



2024 New Hampshire Cannabis Bills

New Hampshire lawmakers filed more than a dozen cannabis bills for 2024 — including legalization, annulment + re-sentencing, and therapeutic cannabis expansion, as well as bills that would increase criminalization. The House narrowly tabled legalization (HB 1633) after the Senate amended the House-passed bill to avoid a veto and garner support from senators who had opposed legalization in 2023. Most of the other bills stalled, but a handful made it to the governor:

Gov. Sununu signed into law these bills:

- SB 426 — creating an “open container” law for cannabis. (MPP opposed this.)
- HB 1349 — adding generalized anxiety disorder as a qualifying condition for therapeutic cannabis.
- HB 1278 — allowing anyone 21+ to qualify for medical cannabis if they have a debilitating or terminal condition and their practitioner’s certification. (Patients who are 21+ will no longer have to have a listed medical condition.)
- SB 357 — allowing anyone who is licensed to prescribe drugs to humans to certify patients for therapeutic cannabis

Bills Gov. Sununu vetoed:

- HB 1581, which would allow alternative treatment centers (ATCs) to operate a second cultivation location, which may be a greenhouse

Here are more details on the cannabis policy bills considered in Concord in 2024:

Open Container — Signed Into Law (MPP Opposes)

[SB 426](#) “relative to the transportation of marijuana in a motor vehicle or OHRV.”

Sponsor: Sen. Bill Gannon (R)

Cosponsors: Sens. David Watters (D), Kevin Avarad (R), Carrie Gendreau (R), and Donna Soucey (D), and Reps. Mark Pearson (R) and Deb Hobson (R)

Summary: SB 426 adds containers of cannabis that had ever been opened to New Hampshire’s open container law. It excludes therapeutic cannabis. SB 426 imposes a \$150 fine on anyone transporting cannabis in a location other than the trunk or — if there is no trunk — either the glove compartment or the compartment least accessible to the driver. In the case of a driver, it would allow for their driver’s license to be suspended for up to 60 days. It also prohibits drivers and boaters under 21 years old from transporting cannabis, other than therapeutic cannabis, even if it isn’t in an “open container” and imposes a driver’s license suspension of 60-90 days.

Status: Signed into law by Gov. Sununu.

Note: As introduced, this was far more extreme, applying to therapeutic cannabis and imposing misdemeanor penalties with possible jail time. Sen. Bill Gannon also introduced two more alarming bills — SB 418 and SB 419, which would have capped therapeutic cannabis at 16% and set an unscientific DUI threshold that ensnares sober drivers. He offered amendments to both bills in committee to remove the concerning provisions.

Adult-Use Legalization

[HB 1633](#) “relative to the legalization and regulation of cannabis and making appropriations therefor.”

Sponsor: Rep. Erica Layon (R)

Cosponsors: Reps. J.R. Hoell (R), Andrew Prout (R), Anita Burroughs (D), Tony Lekas (R), Lex Berezhny (R), Tom Mannion (R), Jonah Wheeler (D), and Karen Calabro (D)

Summary: This bill would legalize cannabis for adults 21 and older. It was revised in the Senate to avoid a veto and garner the vote of senators who voted “no” on legalization in 2023, and then was further revised in a committee of conference. It has private cannabis stores, growers, and processors, but has the state serve as a largely undefined “franchisor” for the stores. Only 15 stores are allowed statewide. It also expands annulment and prevents discrimination against cannabis consumers in medical care (including organ transplants), child custody, and professional licensing.

Status: Tabled. Passed both chambers in different versions. The House rejected the Senate’s revision and requested a committee of conference, which negotiated a compromise. The House tabled the revised bill on June 13, 2024 (the last legislative day) in a 178-173 vote, after having voted to pass the original version in a landslide 239-136 vote.

Annulment and Re-Sentencing

[HB 1539](#) “relative to annulling, resentencing, or discontinuing prosecution of certain cannabis offenses.”

Sponsor: Rep. Jonah Wheeler (D)

Cosponsors: Reps. Heath Howard (D), Renee Monteil (D), and Alissandra Murray (D)

Summary: This bill would automatically annul all misdemeanor and violation-level cannabis records. It also allows for petition-based annulment for all other cannabis-related convictions. It creates a state-initiated re-sentencing process for those serving a cannabis-related offense. It creates a presumption that annulment or re-sentencing is in the interests of justice and should be granted. This would be a companion to a legalization bill, to ensure people do not have their lives derailed by past convictions for legalized conduct. Criminal and arrest records make it more difficult to get jobs, an education, housing, and professional and occupational licensing.

Status: Stalled. Passed the House (283-80) on March 28, 2024. Sent to interim study by the Senate.

Medical Cannabis Expansion

[HB 1278](#) “relative to qualifying medical conditions for purposes of therapeutic cannabis.”

Sponsor: Rep. Wendy Thomas (D)

Cosponsors: Reps. Suzanne Vail (D), Maria Perez (D), Jodi Newell (D), Alissandra Murray (D), and Jonah Wheeler (D)

Summary: This bill would expand qualifying conditions for those 21 and older to include any debilitating or terminal condition or symptom where the provider believes the benefits outweigh the risks. It also removes restrictions on visiting patients. Providers are allowed to write “off-label” prescriptions for drugs that are more dangerous than cannabis if they believe doing so would help a patient. Providers should also be trusted to certify patients for therapeutic cannabis in cases where they believe the benefits are likely to outweigh the risks.

Status: Signed into law by Gov. Sununu.

[SB 357](#) “relative to expanding the definition of providers who can certify patients of the therapeutic cannabis program.”

Sponsor: Sen. Rebecca Whitley (D)

Cosponsors: Sens. David Watters (D), Donna Soucy (D), Shannon Chandley (D), Donovan Fenton (D), Rebecca Perkins Kwoka (D), Cindy Rosenwald (D), Debra Altschiller (D), Howard Pearl (R), and Keith Murphy (R), and Reps. Suzanne Vail (D) and Wendy Thomas (D)

Summary: This would allow anyone who is licensed to prescribe drugs to humans to certify patients for therapeutic cannabis. They must also be “primarily responsible for the patient's care related to his or her qualifying medical condition.” It was recommended by the Therapeutic Cannabis Medical Oversight Board.

Status: Signed into law by Gov. Sununu.

[HB 1349](#) “relative to generalized anxiety disorder as a qualifying condition for the therapeutic cannabis program.”

Sponsor: Rep. Heath Howard (D)

Cosponsors: Reps. Suzanne Vail (D), Christine Seibert (D), Tom Mannion (R), Jodi Newell (D), and Alissandra Murray (D)

Summary: This bill would expand qualifying conditions by adding generalized anxiety disorder as a qualifying condition.

Status: Signed into law.

[HB 1581](#) “relative to cultivation locations for alternative treatment centers”

Sponsor: Rep. Suzanne Vail (D)

Cosponsors: Reps. Wendy Thomas (D), Christine Seibert (D), and Jodi Newell (D)

Summary: This would allow alternative treatment centers (ATCs) to operate a second cultivation location, which may be a greenhouse. ATCs are currently required to cultivate cannabis in “an

enclosed, locked facility.” This means they must grow under high-intensity lights rather than utilizing natural sunlight. Greenhouse cultivation is more economical than indoor cultivation, and it is also much more environmentally friendly. Neighboring states allow greenhouse and outdoor cultivation, contributing to lower prices in those states.

Status: [Vetoed.](#)

[HB 1231](#) “permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.”

Sponsor: Rep. Wendy Thomas (D)

Cosponsors: Reps. Maria Perez (D), Jodi Newell (D), Alissandra Murray (D), and Jonah Wheeler (D)

Summary: Therapeutic cannabis patients would be allowed to discreetly cultivate up to three mature plants, three immature plants, and 12 seedlings at a locked, enclosed location. The location must be reported to the Department of Health and Human Services. Patients’ possession limits would increase to eight ounces. Patients could instead have a caregiver grow for them. Caregivers could only cultivate for a single patient. Patients and caregivers would also be allowed to have cannabis tested by testing labs. The bill would also allow ATCs to possess unlimited seedlings, and would change the limit on seedlings to a limit for immature plants. Home cultivation is legal for patients in every other New England state.

Status: Stalled. Passed the House (294-66) on March 14, 2024. Sent to interim study by the Senate.

[HB 1295](#) “relative to penalties for criminal violations of the therapeutic use of cannabis.”

Sponsor: Rep. Suzanne Vail (D)

Cosponsors: Reps. Christine Seibert (D), Wendy Thomas (D), Maria Perez (D), Heath Howard (D), Jodi Newell (D), and Alissandra Murray (D)

Summary: This removes a second, duplicative felony offense for any registered patient or caregiver who sells therapeutic cannabis to a person who is not a registered patient or caregiver.

Status: Stalled. Passed the House in a voice vote on February 22, 2024. Sent to interim study by the Senate.

[HB 1240](#) “relative to eating disorders as a qualifying condition for the therapeutic cannabis program.”

Sponsor: Rep. Heath Howard (D)

Cosponsors: Reps. Suzanne Vail (D), Christine Seibert (D), Wendy Thomas (D), Jodi Newell (D), Alissandra Murray (D), and Hope Damon (D)

Summary: This bill would expand qualifying conditions by adding eating disorders, including anorexia nervosa, bulimia nervosa, binge eating, and avoidant restrictive food intake disorder.

Status: Stalled in the House: “Laid on the table.”

[HB 1350](#) “relative to therapeutic cannabis possession limits.”

Sponsor: Rep. Heath Howard (D)

Cosponsors: Reps. Christine Seibert (D), Wendy Thomas (D), Jodi Newell (D), and Alissandra Murray (D)

Summary: This bill would increase possession and purchase limits from two ounces to four ounces.

Status: Stalled. Passed the House in a voice vote on March 7, 2024. Referred to interim study by the Senate.

[HB 82](#) “establishing employment protections for participants in the therapeutic cannabis program.”

Sponsor: Rep. Suzanne Vail (D)

Cosponsors: Reps. Gaby Grossman (D), Wendy Thomas (D), Jodi Newell (D), and Christine Seibert (D)

Summary: As amended by the House Committee on Labor, Industrial and Rehabilitative Services, this bill would prohibit an employer from refusing to hire, or terminating the employment of a qualified patient of the Therapeutic Cannabis Program solely on the basis of a positive drug test. The bill would codify the essence of a recent N.H. Supreme Court decision into law, providing additional clarity to employers and patients. The House is expected to vote on this bill in January.

Status: Passed the House on January 3, 2024. Sent to interim study.