

Amendment to HB 1231

1 Amend the introductory paragraph of RSA 126-X:2, II-a as inserted by section 5 of the bill by
2 replacing it with the following:

3

4 II-a. Except as provided in RSA 126-X:3, VII(b), a qualifying patient or designated caregiver
5 who has reported to the department a cultivation location that meets the requirements of this
6 chapter, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under
7 state or municipal law, or denied any right or privilege for the therapeutic use of cannabis in
8 accordance with this chapter, if, at the cultivation location, while transporting cannabis and
9 cannabis plants and seedlings to a new cultivation location that has been reported to the department
10 within the prior 21 days, or while transporting cannabis seedlings from an alternative treatment
11 center to the cultivation location, the qualifying patient or designated caregiver possesses or
12 cultivates an amount of cannabis that does not exceed the following:

13

14 Amend the introductory paragraph of RSA 126-X:4, XIII(a) as inserted by section 13 of the bill by
15 replacing it with the following:

16

17 XIII.(a) No later than December 1, 2024, the department shall allow existing and new
18 qualifying patients and designated caregivers to report a cultivation location provided that:

19

20 Amend the bill by replacing section 14 with the following:

21

22 14 Use of Therapeutic Cannabis; Affirmative Defense. Amend RSA 126-X:5, I to read as follows:

23 I. It shall be an affirmative defense for any person charged with manufacturing, possessing,
24 having under his or her control, selling, purchasing, prescribing, administering, transporting, or
25 possessing with intent to sell, dispense, or compound cannabis, cannabis analog, or any preparation
26 containing cannabis, if:

27 (a) The actor is a qualifying patient who has been issued a valid registry identification
28 card, was in possession of cannabis in a quantity and location permitted pursuant to this chapter,
29 and was engaged in the therapeutic use of cannabis;

30 (b) The actor is a designated caregiver who has been issued a valid registry
31 identification card, was in possession of cannabis in a quantity and location permitted pursuant to
32 this chapter, and was engaged in the therapeutic use of cannabis on behalf of a qualifying patient; or

Amendment to HB 1231

- Page 2 -

1 (c) The actor is an employee of a laboratory conducting testing required for alternative
2 treatment centers pursuant to rules adopted under this chapter ***or that tests cannabis provided***
3 ***to it by qualifying patients and designated caregivers.***