

II. RSA 146-F, relative to the motor oil discharge cleanup fund.

III. RSA 146-G, relative to gasoline remediation and elimination of ethers.

IV. RSA 6:12, I(b)(48), relative to moneys received from the fuel oil discharge cleanup fund.

V. RSA 6:12, I(b)(55), relative to the moneys received from the motor oil discharge cleanup fund.

VI. RSA 6:12, I(b)(77), relative to deposits in the gasoline remediation and elimination of ethers fund.

VII. RSA 146-C:12, III, relative to the leaking underground storage tank cost recovery fund.

VIII. 2008, 249:7 and 2010, 94:5, relative to contingent amendments to RSA 260:38, IV.

142:16 Prospective Repeal. RSA 146-A:11-b, II-a, relative to discontinuation of the collection of charges for the oil pollution control fund and oil discharge and disposal cleanup fund under certain conditions, is repealed.

142:17 Effective Date.

I. Sections 3, 5, 8 and 16 of this act shall take effect at 12:01 a.m. on July 1, 2025.

II. The remainder of this act shall take effect July 1, 2015.

(Approved: June 12, 2015)

(Effective Date: I. Sections, 3, 5, 8 and 16 shall take effect at 12:01 a.m. on July 1, 2025.

II. Remainder effective July 1, 2015.)

CHAPTER 143 (SB 22)

AN ACT RELATIVE TO CERTAIN CHANGES IN THE LAW GOVERNING THE THERAPEUTIC USE OF CANNABIS.

Be it Enacted by the Senate and House of Representatives in General Court convened:

143:1 New Paragraph; Use of Cannabis for Therapeutic Purposes; Protections. Amend RSA 126-X:2 by inserting after paragraph XIV the following new paragraph:

XV. A laboratory which conducts testing of cannabis required under rules for alternative treatment centers adopted under this chapter, and the employees thereof, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or search, for acting pursuant to this chapter and department rules to possess cannabis on the premises of the laboratory for the purposes of testing, and, in the case of a laboratory employee, denied any right or privilege for working for such a laboratory.

143:2 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards; Qualifying Patient. Amend RSA 126-X:4, I(c) to read as follows:

(c) A recent passport-sized photograph of the applicant's face. The department may use the photograph submitted with the initial application for up to 5 years

for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.

143:3 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards; Designated Caregiver. Amend RSA 126-X:4, II(b) to read as follows:

(b) A recent passport-sized photograph of the applicant's face. The department may use the photograph submitted with the initial application for up to 5 years for the purpose of issuing renewal or replacement registry identification cards, after which the applicant shall submit a new photograph.

143:4 New Paragraph; Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4 by inserting after paragraph II-a the following new paragraph:

II-b. The provisions of paragraph II-a shall apply only to initial applications. Every year thereafter when applying for a new registry identification card, a designated caregiver shall include with the application an attestation on a form issued by the department stating that the applicant has not been convicted of a felony offense. This attestation shall be subject to the penalties set forth in RSA 641:3 for unsworn falsification and this shall be noted on the form issued by the department. In addition, a designated caregiver shall promptly inform the department if convicted of a felony offense subsequent to being issued a registry identification card.

143:5 Use of Cannabis for Therapeutic Purposes; Registry Identification Cards. Amend RSA 126-X:4, IV(d) to read as follows:

(d) A designation that the person is either a "qualifying patient" or a "designated caregiver."

143:6 Use of Cannabis for Therapeutic Purposes; Affirmative Defense. Amend RSA 126-X:5, I(a) and (b) to read as follows:

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

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

(c) The actor is an employee of a laboratory conducting testing required for alternative treatment centers pursuant to rules adopted under this chapter.

143:7 New Subparagraph; Use of Cannabis for Therapeutic Purposes; Rules. Amend RSA 126-X:6, III(a) by inserting after subparagraph (15) the following new subparagraph:

(16) Laboratory testing of cannabis cultivated and/or processed by an alternative treatment center. Such testing shall only be conducted by a laboratory licensed by the department under RSA 151.

143:8 Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers; Requirements. Amend RSA 126-X:8, II to read as follows:

II. An alternative treatment center shall not be located in a residential district or within pre-existing designated drug free school zones.

143:9 Facility Licensure. Amend RSA 151:2, I(c) to read as follows:

(c) Laboratories performing tests or analyses of human samples, collection stations operated by laboratories, or laboratories performing testing on therapeutic cannabis pursuant to RSA 126-X:6, III(a)(16).

143:10 Repeal. RSA 126-X:4, IV(e), relative to certain information for registry identification cards, is repealed.

143:11 Effective Date. This act shall take effect 60 days after its passage.

(Approved: June 12, 2015)

(Effective Date: August 11, 2015)

CHAPTER 144 (SB 23)

AN ACT ALLOWING CERTAIN ADVANCED PRACTICE REGISTERED NURSES TO AUTHORIZE INVOLUNTARY COMMITMENT AND VOLUNTARY ADMISSION TO STATE INSTITUTIONS.

Be it Enacted by the Senate and House of Representatives in General Court convened:

144:1 Nonemergency Involuntary Admissions; Advanced Practice Registered Nurses Added. Amend RSA 135-C:36, I(c) to read as follows:

(c) A certificate from a physician or advanced practice registered nurse who is approved by either a designated receiving facility or a community mental health program approved by the commissioner, who has examined the person sought to be admitted within 5 days of the date the petition is filed and who agrees that, based on this examination, such person satisfies the standard set forth in RSA 135-C:34.

144:2 Nonemergency Involuntary Admissions; Advanced Practice Registered Nurses Added. Amend RSA 135-C:36, II to read as follows:

II. The certificate of the examining physician or advanced practice registered nurse made upon admission, if the person sought to be admitted is currently voluntarily admitted to a receiving facility, or a certificate of the examining physician or advanced practice registered nurse made prior to the admission of the person sought to be admitted to involuntary emergency admission in accordance with RSA 135-C:27-33, shall be sufficient as the physician's certificate for the petition for involuntary admission, if made within 5 days of the date of the filing of the petition.

144:3 Admission to State Institutions; Advanced Practice Registered Nurses Added. Amend RSA 464-A:25, I(a)(2) to read as follows:

(2) A guardian may admit a ward to a state institution without prior approval of the probate court upon written certification by a physician licensed in the state of New Hampshire, or, in the case of placement in New Hampshire hospital, by a psychiatrist licensed in the state of New Hampshire, or an advanced practice registered nurse, as defined in RSA 135-C:2, II-a, that the placement is in the ward's best interest and is the least restrictive placement available. Within 36 hours, excluding days when the court is closed, of such an admission of a ward to a