

New Hampshire Marijuana Legalization Bill
House Bill – 1610FN
Summary
February 4, 2016

Sponsors: Rep. Sylvia, Belk; Rep. Hull, Graf.
Committee: Criminal Justice and Public Safety
Current Committee: Criminal Justice and Public Safety
Last Hearing: 1/19/ 16
Link to bill: [House Bill – 1610FN](#)

House Bill – 1610FN

An act legalizing the possession and cultivation of marijuana for personal use

Analysis

Legalizes the manufacture, possession of up to two ounces, purchase of marijuana accessories, distribution, and sale of marijuana accessories to a person 21 years of age or older.

Allows a person who is 21 years of age or older to manufacture, possess up to two ounces, obtain, and purchase marijuana accessories and distribute, deliver, or sell marijuana accessories to a person who is 21 years of age or older.

Allows a person 21 years of age or older to give up to one ounce of marijuana to another person 21 years of age or older and cultivate up to six marijuana plants without penalty.

The fiscal impact of the bill on the state is unknown.

Section 318-F: 2 – Personal Use of Marijuana

- I. Allows possession of up to two ounces of marijuana for personal use
- II. Allows possession or cultivation of six plants (three or fewer mature)
- III. Allows transfer of up to one ounce of marijuana to a person 21 years of age or older without payment

Section 318-F: 3 – Restrictions on Personal Cultivation

- I. Marijuana plants must be cultivated outside of public view
- II. A person who cultivates must ensure that plants are secure from unauthorized access
- III. A person who cultivates marijuana must legally own the property
- IV. A person who violates this section may be fined up to \$750.00

Section 318-F: 4 – Public Smoking of Marijuana

- I. Prohibits smoking marijuana in a public place
- II. A person who violates this section may be fined up to \$100.00

Section 318-F: 5 – Marijuana Accessories Authorized

- I. Legalizes the manufacture, possession, purchase of marijuana accessories, distribution, and sale of marijuana accessories to a person 21 years of age or older
- II. Allows a person who is 21 years of age or older to manufacture, possess, obtain, and purchase marijuana accessories and may distribute, deliver, or sell marijuana accessories to a person who is 21 years of age or older
- III. A person younger than 21 years of age in possession of marijuana accessories will be fined up to \$100. A person younger than 21 years of age who sells marijuana accessories shall be guilty of class A misdemeanor and subject to imprisonment for up to 6 months and subject to a fine of up to \$1000.00.

Section 318-F: 6 – Employers, Driving, Minors, and Control of Property

- I. Employers are not required to permit use, consumption, possession, transfer, display, transportation, sale, or growing of marijuana in the workplace
- II. Does not permit driving under the influence nor does this bill prevent the state from enacting and imposing penalties for driving under the influence while impaired by marijuana
- III. Does not permit a person permit the transfer of marijuana with or without payment to anyone under of 21 years of age. Does not permit a person younger than 21 years of age to purchase, possess, use, transport, grow or consume marijuana
- IV. Does not prohibit a correctional facility from banning possession, consumption, use, display, transfer, distribution, sale, transportation, or growing of marijuana
- V. Does not prohibit the owner of any property from prohibiting or regulating the sale, use, or growing of marijuana on the property

Section RSA-B: 26 – Controlled Drug Act

- I. Prohibits sale of marijuana and other controlled drugs

Effective 60 days after passage