



New Hampshire - State Specific Information

Information provided is current as of January 8, 2026, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized - 2013 (HB 573)
Recreational Use	Decriminalized but NOT fully legal.
Possession/Personal Use Specifics	Medical patients may possess up to 2 ounces of cannabis flower in a 10-day period. For non-patients, possession of up to 3/4 ounce is a civil violation (fine-only), not a criminal offense. Out-of-state medical cardholders can purchase from New Hampshire "Alternative Treatment Centers" (dispensaries) up to three times per year. Home cultivation is prohibited for everyone, including medical patients. Products must be in their original, sealed packaging or locked in the trunk.

State Regulatory Agency Information

State Regulatory Agency	Department of Health and Human Services (DHHS), which operates the Therapeutic Cannabis Program (TCP).
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	The state Supreme Court (<i>Paine v. Ride-Away</i>) has ruled that employers may be required to provide reasonable accommodations for off-duty medical use under state disability laws. It is recommended to have an interactive process with medical patients to avoid discrimination claims. For non-medical employees, a positive THC test remains a valid basis for adverse action, provided the employer maintains a consistently applied, written policy. *Remember, establishing robust documentation is a key risk mitigant for employers in states like New Hampshire.
Safety Sensitive Positions	New Hampshire adheres strictly to federal DOT and safety-sensitive guidelines. If a role involves commercial driving, heavy machinery, or public safety, the state generally supports a zero-tolerance stance.
Privacy Laws	Drug testing information is confidential. Results can only be used in legal proceedings related to the employment action (e.g., unemployment hearings) and cannot be disclosed to third parties without written consent.