Key Provisions of HB 1648, New Hampshire's 2020 Bill to Legalize Cannabis for Adults 21 and Older

Sponsor: Rep. Carol McGuire (R-Epsom)


Key Provisions:

- Adults 21 and older could possess up to ¾ of an ounce of cannabis, five grams of hashish, and up to 300 mg of cannabis-infused products (currently a violation punishable by a civil fine).
- Adults 21 and older could cultivate up to six plants (including up to three mature ones) at home in a secure location that is not visible from other properties. They could also possess and process the cannabis produced from their plants at the same location.
- Adults could give cannabis to other adults, provided it was no more than ¾ of an ounce of cannabis, five grams of hashish, up to 300 mg of cannabis-infused products, and/or three immature plants.
- Consuming cannabis in public would be punishable by a $100 fine. (This is only for adults, as possession is already illegal for minors.)
- Violating the restrictions on cultivation (such as if cultivation is visible to the public) would be a violation punishable by a fine of up to $750.
- Dangerous, volatile extraction would be a Class A misdemeanor.
- Adults could possess, make, and sell (to other adults) cannabis accessories.
- Penalties for minors would remain unchanged.

Differences from the Current Decriminalization Framework:

- Adults 21 and older would no longer be penalized for possessing or producing cannabis. Under current law, possession of up to ¾ of an ounce is punishable by a $100 civil fine for a first offense, with the fine increasing for third or subsequent offenses. Cultivation typically carries up to a year in jail under existing law.
- Adults could produce their own cannabis-infused products. Under New Hampshire’s decriminalization law, the civil fine only applies to cannabis-infused products purchased in a state where they are legal.

NOTE: HB 1648 is essentially the same bill as HB 656 (2017-2018), as amended and approved by the House on January 9, 2018, but with a few minor updates. For example, “marijuana” is changed to “cannabis” throughout.