

# **New Hampshire Lawmakers Consider Ballot Vote To Legalize Cannabis**

## **New Hampshire Lawmakers Move Toward Letting Voters Decide Cannabis Legalization**

New Hampshire House lawmakers are weighing a bipartisan proposal that would place a constitutional amendment on the 2026 ballot, allowing voters to decide whether to legalize the possession of “a modest amount” of marijuana for adults 21 and older. The measure comes as legislators in both chambers consider a range of cannabis reform proposals ahead of the 2026 session.

On Wednesday, the House Criminal Justice and Public Safety Committee took up the legislation, signaling renewed momentum for voter-driven marijuana reform in a state that remains an outlier in New England.

## **Bipartisan Constitutional Amendment Would Put Marijuana Question to Voters in 2026**

The proposal, introduced by Rep. Jonah Wheeler (D), would amend the state constitution to guarantee that adults 21 and older have the right to possess a modest amount of cannabis for personal use. If approved by lawmakers, the measure would appear on the November 2026 statewide ballot, bypassing the need for gubernatorial approval.

Under the proposal, voters would be asked to approve the addition of a new constitutional provision explicitly permitting adult possession of cannabis intended for personal consumption. The measure does not establish a commercial market or regulatory framework, focusing instead on personal possession rights.

## **Proposed Ballot Language Focuses Narrowly on Adult Possession Rights**

The text that would appear on the ballot under the resolution, known as CACR19, reads in part:

“All adults who are 21 years of age or older shall have the right to possess a modest amount of cannabis intended for their personal consumption.”

Supporters emphasized that the language is intentionally limited, addressing only possession and leaving broader questions about sales, regulation, and taxation to future legislative action.

## **Sponsor Calls New Hampshire an ‘Island of Illegality’ Surrounded by Legal States**

Testifying before the committee, Wheeler described New Hampshire as increasingly isolated as neighboring states continue to embrace marijuana legalization.

“This very simply would put on the ballot in the next November election whether or not the people of the state of New Hampshire want to legalize cannabis,” Wheeler said. He argued that lawmakers have struggled for years to reach consensus on cannabis policy and that allowing voters to decide is the most straightforward path forward.

Wheeler added that polling consistently shows strong public support for reform, making a ballot question an appropriate response to legislative gridlock.

## **Lawmakers Argue Continued Prohibition Reflects a Failure of Leadership**

Rep. Heath Howard (D), a cosponsor of the proposal, framed the issue as a long-standing failure by state leadership to act on voter sentiment.

“For years, people of New Hampshire have been watching their neighbors across New England—and even Canada embrace common sense legalization,” Howard said. He noted that more than 70 percent of Granite Staters consistently support some form of marijuana reform, while the state legislature has failed to provide even basic legal protections for possession.

Another cosponsor, Rep. Jared Sullivan (D), focused on the criminal justice impacts of continued prohibition, calling it inconsistent with New Hampshire’s reputation for limited government.

“We continue to arrest people for crimes that are not crimes in most states,” Sullivan said, arguing that marijuana enforcement results in long-term consequences that prevent individuals from fully participating in society due to criminal records.

## **Committee Review Highlights Growing Bipartisan Support in the House**

In addition to Wheeler, the constitutional amendment proposal has nine cosponsors, including a mix of Democrats and Republicans. Sullivan, one of the cosponsors, is also backing a separate legalization bill that cleared the House earlier this month.

The committee hearing underscored a broader shift within the legislature, where lawmakers across party lines are increasingly open to reevaluating the state’s marijuana laws, even if they disagree on the details of regulation.

## **Senate Advances Separate Legalization Proposal with Defined Possession Limits**

While the House considers a voter-driven approach, the Senate Judiciary Committee last week took up a separate bill from Sen. Donovan Fenton (D). That proposal would legalize adult possession of up to four ounces of cannabis flower and 20 grams of concentrated cannabis products, along with other THC-containing products capped at 2,000 milligrams.

According to estimates from the Marijuana Policy Project, a regulated market under that framework could generate between \$27 million and \$56 million annually once fully established.

## **Governor's Opposition Remains a Barrier to Legislative Legalization**

Gov. Kelly Ayotte (R) has made clear that she would veto any marijuana legalization bill that reaches her desk. However, the constitutional amendment proposal would not require gubernatorial approval, making it an attractive alternative for reform advocates.

Ayotte has also indicated that her position would not change even if the federal government moves forward with marijuana rescheduling. That stance remains unchanged despite President Donald Trump's directive to finalize the process of moving cannabis from Schedule I to Schedule III of the Controlled Substances Act.

## **Medical Cannabis and Psychedelic Reforms Advance Alongside Legalization Debate**

Separate from the adult-use discussion, the House recently approved legislation allowing medical marijuana dispensaries—known in the state as alternative treatment centers—to convert from nonprofit to for-profit entities. Lawmakers cited rising operating costs and the lack of federal nonprofit recognition as key drivers of the change.

Additionally, House committees have taken up bipartisan bills to legalize the regulated medical use of psilocybin, reflecting a broader reevaluation of drug policy in the state.

Other proposals filed for 2026 include measures to protect the gun rights of medical cannabis patients and bills aimed at regulating hemp-derived products, an issue gaining urgency following recent federal action affecting consumable hemp.

## **Voters May Ultimately Decide the State's Cannabis Future**

With legislative divisions persisting and the governor's opposition firmly in place, the constitutional amendment proposal could offer New Hampshire voters a rare opportunity to directly shape cannabis policy. If approved for the ballot and passed by voters in 2026, it would mark a significant shift for the last New England state without legal adult marijuana possession.

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