employment or contracting, if the discrimination is based upon either  
11 of the following:

12               (a) Engaging in activities allowed by this chapter;

13               (b) A prior conviction for a non-violent cannabis offense that does not involve  
14 distribution to minors; or

15               (c) Testing positive for the presence of cannabinoids or cannabinoid metabolites in the  
16 urine, blood, saliva, breath, hair, or other tissue or fluid of the individual's body.

17           VII.(a) This section does not prevent an employer from disciplining an employee or  
18 contractor for ingesting cannabis in the workplace or for working while impaired by cannabis.

19               (b) The protections provided by this section do not apply to the extent that they conflict  
20 with a governmental employer's obligations under federal law or regulations or to the extent that  
21 they would disqualify the entity from a monetary or licensing-related benefit under federal law or  
22 regulations.

23               (c) This section does not authorize any person to engage in, and does not prevent the  
24 imposition of any civil, criminal, disciplinary, or other penalties, including discipline or termination  
25 by a governmental employer, any task while under the influence of cannabis, when doing so would  
26 constitute negligence or professional malpractice.

27           VIII. For the purposes of medical care, including organ and tissue transplants, the use of  
28 cannabis does not constitute the use of an illicit substance or otherwise disqualify a person from  
29 needed medical care and may only be considered with respect to evidence-based clinical criteria.

30           IX. Notwithstanding any other provision of law, unless there is a specific finding that the  
31 individual's use, cultivation, or possession of cannabis could create a danger to the individual or  
32 another person, it shall not be a violation of conditions of parole, probation, or pre-trial release to:

33               (a) Engage in conduct allowed by this chapter; or

34               (b) Test positive for cannabis, tetrahydrocannabinol, or any other cannabinoid or  
35 metabolite of cannabis.

36           X. This section does not authorize any person to engage in, and does not prevent the  
37 imposition of any penalties for engaging in, the following conduct:

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1           (a) Undertaking any task under the influence of cannabis, when doing so would  
2 constitute negligence or professional malpractice.

3           (b) Operating, navigating, or being in actual physical control of any motor vehicle,  
4 aircraft, train, or motorboat while under the influence of cannabis.

5           318-F:24 Alcohol Infused Cannabis Products Prohibited.

6           I. It shall be unlawful to manufacture, import, offer, or sell in this state a consumable  
7 product that contains cannabis or any form of tetrahydrocannabinol in combination with beer, wine,  
8 spirits, or any other type of liquor in the same product.

9           II. In accordance with paragraph I of this section, it shall be unlawful to manufacture,  
10 import, offer, or sell in this state a consumable product that contains cannabis or any form of  
11 tetrahydrocannabinol in combination with beer, wine, spirits, or any other type of liquor in the same  
12 product.

13           318-F:25 Data Collection Related to Cannabis Legalization and Regulation.

14           I. No later than 2 years after the effective date of this chapter, and every 2 years thereafter,  
15 the department of health and human services shall, where appropriate, enter into memorandums of  
16 understanding with the department of safety, the department of justice, the department of  
17 education, the commission, and any other agency determined by the department of health and  
18 human services to possess relevant data to collect data, and shall produce and publish a report that  
19 includes baseline data and the most current data regarding health and welfare outcomes before and  
20 after cannabis legalization and regulation for adult use. All data in the report shall be non-  
21 identifiable and respectful of personal privacy. This report may be combined with the report  
22 required under RSA 126-A:106, VI, relative to the substance misuse prevention, treatment, and  
23 recovery fund authorized under RSA 318-F:27.

24           II. No later than 6 months after the effective date of this chapter, and again 18 months after  
25 the effective date of this chapter, the judicial branch shall produce and publish a report that includes  
26 the number of cases dismissed pursuant to RSA 651:5-c.

27           318-F:26 Cannabis Fund Established.

28           I. There is established a nonlapsing fund to be known as the cannabis fund. The fund shall  
29 be kept distinct and separate from all other funds in the state treasury, and the moneys credited to  
30 the fund shall be held distinct and separate from all other funds over which the state treasurer has  
31 control. Moneys in the fund shall be deposited with any financial institution as defined in RSA 383-  
32 A:2-201(a)(27-a), with a branch in the state. Moneys credited to the fund shall include deposits into  
33 the fund by the commission pursuant to this chapter and deposits into the fund by the commissioner  
34 of the department of revenue administration.

35           II. For the biennium ending June 30, 2027, and every biennium thereafter, the commission  
36 shall include the cost of administration of this chapter in the commission's efficiency expenditure  
37 request pursuant to RSA 9:4.

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1           III. For the biennium ending June 30, 2027, the sum of \$15,000,000 is hereby appropriated  
2 to the cannabis commission for the cost of administration of this chapter. Said sum shall be a charge  
3 against the fund.

4           IV. For the biennium ending June 30, 2027, the sum of \$500,000 is hereby appropriated to  
5 the substance misuse prevention, treatment, and recovery fund established in RSA 318-F:27 for the  
6 cost of developing and implementing a public education campaign prior to initiation of retail sales.  
7 Said sum shall be a charge against the fund.

8           V. After deducting appropriations charged to the fund for the cost of administration of this  
9 chapter, the remaining funds shall be appropriated and distributed on a quarterly basis as follows:

10               (a) Fifty-five percent shall be distributed to the general fund;

11               (b) Fifteen percent shall be allocated to the substance misuse education, prevention,  
12 treatment, and recovery fund established by RSA 318-F:27;

13               (c) Twenty-five percent shall be allocated to municipalities based on the proportion of  
14 retail cannabis sales in the municipality; and

15               (d) Five percent shall be allocated to public safety agencies, including police, fire, and  
16 rescue agencies, for the hiring and training of additional drug recognition experts, for advanced  
17 roadside impaired driving enforcement training, and for reimbursement of local police agencies for  
18 salaries of police officers during their attendance at the trainings listed in this subparagraph.

19           318-F:27 Substance Misuse Prevention, Treatment and Recovery Fund Established. There is  
20 hereby established in the state treasury the substance misuse prevention, treatment, and recovery  
21 fund that shall be kept distinct and separate from all other funds. All proceeds allocated to the fund  
22 pursuant to RSA 318-F:26 shall be deposited in the fund. The state treasurer shall invest the fund  
23 in accordance with RSA 6:8. Any earnings on fund moneys shall be added to the fund. All moneys in  
24 the fund shall be nonlapsing and shall be continually appropriated to the commissioner of the  
25 department of health and human services for the purposes and in the manner set forth in RSA 126-  
26 A:106.

27           7 Controlled Drug Act; Definitions. Amend the introductory paragraph in RSA 318-B:1, X-a(k)  
28 to read as follows:

29               (k) Objects used or intended for use or customarily intended for use in ingesting,  
30 inhaling, or otherwise introducing [~~marijuana,~~] cocaine[~~-, hashish, or hashish oil~~] into the human  
31 body, such as:

32           8 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, I to read  
33 as follows:

34           I. Any person who manufactures, sells, prescribes, administers, or transports or possesses  
35 with intent to sell, dispense, or compound any controlled drug, controlled drug analog or any  
36 preparation containing a controlled drug, except as authorized in this chapter ***or as otherwise***  
37 ***authorized by law***; or manufactures, sells, or transports or possesses with intent to sell, dispense,

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1 compound, package or repackage (1) any substance which he ***or she*** represents to be a controlled  
2 drug, or controlled drug analog, or (2) any preparation containing a substance which he ***or she***  
3 represents to be a controlled drug, or controlled drug analog, shall be sentenced as follows, except as  
4 otherwise provided in this section:

5 9 Controlled Drug Act; Penalties. Amend the introductory paragraph in RSA 318-B:26, II to  
6 read as follows:

7 II. Any person who knowingly or purposely obtains, purchases, transports, or possesses  
8 actually or constructively, or has under his control, any controlled drug or controlled drug analog, or  
9 any preparation containing a controlled drug or controlled drug analog, except as authorized in this  
10 chapter ***or as otherwise authorized by law***, shall be sentenced as follows, except as otherwise  
11 provided in this section:

12 10 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(c)-(d) to read as follows:

13 (c) In the case of more than 3/4 ounce of marijuana or more than 5 grams of hashish,  
14 including any adulterants or dilutants~~[;]~~ ***is possessed by a person who is under 21 years of age,***  
15 ***or, in the case of an amount exceeding the possession limit defined in RSA 318-F:1***  
16 ***possessed by a person who is 21 years of age or older, except if possessed by a person***  
17 ***authorized pursuant to RSA 126-X,*** the person shall be guilty of a misdemeanor. ~~[In the case of~~  
18 ~~marijuana-infused products possessed by persons under the age of 21 or marijuana-infused products~~  
19 ~~as defined in RSA 318-B:2-c, other than a personal use amount of a regulated marijuana-infused~~  
20 ~~product as defined in RSA 318-B:2-c, I(b), that are possessed by a person 21 years of age or older, the~~  
21 ~~person shall be guilty of a misdemeanor.]~~

22 (d) In the case of 3/4 ounce or less of marijuana or 5 grams or less of hashish, including  
23 any adulterants or dilutants, ***that is possessed by a person who is under 21 years of age,*** the  
24 person shall be guilty of a violation pursuant to RSA 318-B:2-c. ~~[In the case of a person 21 years of~~  
25 ~~age or older who possesses a personal use amount of a regulated marijuana-infused product as~~  
26 ~~defined in RSA 318-B:2-c, I(b), the person shall be guilty of a violation pursuant to RSA 318-B:2-c.]~~

27 11 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

28 (a) ~~[Except as provided in RSA 318-B:2-c,]~~ Controls any premises or vehicle where he or  
29 she knows a controlled drug or its analog, ***other than marijuana,*** is illegally kept or deposited;

30 12 Personal Possession of Marijuana. Amend RSA 318-B:2-c to read as follows:

31 318-B:2-c ~~[Personal]~~ Possession of Marijuana ***by a Person Under 21 Years of Age.***

32 ~~[I.]~~ In this section:

33 ~~[(a)]~~ ***I.*** "Marijuana" includes the leaves, stems, flowers, and seeds of all species of the  
34 plant genus cannabis, but shall not include the resin extracted from any part of such plant and every  
35 compound, manufacture, salt, derivative, mixture, or preparation from such resin including hashish,  
36 and further, shall not include the mature stalks of such plant, fiber produced from such stalks, oil or  
37 cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture,

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1 or preparation of such mature stalks, fiber, oil or cake, or the sterilized seed of such plant which is  
2 incapable of germination.

3 ~~[(b) "Personal-use amount of a regulated marijuana-infused product" means one or more~~  
4 ~~products that is comprised of marijuana, marijuana extracts, or resins and other ingredients and is~~  
5 ~~intended for use or consumption, such as, but not limited to, edible products, ointments, and~~  
6 ~~tinctures, which was obtained from a state where marijuana sales to adults are legal and regulated~~  
7 ~~under state law, and which is in its original, child-resistant, labeled packaging when it is being~~  
8 ~~stored, and which contains a total of no more than 300 milligrams of tetrahydrocannabinol.]~~

9 II. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly  
10 possesses 3/4 of an ounce or less of marijuana, including adulterants or dilutants, shall be guilty of a  
11 violation, and subject to the penalties provided in paragraph V.

12 III. Except as provided in RSA 126-X, any person ***under 21 years of age*** who knowingly  
13 possesses 5 grams or less of hashish, including adulterants or dilutants, shall be guilty of a violation,  
14 and subject to the penalties provided in paragraph V.

15 IV. ~~[Except as provided in RSA 126-X, any person 21 years of age or older possessing a~~  
16 ~~personal-use amount of a regulated marijuana-infused product shall be guilty of a violation, and~~  
17 ~~subject to the penalties provided in paragraph V. Persons 18 years of age or older and under 21~~  
18 ~~years of age who knowingly possess marijuana-infused products shall be guilty of a misdemeanor.~~

19 V.](a) Except as provided in this paragraph, any person 18 years of age or older who is  
20 convicted of violating paragraph II or III~~, or any person 21 years of age or older who is convicted of~~  
21 ~~violating paragraph IV]~~ shall be subject to a fine of \$100 for a first or second offense under this  
22 paragraph, or a fine of up to \$300 for any subsequent offense within any 3-year period; however, any  
23 person convicted based upon a complaint which alleged that the person had 3 or more prior  
24 convictions for violations of paragraph II~~, or~~ III ~~or IV]~~, or under reasonably equivalent offenses in  
25 an out-of-state jurisdiction since the effective date of this paragraph, within a 3-year period  
26 preceding the fourth offense shall be guilty of a class B misdemeanor. The offender shall forfeit the  
27 marijuana~~[, regulated marijuana-infused products,]~~ or hashish to the state. A court shall waive the  
28 fine for a single conviction within a 3-year period upon proof that person has completed a substance  
29 abuse assessment by a licensed drug and alcohol counselor within 60 days of the conviction. A  
30 person who intends to seek an assessment in lieu of the fine shall notify the court, which shall  
31 schedule the matter for review after 180 days. Should proof of completion of an assessment be filed  
32 by or before that time, the court shall vacate the fine without a hearing unless requested by a party.

33 (b) Any person under 18 years of age who is convicted of violating paragraph II or III  
34 shall forfeit the marijuana or hashish and shall be subject to a delinquency petition under RSA 169-  
35 B:6.

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1           ~~[VI.]~~ V.(a) Except as provided in this section, no person shall be subject to arrest for a  
2 violation of paragraph II[~~;~~] **or** III~~[~~;~~ or IV]~~ and shall be released provided the law enforcement officer  
3 does not have lawful grounds for arrest for a different offense.

4           (b) Nothing in this chapter shall be construed to prohibit a law enforcement agency from  
5 investigating or charging a person for a violation of RSA 265-A.

6           (c) Nothing in this chapter shall be construed as forbidding any police officer from taking  
7 into custody any minor who is found violating paragraph II[~~;~~] **or** III~~[~~;~~ or IV]~~.

8           (d) Any person ***under 21 years of age who is*** in possession of an identification card,  
9 license, or other form of identification issued by the state or any state, country, city, or town, or any  
10 college or university, who fails to produce the same upon request of a police officer or who refuses to  
11 truthfully provide his or her name, address, and date of birth to a police officer who has informed the  
12 person that he or she has been found to be in possession of what appears to the officer to be 3/4 of an  
13 ounce or less of marijuana~~[~~;~~ a personal-use amount of a regulated marijuana-infused product~~;~~]~~ or 5  
14 grams or less of hashish, may be arrested for a violation of paragraph II[~~;~~] **or** III~~[~~;~~ or IV]~~.

15           ~~[VII.]~~ VI. All fines imposed pursuant to this section shall be deposited into the alcohol abuse  
16 prevention and treatment fund established in RSA 176-A:1 and utilized for evidence-informed  
17 substance abuse prevention programs.

18           ~~[VIII.]~~ VII.(a) No record that includes personally identifiable information resulting from a  
19 violation of this section shall be made accessible to the public, federal agencies, or agencies from  
20 other states or countries.

21           (b) Every state, county, or local law enforcement agency that collects and reports data  
22 for the Federal Bureau of Investigation Uniform Crime Reporting Program shall collect data on the  
23 number of violations of paragraph II[~~;~~] **or** III~~[~~;~~ or IV]~~. The data collected pursuant to this paragraph  
24 shall be available to the public. A law enforcement agency may update the data annually and may  
25 make this data available on the agency's public Internet website.

26           13 Alcohol or Drug Impairment; Possession of Drugs. Amend RSA 265-A:43 to read as follows:

27           265-A:43 Possession of Drugs. Any person who drives on any way a vehicle while knowingly  
28 having in his or her possession or in any part of the vehicle a controlled drug or controlled drug  
29 analog in violation of the provisions of RSA 318-B shall be guilty of a misdemeanor, and his or her  
30 license shall be revoked or his or her right to drive denied for a period of 60 days and at the  
31 discretion of the court for a period not to exceed 2 years. This section shall not apply to the  
32 possession of marijuana or hashish as provided in RSA 318-B:2-c~~[~~;~~ or a personal-use amount of a~~  
33 ~~regulated marijuana-infused product as defined in RSA 318-B:2-e, I(b)].~~

34           14 New Section; Sentences; Annulment of Certain Arrests and Convictions for Cannabis.  
35 Amend RSA 651 by inserting after section 5-b the following new section:

36           651:5-c Certain Crimes Not to be Pursued; Dismissal.

37           I. As used in this section:

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1 (a) "Cannabis" means "cannabis" as defined in RSA 318-F:1, II.

2 (b) "Possession limit" means "possession limit" as defined in RSA 318-F:1, XXIII.

3 II.(a) Except to the extent required to dismiss, withdraw, or terminate the charge, no  
4 prosecutor shall pursue any charge based on crimes or offenses pending with a court that occurred  
5 prior to the effective date of RSA 318-F, involving a person 21 years of age or older knowingly or  
6 purposely obtaining, purchasing, transporting, manufacturing, or possessing, actually or  
7 constructively, or having under his or her control, no more than the possession limit of cannabis  
8 where the offense occurred before the effective date of RSA 318-F.

9 (b) The existence of convictions in other counts within the same case that are not eligible  
10 for dismissal pursuant to this section or other applicable laws shall not prevent any conviction  
11 otherwise eligible for dismissal under this section from being dismissed pursuant to this section.

12 III. On the first day of the fifth month next following the effective date of RSA 318-F, any  
13 guilty verdict, plea, placement in a diversionary program, or other entry of guilt on a matter that  
14 was entered prior to that effective date, but the judgment of conviction or final disposition on the  
15 matter was not entered prior to that date, and the guilty verdict, plea, placement in a diversionary  
16 program, or other entry of guilt solely involved one or more crimes or offenses involving a person 21  
17 years of age or older knowingly or purposely obtaining, purchasing, transporting, manufacturing, or  
18 possessing, actually or constructively, or having under his or her control, no more than the  
19 possession limit of cannabis, shall be vacated by operation of law. The judicial branch, in  
20 consultation with the attorney general, may take any administrative action as may be necessary to  
21 vacate the guilty verdict, plea, placement in a diversionary program, or other entry of guilt.

22 15 Tax on Meals, Rooms, and Cannabis; Chapter Name Change. Amend the chapter heading of  
23 RSA 78-A to read as follows:

24 **TAX ON MEALS, ~~[AND]~~ ROOMS, *AND CANNABIS***

25 16 Tax on Meals, Rooms, and Cannabis; Title. Amend RSA 78-A:1 to read as follows:

26 78-A:1 Title. This chapter may be known and cited as the "Meals, ~~[and]~~ Rooms, *and Cannabis*  
27 Tax Law."

28 17 Tax on Meals, Rooms, and Cannabis; Definition Amended. Amend RSA 78-A:3, XIII to read  
29 as follows:

30 XIII. "Operator" means any person operating a hotel, *operating a cannabis*  
31 *establishment*, charging for a taxable meal, or receiving gross rental receipts, whether as owner or  
32 proprietor or lessee, or otherwise. The term operator shall include a rental facilitator and a room  
33 facilitator.

34 18 New Paragraphs; Tax on Meals, Rooms, and Cannabis; Definitions Added. Amend RSA 78-  
35 A:3 by inserting after paragraph I the following new paragraphs:

36 I-a. "Cannabis" means "cannabis" as defined in RSA 318-F:1.

37 I-b. "Cannabis establishment" means "cannabis establishment" as defined in RSA 318-F:1.

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1       19 New Paragraph; Tax on Meals, Rooms, and Cannabis; Definition Added. Amend RSA 78-A:3  
2 by inserting after paragraph XXV the following new paragraph:

3       XXVI. "Taxable sales of cannabis" means any sale of cannabis, including any sale of  
4 concentrated cannabis and cannabis products, which is subject to a tax under RSA 78-A:6-e. In any  
5 case where a cannabis establishment gives away cannabis contemporaneously with another  
6 transaction between the same parties, and in any case where a gift of cannabis is contingent upon a  
7 separate transaction, the price paid for the related or contemporaneous transaction shall be  
8 considered a taxable sale of cannabis.

9       20 Tax on Meals, Rooms, and Cannabis; Meals, Rentals, and Cannabis Licenses Required;  
10 Penalty. Amend RSA 78-A:4 to read as follows:

11       78-A:4 Meals and Rentals ***and Cannabis*** Licenses Required; Penalty.

12       I. Each operator shall register with the department the name and address of each place of  
13 business within the state where it operates a hotel, sells taxable meals, or rents motor vehicles. The  
14 operator shall complete a registration, upon receipt of which the department shall issue a meals and  
15 rentals license for each place in such form as it determines, attesting that the registration has been  
16 made, provided that a license shall not be issued or renewed if the operator owes unpaid taxes,  
17 interest, or penalties from any tax administered by the department. A license may be denied if the  
18 commissioner has reason to believe that the registration is filed by a person as a subterfuge for the  
19 real person in interest whose license has been previously been revoked, suspended, or not renewed  
20 for cause. Licenses shall expire on June 30 in each odd-numbered year, unless the business ceases  
21 operation, a change in ownership occurs, or the license is revoked or suspended by the department  
22 prior to expiration of the license.

23       I-a. ***Each cannabis retail store, or other cannabis establishment that is registered***  
24 ***pursuant to 318-F to sell directly to consumers, shall register with the department the***  
25 ***name and address of each place of business within the state where it operates a cannabis***  
26 ***establishment that is licensed to sell directly to consumers. The operator shall complete a***  
27 ***registration, upon receipt of which the department shall issue a cannabis sales license for***  
28 ***each place in such form as it determines, attesting that the registration has been made,***  
29 ***provided that a license shall not be issued or renewed if the operator owes unpaid taxes,***  
30 ***interest, or penalties from any tax administered by the department. A license may be***  
31 ***denied if the commissioner has reason to believe that the registration is filed by a person as***  
32 ***a subterfuge for the real person in interest whose license has been previously been revoked,***  
33 ***suspended, or not renewed for cause. Licenses shall expire on June 30 in each odd-***  
34 ***numbered year, unless the business ceases operation, a change in ownership occurs, or the***  
35 ***license is revoked or suspended by the department prior to expiration of the license.***

36       I-b. [The] ***Each*** license ***issued pursuant to this section*** shall be conspicuously posted in a  
37 public area upon the premises to which it relates. Violation of the posting requirement in this

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paragraph may result in a warning from the department that the operator's license may be revoked, suspended, or denied. The warning shall include notification to the operator of his or her obligation to obtain a meals and rooms, **and cannabis** license and pay the meals, ~~and~~ rooms, **and cannabis** tax under this chapter. Subsequent violations of the provisions of this section may constitute sufficient cause for revocation, suspension, or denial of license.

II. [Repealed.]

III. No person shall engage in serving taxable meals, renting rooms, ~~or~~ renting motor vehicles, **or taxable sales of cannabis**, without first obtaining the license required by this section. The license is nonassignable and cannot be transferred. Any person who fails to register or obtain a license as provided in this section shall be subject to the penalty provisions of RSA 21-J:39.

IV. Licenses, operator information displayed on licenses, and license dispositions, such as issuance, renewal, suspension, and revocation, shall be public records.

21 Tax on Meals, Rooms, and Cannabis; Imposition of Tax. Amend the introductory paragraph of RSA 78-A:6, II to read as follows:

II. A tax is imposed on taxable meals, **and on taxable sales of cannabis**, based upon the charge therefor as follows:

22 Tax on Meals, Rooms, and Cannabis; Exception to Tax; Gratuity Charges. Amend the introductory paragraph of RSA 78-A:6-a, I to read as follows:

I. Gratuity charges added to the charge for a taxable meal, **taxable cannabis**, or taxable room shall not be taxed under this chapter if:

23 New Section; Tax on Meals, Rooms, and Cannabis; Exception to Tax; Therapeutic Cannabis Sales. Amend RSA 78-A by inserting after section 6-d the following new section:

78-A:6-e Exception to Tax; Therapeutic Cannabis Sales.

I. Sales of cannabis, including sales of cannabis concentrate and cannabis products, from cannabis establishments are taxable under this chapter, except as provided in this section.

II. Except as provided in this paragraph, sales of therapeutic cannabis to registered qualifying patients, directly or via their designated caregivers, are not taxable cannabis sales. The cannabis commission may limit the total amount of untaxed cannabis a qualifying patient may purchase. The purchase limit for untaxed cannabis may not be lower than the amount a qualifying patient can purchase pursuant to RSA 126-X.

24 Tax on Meals, Rooms, and Cannabis; Collection of Tax. Amend RSA 78-A:7, I(a)-(b) to read as follows:

(a) The operator shall either state the amount of the tax to each occupant, purchaser of a meal **or cannabis**, or renter, or state that the tax is included in the price of the occupancy, meal, **cannabis**, or gross rental receipts received. If the amount of the tax is not separately stated, the purchaser's or occupant's contract or receipt shall include the following language **for meals and rooms**: "The tax on meals and rooms is included for the costs of meals and lodging only." **If the**

1 *amount of the tax is not separately stated on the purchaser's receipt for cannabis, the*  
2 *following language shall be included: "The tax on cannabis is included for the costs of*  
3 *cannabis only."*

4 (b) The operator shall demand and collect the tax from the occupant, purchaser, or  
5 renter. The occupant, purchaser, or renter shall pay the tax to the operator. If the tax is included in  
6 the price of the meal, occupancy, **cannabis**, or gross rental receipts received, upon request the  
7 operator shall state to the purchaser, occupant, or renter the amount of the tax.

8 25 Tax on Meals, Rooms, and Cannabis; Disposition of Revenue. Amend the introductory  
9 paragraph of RSA 78-A:26, I to read as follows:

10 I. Beginning on July 1, 1995, and for each fiscal year thereafter, the department shall pay  
11 over all revenue, except revenues identified in paragraphs II, ~~and~~ III, **and V** of this section,  
12 collected under this chapter to the state treasurer. On or before September 15 of each year, the  
13 department shall determine the cost of administration of this chapter for the fiscal year ending on  
14 the preceding June 30, and it shall notify the state treasurer of these costs by a report certified by  
15 them as to correctness. After deducting the cost of administration of the chapter from the total  
16 income, the state treasurer shall distribute the net income as follows:

17 26 New Paragraph; Tax on Meals, Rooms, and Cannabis; Disposition of Revenue. Amend RSA  
18 78-A:26 by inserting after paragraph IV the following new paragraph:

19 V. All revenue collected from the sales of taxable cannabis shall be deposited in the cannabis  
20 fund and distributed pursuant to RSA 318-F:26.

21 27 Public Health; Use of Cannabis for Therapeutic Purposes; Definitions; Alternative  
22 Treatment Center. Amend RSA 126-X:1, I to read as follows:

23 I. "Alternative treatment center" means a **domestic business corporation organized**  
24 **under RSA 293-A, a domestic limited liability company organized under RSA 304-C, or a**  
25 **not-for-profit [entity] voluntary corporation organized under RSA 292 that is** registered under  
26 RSA 126-X:7 **and** that acquires, possesses, cultivates, manufactures, delivers, transfers, transports,  
27 sells, supplies, and dispenses cannabis, and related supplies and educational materials, to qualifying  
28 patients, designated caregivers, other alternative treatment centers, and visiting qualifying patients.

29 28 Public Health; Use of Cannabis for Therapeutic Purposes; Departmental Administration;  
30 Alternative Treatment Centers; Application Form. Amend RSA 126-X:7, IV(a)(4) to read as follows:

31 (4) The name, address, and date of birth of each principal officer and board member  
32 of the alternative treatment center. The board of directors **or board of managers, as applicable,**  
33 for the ~~nonprofit~~ **alternative treatment center** shall include at least one physician, advance  
34 practice registered nurse, or pharmacist licensed to practice in New Hampshire and at least one  
35 patient qualified to register as a qualifying patient. The majority of board members **or managers,**  
36 **as applicable,** shall be New Hampshire residents. A medical professional listed in this

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1 subparagraph may be a member of the alternative treatment center board *of directors or*  
2 *managers, as applicable*, but shall not maintain an ownership interest in the center.

3 29 Public Health; Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers;  
4 Requirements. Amend RSA 126-X:8, I to read as follows:

5 I. An alternative treatment center [~~shall~~] *may* be operated on a *for-profit or* not-for-profit  
6 basis for the benefit of its patients. An alternative treatment center need not be recognized as a tax-  
7 exempt organization by the Internal Revenue Service.

8 30 New Paragraphs; Public Health; Use of Cannabis for Therapeutic Purposes; Alternative  
9 Treatment Centers; Requirements. Amend RSA 126-X:8 by inserting after paragraph XVIII the  
10 following new paragraphs:

11 XIX. Except as otherwise provided in this chapter, an alternative treatment center shall be  
12 subject to RSA 293-A if organized as a domestic business corporation, RSA 304-C if organized as a  
13 domestic limited liability company, and RSA 292 if organized as a voluntary corporation.

14 XX. An alternative treatment center organized as a voluntary corporation under RSA 292  
15 may convert from a voluntary corporation under RSA 292 to either a domestic business corporation  
16 organized under RSA 293-A or a limited liability company organized under RSA 304-C in any of the  
17 following ways:

18 (a) By adopting a plan of entity conversion in accordance with RSA 293-A or RSA 304-C,  
19 as applicable, that includes a provision prohibiting the sale of memberships or shares to a foreign  
20 corporation for a period of 3 years, provided that each such conversion shall be authorized by a vote  
21 of 2/3 of the members of the board of directors at a meeting duly called for the purpose or by  
22 unanimous written consent.

23 (b) By adopting a plan of merger in accordance with RSA 293-A that includes a  
24 provision prohibiting the sale of memberships or shares to a foreign corporation for a period of 3  
25 years, for which the domestic business corporation shall be the surviving entity, provided that, such  
26 merger shall be authorized by a vote of 2/3 of the members of the board of directors of the alternative  
27 treatment center at a meeting duly called for the purpose or by unanimous written consent.

28 (c) By adopting a plan of merger in accordance with RSA 304-C that includes a provision  
29 prohibiting the sale of memberships or shares to a foreign corporation for a period of 3 years, for  
30 which the domestic limited liability company shall be the surviving entity, provided that, such  
31 merger shall be authorized by a vote of 2/3 of the members of the board of directors at a meeting duly  
32 called for the purpose or by unanimous written consent.

33 XXI. Articles of entity conversion or articles of merger, as applicable, shall be signed and  
34 submitted to the secretary of state pursuant to RSA 293-A or RSA 304-C, as applicable, and the  
35 secretary of state shall approve all such filings submitted pursuant to this section.

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XXII. The secretary of state shall certify such articles of entity conversion or articles of merger and shall provide them to the department. Upon receipt, the department shall update the existing licenses held by the converted or merged alternative treatment center.

XXIII. For the purposes of converting or merging an alternative treatment center pursuant to this section, notwithstanding any provision in the articles of agreement or alternative treatment center license applications to the contrary, the members of an alternative treatment center's board of directors may determine that a plan of entity conversion or merger is consistent with its corporate charter, and such voluntary corporation may surrender its articles of agreement in connection with the plan of entity conversion or merger.

31 Voluntary Corporations and Associations; Powers of Corporations; Change of Name; Amending Articles; Conversion and Merger. Amend RSA 292:7 to read as follows:

292:7 Change of Name; Amending Articles.

***I.*** Any corporation now or hereafter organized or registered in accordance with the provisions of this chapter, and any existing corporation which may have been so organized or registered, may change its name, increase or decrease its capital stock or membership certificates, merge with or acquire any other corporation formed pursuant to this chapter, or amend its articles of agreement, by a majority vote of such corporation's board of directors or trustees, at a meeting duly called for that purpose, and by recording a certified copy of such vote in the office of the secretary of state and in the office of the clerk of the town or city in this state which is its principal place of business. In the case of a foreign nonprofit corporation registered in New Hampshire, a copy of the amendment or plan of merger, certified by the proper officer of the state of incorporation, shall be filed with the secretary of state, together with the fee provided in RSA 292:5. The surviving corporation in a merger shall continue to have all the authority and powers vested in the merging corporations, including any powers previously conferred upon them by the legislature.

***II. An alternative treatment center registered pursuant to RSA 126-X and organized under this chapter may, pursuant to RSA 126-X:8, XX, convert to either a domestic corporation organized under RSA 293-A or a limited liability company organized under to RSA 304-C, and may merge with a domestic business corporation organized under RSA 293-A or a limited liability company organized under RSA 304-C.***

32 New Subparagraph; New Hampshire Business Corporation Act; Domestication and Conversion; Entity Conversion Authorized. Amend RSA 293-A:9.50 by inserting after paragraph (f) the following new subparagraph:

(g) Alternative treatment centers registered pursuant to RSA 126-X and organized pursuant to RSA 292 may become a domestic corporation pursuant to a plan of conversion in accordance with RSA 126-X:8, XX and this subdivision. The alternative treatment center shall be deemed to be a domestic unincorporated entity for purposes of applying RSA 293-A:9.50 through RSA 293-A:9.56, except that approval of the conversion shall be as outlined in RSA 126-X:8, XX.

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1       33    Limited Liability Companies; Statutory Conversions; Statutory Conversions of Other  
2   Business Entities to Limited Liability Companies. Amend RSA 304-C:149, I to read as follows:

3           I. Any other business entity, ***including alternative treatment centers pursuant to RSA***  
4   ***126-X:8, XX***, may make a statutory conversion of its business organization form to the limited  
5   liability company business organization form under this act by complying with the requirements of  
6   this section and with applicable law governing the other business entity. ***Approval of a***  
7   ***conversion of an alternative treatment center pursuant to this paragraph shall be as***  
8   ***outlined in RSA 126-X:8, XX.***

9       34    New Paragraph; Limited Liability Companies; Statutory Conversions; Statutory Conversions  
10   of Other Business Entities to Limited Liability Companies; Approvals of Statutory Conversion.  
11   Amend RSA 304-C:149 by inserting after paragraph VIII the following new paragraph:

12           IX. In the case of the conversion of an alternative treatment center registered under RSA  
13   126-X and organized pursuant to RSA 292, such conversion shall be approved by the board of  
14   directors in accordance with RSA 126-X:8, XX.

15       35    Appropriations.

16           I. The sum of \$7,000,000 for the fiscal year ending June 30, 2026 is appropriated to the  
17   cannabis commission for the cost of administration of RSA 318-F. The governor is authorized to  
18   draw a warrant for said sum from any money in the treasury not otherwise appropriated.

19           II. The sum of \$8,000,000 for the fiscal year ending June 30, 2027 is hereby appropriated to  
20   the cannabis commission for deposit into the cannabis fund established in RSA 318-F:26 for the  
21   administration of RSA 318-F. The governor is authorized to draw a warrant for said sum out of any  
22   money in the treasury not otherwise appropriated.

23           III. The sum of \$500,000 for the biennium ending June 30, 2027 is hereby appropriated to  
24   the substance misuse prevention, treatment, and recovery fund established in RSA 318-F:27 for the  
25   cost of developing and implementing a public education campaign prior to initiation of retail sales.

26           IV. For the biennium ending June 30, 2027, the sum of \$404,000 is hereby appropriated to  
27   the department of health and human services for the purpose of establishing two positions to fulfill  
28   the requirements of this act, relative to collecting, analyzing, and reporting of data required by RSA  
29   318-F:25 and relative to administering the substance misuse prevention, treatment, and recovery  
30   fund established in RSA 318-F:27. The department of health and human services shall work with  
31   the department of administrative services, division of personnel, to determine the appropriate  
32   classification in accordance with the personnel classification system and applicable broad group  
33   specifications. The governor is authorized to draw a warrant for said sum out of any money in the  
34   treasury not otherwise appropriated.

35       36    Repeal. RSA 318-B:1, X-a(g), relative to separation gins and sifters used or intended for use  
36   with cannabis, is repealed.

37       37    Effective Date.

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1           I. RSA 318-F:19, X, as inserted by section 6 of this act, shall take effect upon certification by  
2 the attorney general of New Hampshire to the director of the office of legislative services and the  
3 secretary of state that the conduct allowed by that paragraph has become legal under the United  
4 States Code.

5           II. The remainder of this act shall take effect upon its passage.

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2026-1137h

AMENDED ANALYSIS

This bill establishes procedures for the legalization, regulation, and taxation of cannabis; the licensing and regulation of cannabis establishments; and makes appropriations therefor.