STATE OF NEW HAMPSHIRE



Commission to Study Stable Tokens,

Tokenized Real-World Assets, and Blockchain-based Trusts Frameworks

Final Report

OCTOBER 2026

Submitted pursuant to RSA 383:26, IV

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STATE OF NEW HAMPSHIRE

Commission to Study Stable Tokens

Final Report

VOLUME I

The Report

Sections 1 to 13 and Appendices A to L,
including Statements of State Departments and Members

ADOPTED OCTOBER 29, 2026

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0. Front matter

Letter of transmittal

October 30, 2026

To: the Speaker of the House of Representatives; the President of the Senate; the House Commerce and Consumer Affairs Committee; the Senate Commerce Committee; the House Clerk; the Senate Clerk; the Governor; and the State Library

Pursuant to RSA 383:26, IV, I transmit the final report of the Commission to Study Stable Tokens, Tokenized Real-World Assets, and Blockchain-based Trusts Frameworks, as adopted by the Commission on October 29, 2026. In fourteen public meetings since September 2025, the Commission heard from regulators, banks, issuers, technologists, scholars, and members of the public. The report describes the Commission's activities, states its findings, and sets out its recommendations for legislation and agency action, including a state framework that New Hampshire can submit for federal certification under the GENIUS Act. The Commission's record, numbered R-1 to R-51, accompanies the report as Volume 2. I thank the members, the presenters, the state agencies that hosted and supported our work, and the members of the public who followed it closely.

Respectfully submitted,



Rep. Keith Ammon, Chair

Adoption

The Commission adopted this report on October 29, 2026, at the State House in Concord, by roll call, 5 to 0, with one abstention. The record of the vote, the amendments adopted at the meeting, and the final motion are in Appendix C.

Disclaimer

This report is advisory. The Commission was established to study and report (RSA 383:26). Its findings and recommendations change no law and bind no one: not the General Court, the Governor, or any state agency. A recommendation takes effect only if the General Court enacts it or an agency acts under its own authority.

The findings and recommendations in this report are those of the Commission. They do not necessarily reflect the views of any member's employer, agency, or appointing authority. Members served in their individual capacities as Commission members, not as representatives of their employers, agencies, or companies. State departments represented on the Commission and members were invited to submit written statements by 2:00 PM, Friday, October 30, 2026; statements of state departments' own positions are reproduced in Appendix F, and members' statements in Appendix G.

Members of the Commission

Member	Seat under RSA 383:26, II
Rep. Keith Ammon, Chair (Hillsborough 42)	House member, appointed by the Speaker
Rep. Jim Kofalt, Vice Chair (Hillsborough 32)	House member, appointed by the Speaker
Rep. Chris McAleer (Carroll 2)	House member, appointed by the Speaker
Sen. Tara Reardon (District 15)	Senate member, appointed by the Senate President
Sen. Daryl Abbas (District 22)	Senate member, appointed by the Senate President
Michael Moranti, Deputy Commissioner of Banking	Banking Commissioner's designee
Brandon Garod, Senior Assistant Attorney General	Attorney General's designee
Katie Taylor, Staff Attorney, Bureau of Securities Regulation	Secretary of State's designee
Jim Kisch, President and CEO, Passumpsic Bank	New Hampshire banking industry representative
Andy Schwab	Blockchain industry representative
Dan Nuñez Cohen, Head of Policy, Crypto.com	Blockchain industry representative
Prof. Seth Oranburg, The Catholic University of America, Columbus School of Law (formerly Franklin Pierce School of Law, UNH)	Academic member

Authority

The Commission was established by HB 310 (2025), codified as RSA 383:26. RSA 383:26 provided for its own repeal on November 1, 2026, the deadline for this report.

1. Executive summary

In brief

Money is starting to move on blockchains, and federal law now lets each state decide whether to license and supervise part of that business itself. The Commission recommends that New Hampshire do so: build a licensing framework for stablecoin issuers that can be submitted for federal certification by January 18, 2028; add consumer and privacy protections that federal law does not require; remove a tax obstacle to tokenized real estate; and keep studying the questions the record could not answer. It proposes four bills for the 2027 session (Bills A to D, below). Terms are defined in the glossary (Appendix D).

What the Commission studied

The Legislature asked the Commission (RSA 383:26; Appendix A) to study three subjects:

- **Stable tokens, or stablecoins.** A stablecoin is a digital token built to hold a steady value, usually one U.S. dollar, so that it can be used as money on a blockchain, a shared digital ledger that records who holds what. Most are issued by private companies that hold cash and short-term U.S. Treasury securities behind each token. More than $300 billion were in circulation in 2026 (§3.2). Products that look alike can be legally very different: a stablecoin, a bank deposit recorded on a blockchain (a tokenized deposit), and a money market fund share recorded on a blockchain have different issuers, regulators, and rights for the holder (§3.1).
- **Tokenized real-world assets.** A token can also represent ownership of something that exists off the blockchain, such as real estate, Treasury bonds, or a share in a fund. Tokenizing an asset can let it be divided into small pieces and traded at any hour, but the law that governs the underlying asset still applies (§8.3).
- **Blockchain-based trusts.** A proposal to recognize asset protection trusts whose terms are carried out by a computer program on a blockchain (a smart contract) that no person can change, so that no trustee could be ordered to hand the assets over (§9).

Why now

Until July 2025 the United States had no federal stablecoin law. The GENIUS Act, signed July 18, 2025, requires stablecoins to be fully backed by reserves, bars issuers from paying interest to holders, and requires issuers to be able to freeze tokens on lawful order (§3.3, §4.1, §4.2). It also gives states a choice. A state may license and supervise issuers with up to $10 billion in circulation if its rules are certified as "substantially similar" to the federal standard, and an issuer licensed by a certified state may operate nationwide (§4.1). State submissions are initially due January 18, 2028 (Conference of State Bank Supervisors, or CSBS, March 10). If New Hampshire builds nothing, its companies can still use the federal path, but the state would offer no licensing home for smaller issuers, and residents would keep using stablecoins supervised under other jurisdictions' rules (§4.1, §11.4).

What the Commission did

The Commission held fourteen public meetings in Concord between September 2025 and October 2026. It heard from state regulators and their national association, community and national banks, stablecoin issuers,

technology firms, scholars, and members of the public; each presentation is summarized in Appendix B and the minutes are in Appendix C. Most presenters had a commercial interest in the subject (Appendix L), and no independent economist, consumer advocate, or federal supervisor testified, so the report notes each presenter's interest and recommends study where the record is thin (§2.5).

What the Commission concluded

New Hampshire should act now, and it should aim to lead. It will not be first: Wyoming already issues its own token, and other states have enacted stablecoin laws (§5.1). It cannot lead by being looser, because federal certification requires state rules at least as protective as federal ones (§4.1). It can lead by building on what it has: a constitutional right to live free from governmental intrusion in private information (Article 2-b); a money transmitter exemption for convertible virtual currency; a commercial code that governs controllable electronic records and excludes government electronic currency from money; a DAO law, authority for a blockchain dispute docket, and protections for self-custody, node operation, and staking; a trust industry that has drawn firms from out of state; and a state bankers association that has joined a bank-owned payments network in development (§5.2, §8.1).

The record identified three main risks, and the recommendations answer each:

- **Deposits leaving community banks.** Dollars moved from local banks into stablecoins could reduce local lending. The estimates come from interested parties and rest on different assumptions: up to about $1.7 billion (the American Bankers Association's estimate, revised after the record closed from about $1.9 billion) and about $5 billion under one vendor's scenario (§4.4). Recommendation 4 confirms that tokenized deposits are deposits, so banks can offer blockchain-based payments while the dollars stay on deposit (§5.2).
- **Privacy and control.** Federal law requires issuers to be able to freeze tokens, and whoever holds a token's control keys can change outcomes (§4.1, §7.2, §7.4). Article 2-b of the New Hampshire Constitution protects the right to live free from governmental intrusion in private information. Recommendations 3 and 9 set rules for when a token may be frozen and when the state may see records.
- **Consumers.** Most retail holders cannot redeem a stablecoin directly with its issuer; they sell it on markets that can fail under stress (§3.1, §7.1). Recommendation 2 would require New Hampshire-licensed issuers to let every holder redeem at par.

What the Commission does not recommend. It does not recommend that New Hampshire issue its own token now, as Wyoming does; it recommends study first (Recommendation 13). Nor does it recommend a state bank; relying on tokenized deposits alone, with no issuer statute (§12.6); a new licensing law for tokenized real-world assets, since those in the record are securities or LLC interests that existing law already covers; or enactment of the blockchain-based trusts draft as written, which should be redrafted for 2028 (Recommendation 12) (§12.6, §12.7). It takes no position on markets in tokenized securities, which it did not study (§2.5), and recommends that they be studied further (Recommendation 13).

After twelve meetings of testimony and two to review and adopt this report, the Commission recommends four bills for 2027, aimed at the January 18, 2028 federal deadline.

Four bills for 2027

Bill	What it does	Recommendations	Possible committees
A. Certification and consumer trust	A certifiable stablecoin issuer framework with protections beyond the federal floor, including limits on which stablecoins service providers may offer residents, clear rules for freezes and recalls, tokenized deposits, and a safe harbor for builders (software developers and other innovators, defined in Recommendation 5)	1 to 5, 7	House Commerce and Consumer Affairs; Senate Commerce
B. Tokenized real-world assets	A change-of-control test for the real estate transfer tax, on-chain ownership registers, study of securities guidance, and a voluntary safe harbor for verifiable tokens (proof-of-reserves, independent attestation, and contract audits)	8	House Ways and Means and Commerce and Consumer Affairs; Senate Ways and Means and Commerce
C. Privacy in digital money	Extends the Right to Privacy Act to digital money, sets the showing for state access and freezes, limits state use of a retail central bank digital currency (CBDC), and guarantees payment choice	9	House and Senate Judiciary
D. Office of Financial Innovation	An independent, advisory Office of Financial Innovation, the state's single point of contact for digital finance, with no licensing or supervisory power	6	To be determined

Passing Bill A in 2027 is preferable: a conditional certification filed by January 18, 2028 meets the federal deadline, but federal review begins only when the filing is complete (§4.1). Bills B, C, and D stand on their own and cannot delay it. Recommendations 10, 12, and 13 run through LSR 2027-0239, the proposed task force on emerging technologies and digital innovations (§3.4), or a successor body, and Recommendation 11 is agency action. Appendix J maps each bill. The Office of Financial Innovation (Recommendation 6) is proposed as its own bill, Bill D, so that it does not ride on the certification bill; the Banking Department's filed framework (LSR 2027-0200) does not include it. Committees are listed only as possibilities; referral is for the Speaker of the House and the President of the Senate. The report does not address markets in tokenized securities, other than to recommend further study (§2.5; Recommendation 13).

Findings

Each finding is explained in §10.

1. **Federal law now sets the terms for state action.**
2. **The market is large and growing, though measured inconsistently.**
3. **Tokens that look alike are legally different.**
4. **States are moving, along several models.**
5. **Bank-led designs can keep deposits local.**
6. **Deposit flight is the most-cited risk, and its size is uncertain.**
7. **A state token could compete with community banks for deposits; bank-led designs show how the two can work together.**
8. **Retail holders depend on markets, not redemption.**
9. **Privacy is a design choice, and New Hampshire's Constitution speaks to it.**
10. **Whoever holds the keys controls the token.**
11. **Tokenized real-world assets fit existing law, and New Hampshire can be a home for them.**

12. **Blockchain-based trusts are novel and promising, and the proposal needs refinement.**
13. **New Hampshire has foundations to build on: blockchain statutes, a trust industry, and UNH talent.**
14. **Some questions were not answered,** including algorithmic stablecoins, oracle liability, and markets in tokenized securities.
15. **Network effects reward scale and connection.**

Recommendations

The Commission adopted these recommendations on October 29, 2026, with the amendments listed in Appendix C. Each is explained in §12.

No.	Recommendation	Vehicle
1	Enact a state stablecoin issuer framework built for federal certification on time	Bill A
2	Go beyond the federal floor: redemption at par for every holder, reserve safety, plain disclosure with a compliance mark, limits on which stablecoins service providers may offer residents, and a privacy floor for issuers	Bill A
3	Set clear statutory rules for when a token may be monitored, frozen, or reversed	Bill A
4	Confirm by guidance that tokenized deposits are deposits, and guide banks joining shared networks	Bill A
5	Give builders a safe harbor and binding answers within 60 days	Bill A
6	Establish an independent Office of Financial Innovation	Bill D
7	Name the Banking Department as regulator and authorize the federal partnerships certification needs	Bill A
8	Make New Hampshire a home for tokenized real-world assets: a change-of-control transfer tax, on-chain ownership registers, study of securities guidance, and a voluntary safe harbor for verifiable tokens	Bill B
9	Extend the Right to Privacy Act to digital money, require a warrant or court order for state access and freezes, limit a retail CBDC, and guarantee payment choice	Bill C
10	Give one body the work after RSA 383:26's repeal	LSR 2027-0239 or session law
11	Engage on federal rules and explore interstate cooperation	Agency action
12	Study the blockchain-based trusts concept and redraft the proposal for the 2028 session	Legislation, after review
13	Study a state token, a tokenized municipal bond pilot, and open questions, including markets in tokenized securities	Further study

2. Introduction, mandate, and process

This section describes the Commission's charge under RSA 383:26, I to III, and how it did its work.

2.1 Establishment and mandate

RSA 383:26 (2025, 177:1, effective July 15, 2025) established the Commission to Study Stable Tokens, Tokenized Real-World Assets, and Blockchain-based Trusts Frameworks "to study the creation of regulatory frameworks for stable tokens, tokenized real-world assets (RWAs), and blockchain-based trusts in New Hampshire." The statute directs the Commission to study and make recommendations regarding:

> (a) The current landscape of stable token, tokenized RWA, and blockchain-based trust regulation within and outside New Hampshire. (b) Legal, regulatory, financial, and technological considerations for a state-level regulatory framework. (c) Best practices and ongoing regulatory efforts from other jurisdictions, including federal jurisdictions, for stable token, RWA, and blockchain-based trust regulation. (d) Potential benefits and risks associated with the adoption of stable token, RWA, tokenization, and blockchain-based trust frameworks in New Hampshire. (e) Mechanisms for consumer protection, privacy concerns, environmental protection, and risk management. (f) Economic opportunities related to blockchain technology and digital assets, including fostering innovation and job creation.

RSA 383:26, IV required this report by November 1, 2026, the date the statute set for its own repeal. Sections 3 to 8 take the six subparagraphs in order, §9 treats trusts, and §10 to §13 give findings, reasons, recommendations, and a conclusion.

2.2 Membership

The statute provides for twelve members: three House members, two Senators, the Bank Commissioner, the Secretary of State, and the Attorney General (or their designees), and four gubernatorial appointees (two blockchain industry representatives, one New Hampshire banker with digital-asset experience, and one academic). Five members are a quorum (RSA 383:26, III). The roster appears in the front matter, and the roll-call adoption vote in Appendix C.

2.3 Meetings

The Commission met twelve times in public in Concord, at 1 Granite Place and at the New Hampshire Banking Department, 53 Regional Drive, from September 17, 2025 to September 17, 2026. Several meetings offered Microsoft Teams access; the public attended, asked questions, and once presented. The Commission met on October 15, 2026 to review this report in draft, with five members present, and on October 29, 2026 at the State House to adopt it, with six members present, for fourteen meetings in all. Appendix I lists each meeting's date, presenters, and topics.

2.4 Public record

During the Commission's work, agendas, materials, video, and minutes were posted on an informal, unofficial information portal, which will not be maintained after November 1, 2026. The Commission's record, numbered R-1 to R-51 and listed in Appendix E, is transmitted with this report as Volume 2 to each recipient under RSA 383:26, IV, including the State Library. The General Court lists the Commission at gc.nh.gov/statstudcomm/details.aspx?id=1729. Teams did not capture the May 4, 2026 video; a lower-resolution video and a transcript are posted, and the minutes were prepared from the transcript. No recording or transcript exists of the August 19, 2026 meeting; its minutes were reconstructed from the agenda, presenters' materials, and the Chair's information. Appendix B summarizes each presentation; Appendix C holds the minutes. Drafts of the minutes and of this report were prepared with the help of AI tools under the Chair's direction, from the meeting videos and transcripts; the Commission is responsible for the text it adopts.

2.5 How to read this report

Figures carry their source and date. Legal authorities (constitutional provisions, statutes, session laws, bills, federal rules and agency orders and guidance, executive orders, and court decisions) are cited directly, whether or not a presenter cited them; rules and orders issued after the record closed carry their dates. Other facts from outside the record, such as later events, market data, and news reports, appear only where needed to keep the report accurate and current, each marked **[Outside the record]** with its source. A marked fact repeated elsewhere refers back to the section where it is marked. Presenters' statements are cited by name and meeting date; the minutes and materials for each meeting are listed by record number in Appendix E and reproduced in Volume 2. Each section opens by naming the part of RSA 383:26 it answers. Dates without a year are 2026. Terms are defined in Appendix D; token types are compared in §3.1. The record runs through the Commission's October 15, 2026 meeting; later events and rules appear only where accuracy requires, dated or marked as above.

Limits of the record. Most presenters were companies or trade groups with a stake in the outcome; Appendix L lists their interests. No independent economist, consumer advocate, or federal supervisor testified, and the most sustained skeptical presentation came from a member of the public (Parker Feld, May 4). The report therefore cites federal law to the statute where it matters, notes each presenter's interest, and recommends study where the record is thin.

Tokenized securities. The Commission took no evidence on markets in tokenized securities, such as tokenized stocks and the venues that trade them, and makes no recommendation on them other than further study (Recommendation 13). On September 17, 2026, the SEC issued a five-year order granting temporary, conditional exemptive relief, the "Innovation Exemption," to qualifying Tokenized Securities Venues from the definition of "exchange" under Exchange Act section 3(a)(1), and to qualifying liquidity providers from the definition of "dealer" under section 3(a)(5), for on-chain trading of tokenized NMS stock, expiring September 17, 2031 (SEC Release No. 34-106402; 91 FR 60168, September 22, 2026). The relief is narrow: it does not create a general exemption for tokenized securities, permit primary offerings through such a venue, or displace Securities Act registration requirements. Where a tokenized real-world asset is itself a security, such as a fund share or an LLC interest, existing securities law applies (§8.3), and the Bureau of Securities Regulation, not the Banking Department, is its regulator (Recommendation 7). The Commission recommends further study of markets in tokenized securities (Recommendation 13), by the body under Recommendation 10.

2.6 Relationship to the 2022 Commission

The 2022 Commission on Cryptocurrencies and Digital Assets (Executive Order 2022-1, chaired by William Ardinger) reported on December 21, 2022 with three findings and twelve recommendations. The Chair and Andy Schwab served on both, and the Banking Department and the Attorney General's office held seats on both (Executive Order 2022-1, paragraph 2). Presenters built on its work: Ian Huyett's proposals included a blockchain dispute docket, building on a 2022 recommendation (November 12, 2025), and UNH is building the Secretary of State's DAO registry (Chair, September 17, 2026). Two 2022 recommendations have since become law (2024, 263; 2026, 286:4).

2022 recommendation	Status	Authority
5.1 DAO legal enterprise law	Enacted as RSA 301-B. The Secretary of State's registry deadline is January 1, 2027.	HB 645 (2024), Ch. 263; HB 1073 (2026), Ch. 131
5.2 Blockchain dispute docket	Enacted as RSA 491:7-c. The Supreme Court may establish the docket by order; jurisdiction requires the parties' consent.	HB 639 (2026), Ch. 286, effective September 8, 2026

Table 2.1. 2022 recommendations since enacted.

The same 2026 act, the Blockchain Basic Laws (RSA 359-V), protects self-custody (RSA 359-V:2); protects node operation, transfers, and staking from state or local prohibition; exempts both mining and node operation from money transmitter licensing; and provides that mining or staking with one's own assets is not a securities offering (RSA 359-V:3).

The BFA Bitcoin-backed bond. On May 13 the Chair reported that the Business Finance Authority was preparing what would be the first state-level conduit bond collateralized by Bitcoin, about $100 million, with collateral from the miner CleanSpark. The Executive Council rejected it 3 to 2 on July 8, 2026 [Outside the record: The Block; The Bond Buyer]. It is not pending. Members asked that it be noted here, with the 2022 Commission's legacy, as part of New Hampshire's record of engagement with digital finance (October 15).

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3. The landscape today

This section answers RSA 383:26, I(a): the current landscape of stable token, tokenized real-world asset, and blockchain-based trust regulation within and outside New Hampshire.

When the 2022 Commission reported, the United States had no federal stablecoin law. The GENIUS Act, signed July 18, 2025, is the first (Chair's year in review, May 4). While this Commission met, the dollar-token market grew (§3.2), Wyoming put the first state-issued stable token into production, and four federal agencies began writing the rules that will decide what a state may do (Figure 1).



Figure 1. Key dates. Sources: HB 310 (2025, 177), signed July 15, 2025; Treasury interim final rule (91 FR 61688); GENIUS Act section 20 (effective date: January 18, 2027, since no primary regulator issued final rules more than 120 days earlier). [Outside the record: FRNT public launch, January 7, 2026 (Kraken; Wyoming Public Media).] The January 18, 2028 date is from CSBS (March 10).

State models are compared in §5.1, tokenized real-world assets in §8.3, and blockchain-based trusts in §9.

3.1 Four tokens that look alike

A **stable token** is a digital token built to hold a steady value, usually one U.S. dollar, so it can be used as money on a blockchain. Very different products are "commonly marketed under the 'stablecoin' label" (BitGo's Eugene Hahr, March 10). The record supports a family tree based on who stands behind the token (Figure 2).

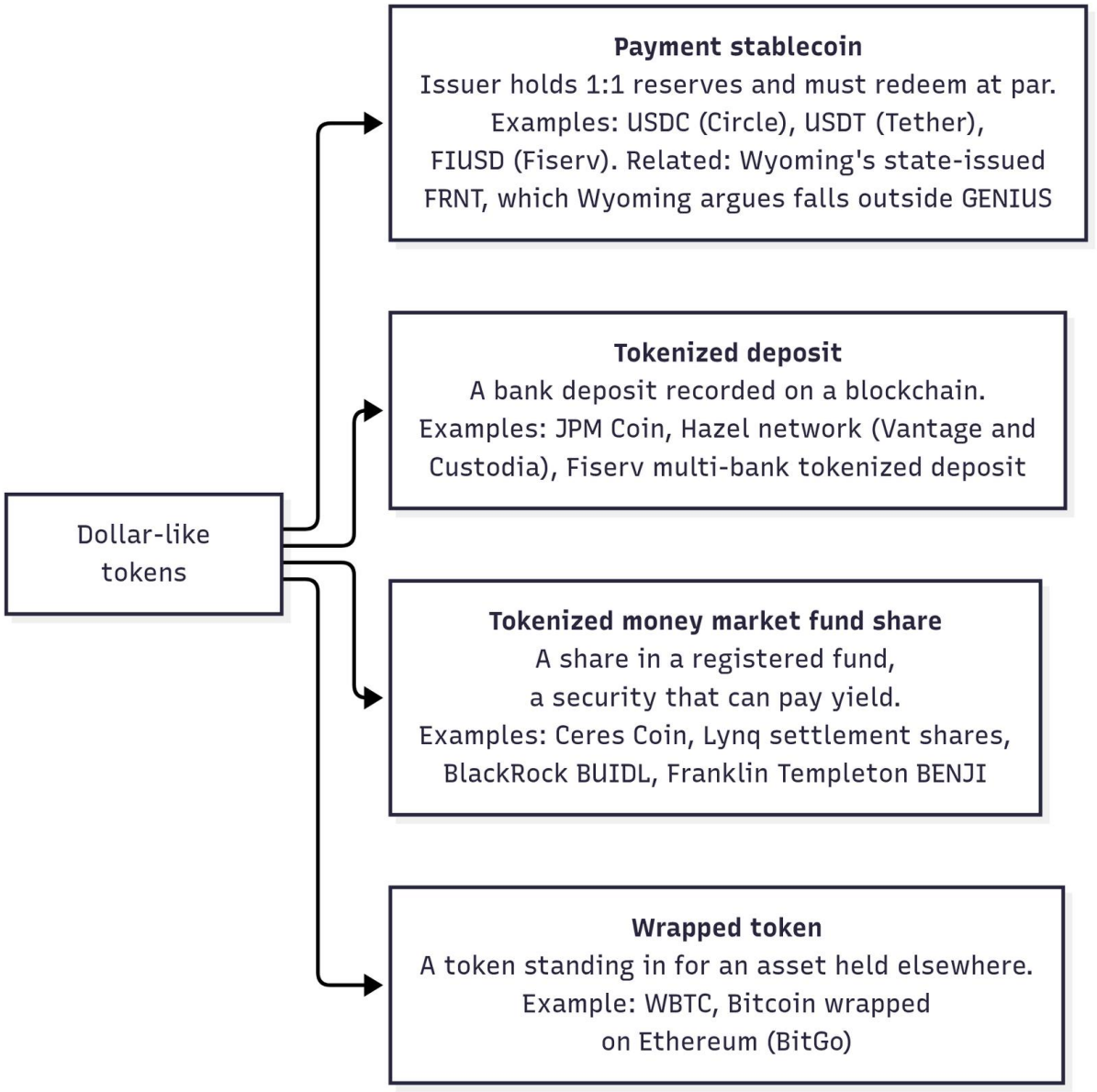


Figure 2. The family of dollar-like tokens in the Commission's record (Circle, August 19; Canton, February 10; Vantage, May 13; Fiserv, September 17; Ceres, January 14; Lynq, May 13; Chair, May 4; BitGo, March 10; Digital Chamber, November 12, 2025). Wrapped tokens can represent any asset, not only dollars.

Term	Who issues it	What backs it	Main regulator	Can it pay holders?
Payment stablecoin	Licensed issuer (bank subsidiary or nonbank)	1:1 cash and high-quality liquid assets	GENIUS regulators or a certified state	No (Circle, August 19)

Term	Who issues it	What backs it	Main regulator	Can it pay holders?
Tokenized deposit	A bank	The bank's own deposit liability	Bank regulators; FDIC insured where applicable (Main, May 13)	Yes, like any deposit
Tokenized money market fund share	A registered fund	Fund holdings, such as Treasuries	Securities regulators (state or federal)	Yes (Ceres, January 14)
Wrapped token	A custodian or protocol	An asset held elsewhere	Varies	Depends on the asset

Table 3.1. Controlled vocabulary for this report. BitGo's fiat-backed, asset-backed, algorithmic, and hybrid categories (March 10) describe backing and are a separate axis; GENIUS permits only fully reserved payment stablecoins (Oranburg, February 10).

Algorithmic stable tokens. Some tokens hold their peg with code rather than reserves: a smart-contract system manages offsetting positions in a volatile asset, such as Ether or Bitcoin, so that the token's value stays near one dollar without dollar assets behind it (Chair, October 15). Because GENIUS permits only fully reserved payment stablecoins, such a token falls outside the payment stablecoin category. The Commission received no briefing on algorithmic stable tokens (Finding 14) and does not address them further.

A payment stablecoin, the kind GENIUS regulates, works through two markets. Institutions with issuer contracts buy and redeem tokens at par; everyone else trades on exchanges. If a token slips to 95 cents, market makers buy it and redeem it at a dollar, restoring the peg. That works only while the issuer can pay and market makers keep providing liquidity (BitGo, March 10; §7.1).

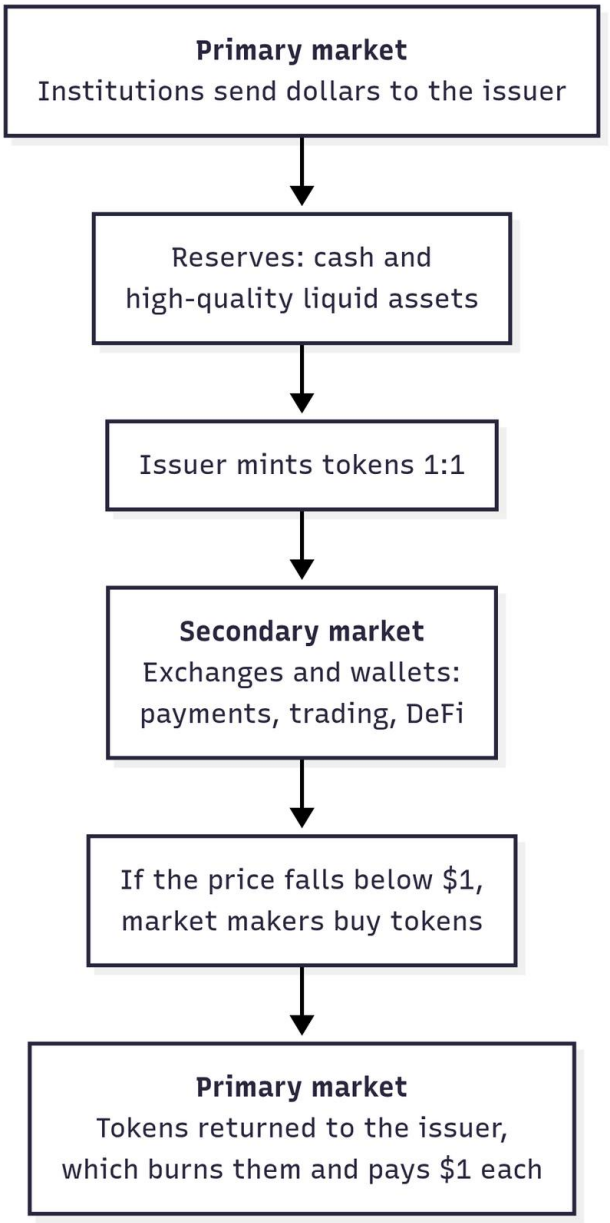


Figure 3. How a payment stablecoin works. Direct redemption at par is a contractual right of eligible institutions; retail holders rely on market prices (BitGo, March 10; reserve standard per Circle, August 19).

The technology varies too. Blockchains differ in who may read them and who may run them. Anyone can read a public ledger; on a permissioned ledger, only approved parties validate transactions. The two can be combined: Hedera runs a public ledger whose validators are permissioned, so "public versus permissioned" is a false binary (December 10, 2025). Tokens also need to move between blockchains (interoperability), and the designs differ in whom the user must trust along the way. LayerZero destroys ("burns") a token on one chain and creates ("mints") it natively on the other, and cited about $2.1 billion in industry losses from "bridges" that instead lock the original and issue a wrapped copy (April 6); Hazel switches the entity that backs the token when it leaves the bank network (May 13); and Fiserv burns one form of token and issues another (September 17). Custody, meaning

who holds the keys that control a token, also varies: a person may hold their own keys (self-custody), a trust bank may hold them, or several parties may each hold a share so that no one can act alone (multi-party signing) (Schwab, September 17; Anchorage, January 14). Holding the cash reserves behind a token is a different job from holding the tokens themselves (Healey, September 17). Freeze and blacklist controls sit in the token's contract, not in the blockchain (§7.1), so whoever holds those keys can change outcomes; Wyoming required that it own its contracts and keys outright (LayerZero, April 6). Kisch observed that the variety reflects design around specific purposes rather than a Wild West: the networks the Commission heard are highly organized, relatively mature, and carry substantial volume, and their differences are tools fitted to different uses (October 15).

> **Myth vs. fact**
>
> **Myth:** A state stable token is a central bank digital currency. **Fact:** Wyoming's FRNT is a fully reserved token issued by a state commission; no central bank is involved and no new currency is created (Apollo, October 15, 2025).

3.2 The market, dated

The Chair reported stablecoins in circulation growing from about $240 billion to about $322 billion in the twelve months before May 2026, roughly 34% (May 4); Chainlink cited about $316 billion (April 6). Table 3.2 lists each dated figure.

Stablecoin supply	Source	Date
About $240 billion	Chair's year in review (twelve-month start point)	About May 2025, reported May 4, 2026
About $300 billion	Fortris	December 10, 2025
About $316 billion	Chainlink	April 6, 2026
About $322 billion	Chair's year in review (end point)	May 4, 2026
About $313 billion	[Outside the record: CoinDesk Research, September 2026 report]	End of September 2026

Table 3.2. Stablecoin supply as cited to the Commission, by date. Sources measured differently, so the figures are not a single series. None of these totals separates tokens that will comply with the GENIUS Act from those, such as some foreign-issued tokens, that may not (October 15).

The Chair also reported about $33 trillion in on-chain stablecoin transfers in 2025, above combined Visa and Mastercard volume, while cautioning that much of it is trading and arbitrage, not retail payments (May 4). Tokenized real-world assets grew from about $8 billion to about $31 billion in a year, roughly 65% of it U.S. Treasuries (Chair, May 4).

3.3 The federal picture

The GENIUS Act requires 100% reserves, creates three types of issuer, gives holders priority in failure, and preserves a state pathway (Chair, May 4). Its rules were still being written throughout the Commission's work, and the companion CLARITY Act, a market-structure bill intended to give digital asset markets a comprehensive federal framework, was not enacted (§4.1; Appendix K).

3.4 New Hampshire today

New Hampshire has no stablecoin statute. The Secretary of State's DAO registry is to accept USDC or Tether for registration fees, which the Chair called New Hampshire's "first foray into accepting digital assets at the state level" (December 10, 2025). StoneCastle Trust Company, a New Hampshire trust company acquired by Fiserv, holds cash reserves for Fiserv's token products (Healey, September 17). The Business Finance Authority's Bitcoin-collateralized bond is covered in §2.6. LSR 2027-0200, "regulating the use of stablecoins," prime sponsor Rep. John Hunt, has been filed for 2027; text is not yet available. Also filed: LSR 2027-0239, a task force to study emerging technologies and digital innovations in blockchain, cryptocurrency, artificial intelligence, and cybersecurity, prime sponsor Rep. John Schneller (General Court LSR search).

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4. Legal, regulatory, financial, and technological considerations

This section answers RSA 383:26, I(b): legal, regulatory, financial, and technological considerations for a state-level regulatory framework.

One question organizes this section: what would New Hampshire have to build for a certified state regime under the GENIUS Act, and what happens if it builds nothing?

4.1 The legal framework: federal certification is the gate

Under the GENIUS Act, licensed nonbanks may issue payment stablecoins directly; banks only through a "firewalled" subsidiary. Issuers above $10 billion in circulation face enhanced federal supervision; smaller issuers may stay under state regulation (Circle, August 19). A state may supervise these "state qualified" issuers only if its regime is certified as "substantially similar" to the federal standard (Figure 4).

What certification buys. An issuer licensed by a certified state needs no license from any other state, so a New Hampshire license would work nationwide; host states' consumer protection laws still apply. An issuer that grows past $10 billion moves to joint state and federal supervision but is not required to convert to a federal charter (GENIUS Act sections 4(c)(3), 4(d), and 7(f); Appendix K).

Certification is annual, and the threshold is high. Ashley Scott of Circle told the Commission that the GENIUS Act requires an initial certification and a yearly recertification, a process Treasury has not yet defined. She said Circle is currently the only U.S. issuer near the $10 billion threshold; the one larger issuer is foreign, and a foreign issuer must come from a regime Treasury finds comparable and register with the OCC (October 15). For nearly every issuer, then, a state license is a real alternative to the federal path.

Who may sell to residents. GENIUS licenses issuers and separately limits digital asset service providers (DASPs), such as exchanges, to offering stablecoins from state-licensed, federally licensed, or registered foreign issuers, with civil penalties for violations (Scott, citing GENIUS Act sections 3 and 8, October 15). Scott urged New Hampshire to write the same limit into its statute for providers serving residents, using the GENIUS term "digital asset service provider" for consistency with federal law. Recommendation 2 adopts this.

Timing. The Conference of State Bank Supervisors (CSBS), an association of state bank regulators, told the Commission that January 18, 2028 is the initial deadline for states to submit frameworks (March 10; GENIUS Act sections 4(c)(4), 4(c)(7), and 20). That is the latest it can fall, and New Hampshire will not qualify for expedited review. The realistic path has two tracks: a conditional filing as soon as Treasury accepts filings, and a complete filing once rules are adopted. Recommendation 1 would have the act take effect on passage, with interim rules adopting the federal standards by reference. Under Treasury's interim final rule of September 30, 2026 (91 FR 61688, 61691 to 61692), any filing by January 18, 2028 meets the deadline, even a conditional one; comments are due November 30, 2026 (Recommendation 11).

What New Hampshire would have to build. A statutory issuer category, licensing, rules, and examiners able to supervise to the federal standard; the regulator delegation model (§5.1) does the first three by statute and leaves

the detail to the regulator (CSBS, March 10). The reserve, redemption, and capital rules of the Office of the Comptroller of the Currency (OCC) (Appendix K) are the best signpost, though states keep discretion (CSBS, March 10). The OCC proposed these rules in early 2026 and issued them as a final rule on October 21, 2026 (91 FR 67000, October 23, 2026, effective January 18, 2027). Recommendation 7 names the Banking Department as supervisor. Deputy Commissioner Moranti agreed the Banking Department is the logical supervisor for payment stablecoins that are not securities, and said that, speaking personally, he did not expect the Department to need more staff at first, since the work resembles what it already does (October 15).

Rulemaking in place of legislation

The CLARITY Act, which would divide authority over other digital assets between the SEC and the CFTC, was not enacted; the agencies are writing rules covering much of it (Chair, September 17). State law should refer to federal definitions rather than restate them, and the state should track the rulemakings (Recommendation 11).

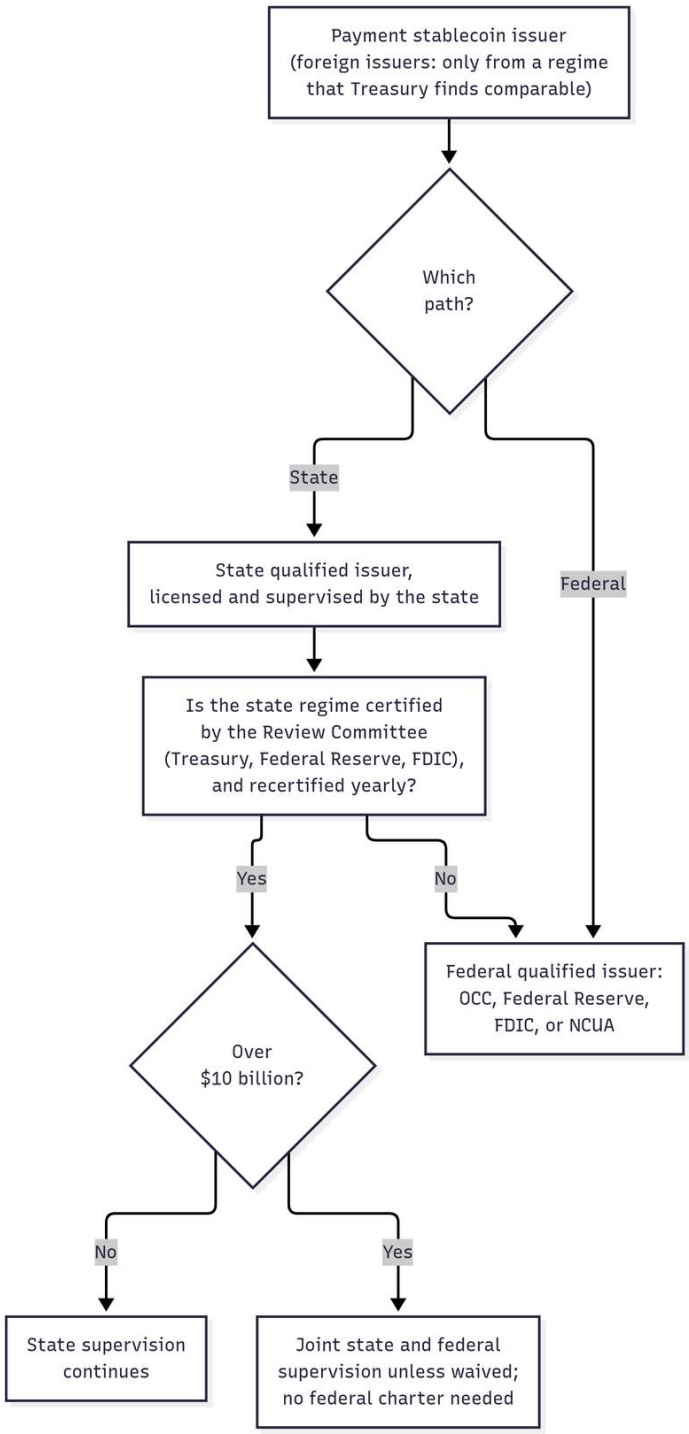


Figure 4. GENIUS Act pathways as described to the Commission (Circle, August 19; CSBS, March 10; Scott, Circle, October 15). Foreign issuers: GENIUS Act section 18. Committee membership: Treasury interim final rule, September 30, 2026 (91 FR 61688). No federal charter required above $10 billion: GENIUS Act sections 4(c)(3), 4(d), and 7(f).

If New Hampshire builds nothing. A New Hampshire company could still issue under the federal path, and the state keeps additive consumer protection authority (Circle, August 19). Banks can issue tokenized deposits

under existing law; Shawn Main of Vantage Bank reported the FDIC's position that "a deposit is a deposit" (May 13). What would be lost is a state-chartered home for smaller issuers. Banks offering tokenized deposits are using the Federal Reserve's FedNow instant payment service to settle (October 15).

What could go wrong

GENIUS requires issuers to have the technical ability to block, freeze, or seize tokens on lawful federal order (Circle, August 19; GENIUS Act sections 4(a)(5) and 4(a)(6)). Parker Feld asked how that differs from a central bank digital currency (May 4). In New Hampshire the question has constitutional weight: Article 2-b of the state Constitution protects the right to live free from governmental intrusion in private information, and a freeze capability gives government a way to reach a person's money and financial activity through the issuer (§7.2). Wyoming allows freezes only under a valid court order (Apollo, October 15, 2025); New Hampshire needs its own clear rules (Recommendations 3 and 9).

4.2 Yield: the variable that drives everything else

GENIUS bars issuers from paying yield or interest to holders (Circle, August 19; GENIUS Act section 4(a)(11), which applies to issuers and does not name affiliates or exchanges), and the OCC proposed a rebuttable presumption that an issuer is paying yield if an affiliate or related party pays holders (CSBS, March 10). The OCC's final rule (issued October 21, 2026; 91 FR 67000, 67030), effective January 18, 2027, dropped the presumption as potentially both overinclusive and underinclusive, while keeping the OCC's authority to act against evasion of the yield prohibition case by case. Exchanges may still pay rewards (Chair, May 4). Banks see stablecoin yield as a potential existential threat to deposits; issuers see it as the key to adoption (Yevgeny Shrago, CSBS, March 10). Yield also decides where reserve earnings go (Parker Feld and Chair, May 4); Wyoming routes reserve income to the state's school foundation fund (October 15, 2025).

4.3 Tax friction: the real estate transfer tax

New Hampshire taxes sales and transfers of real estate (the real estate transfer tax, RSA 78-B). The tax also reaches transfers of interests in a company that holds real estate, treating them like transfers of the real estate itself. As a result, every trade of a token issued by Porcupine Properties, a New Hampshire LLC (§8.3), would technically be taxable, and the token's compliance check cannot collect a tax. Matt Whitlock of Porcupine proposed taxing only a change in control, based on holders of more than 25% (February 10). RSA 78-B:1-a, V taxes transfers of interests in real estate holding companies to the extent of the real estate's fair market value, and under RSA 78-B:1 and 78-B:4, III the rate and a minimum tax of $20 apply to each of buyer and seller where the price is $4,000 or less. A token trade of a few dollars can therefore carry the minimum tax for each party.

Jennifer Ramsey of the Department of Revenue Administration said that, as the statute is written, each such trade would probably trigger the tax. She said any change is a policy decision for the Legislature, and offered data on holding company transfers and their revenue effect (October 15). Department of Revenue Administration data show that in fiscal year 2026 the tax on holding company transactions raised about $7.5 million from about 325 transactions (about 650 returns). Over half conveyed interests of 25% or less; exempting those under a 25% change-of-control test would reduce revenue by an estimated $550,000 to $600,000 a year. Transfers of more than

75% (about $5.9 million) would remain taxable. The effect on the remaining roughly $1 million cannot be determined, because the Department does not collect data on beneficial ownership of the interests not being conveyed (Department of Revenue Administration, fiscal year 2026 data, applying Porcupine's proposal as the Department understood it). Members noted a harder case: a token used both for payment and as an interest in real estate, such as rent paid in tokens that build equity, may be taxed as a real estate transfer even when used as payment. Tokens that combine payment and asset features will raise questions the current tax and regulatory categories do not answer, a task suited to the Office of Financial Innovation (Recommendation 6) (October 15).

4.4 Financial stability and New Hampshire banks

The most-voiced worry is that dollars leaving local banks for stablecoins would reduce local lending; New Hampshire banks reinvest deposits locally at the nation's highest levels (Kisch, citing an NH Bankers Association study, December 10, 2025). The estimates below rest on different premises and are not measurements.

Figure	Source and date	Premise	Note
Up to about $1.7 billion	American Bankers Association estimate for New Hampshire, cited by NHBA in the Chair's review, May 4, as about $1.9 billion; [Outside the record: since revised by the ABA to a range of $0.9 billion to $1.7 billion (American Bankers Association, New Hampshire one-pager, September 2026; R-46)]	Potential outflow from NH banks to payment stablecoins under the more permissive yield outcome	From the banking industry, which has a stake in the yield outcome
About $5 billion	Main, Vantage Bank, May 13	A scenario of 10% erosion of NH commercial deposits; mapped to $160M to $430M less lending and 1,700 to 2,800 jobs at risk	Vantage sells a tokenized-deposit product (Hazel)

Table 4.1. Deposit-flight estimates in the record, with premises.

One other figure in the record is sometimes read as a deposit-flight estimate, but it is not one. Deputy Commissioner Moranti reported about $1 billion in crypto money transmission by Banking Department licensees in one quarter of 2024 (January 14; clarified October 15). That figure covers all crypto assets, not only stablecoins, may not capture decentralized platforms, and measures money moved through licensees rather than deposits lost, so it should not be read as a measure of stablecoin outflows from New Hampshire banks.

Main reported that about 88% of stablecoins leaving the banking system never return (May 13). The Banking Department supervises a licensee's fiat money transmission, cybersecurity, and finances, but not its stablecoin transactions as such, and a firm dealing only in tokens would not ordinarily be licensed (Moranti, October 15).

The Banking Department described the effect of outflows on its self-funded examination model as a real and unresolved question, according to the approved May 13 minutes, and a state issuer regime could add some supervisory work. On October 15, Deputy Commissioner Moranti explained that the Department is funded by per-institution payments, an asset-based assessment when needed, and licensing and examination fees; that banks are a small part of what it regulates; and that his greater concern about deposit outflows is fewer state-chartered choices for consumers, not the Department's budget.

4.5 Network effects

A payment network becomes more useful as more people and businesses accept it, so users and trading tend to gather on the networks that are already largest (Chair, October 15). The Chair asked whether the GENIUS Act's $10 billion threshold might "silo liquidity into small state-chartered networks." BitGo's Hahr described two paths: consolidation around a few winners with consortium-like governance, or many issuers linked through clearing mechanisms. He suggested supporting community banks in receiving, remitting, and potentially issuing stablecoins "as a way to expand network effects from within the existing banking system" (March 10).

Payment networks are already being built to reach that scale by linking many institutions. The BankChain Alliance draws on 40 state bankers associations, New Hampshire's among them (Merrill, September 17); Roughrider Coin links about 92 North Dakota banks and credit unions (Healey, September 17); and Wyoming's FRNT was live across six blockchains in April (LayerZero, April 6) and eight by August (§8.2).

Three conclusions follow. First, a token issued by one small state starts with no network, one reason this report defers a state-issued token to study (Recommendation 13) and why Lynq's Jerald David advised states not to "go it alone" (May 13). Second, New Hampshire can borrow network effects by connecting: its banks can join shared networks (Recommendation 4), and its framework can interoperate with other states (Recommendation 11). Third, if states form a consortium, for example through interstate compacts, the combined network could create significant network effects. Wyoming has said it plans interstate compacts (October 15, 2025), though members knew of none formed a year later (October 15, 2026). New Hampshire should monitor such developments and may want to be an early participant, after study and due diligence (Recommendation 11).

5. Best practices and regulatory efforts elsewhere

Answers RSA 383:26, I(c): best practices and ongoing regulatory efforts from other jurisdictions, including federal jurisdictions.

This section compares the models the Commission heard: state regimes, a state issuer, and three bank-led networks. Choosing among them is for §12.

5.1 How states are approaching it

On March 10, Yevgeny Shrago of the Conference of State Bank Supervisors (CSBS) described four state models: a general **virtual currency license** (New York, Illinois, California, Louisiana); **special purpose depository institutions**, uninsured and limited to non-lending digital asset activity (Wyoming, Nebraska); a **state-level GENIUS Act** that writes the federal provisions into state law (Florida, Georgia); and **regulator delegation**, in which the legislature creates a license and a category of stablecoin issuer and the regulator writes GENIUS-compliant rules (Maryland, Alabama). Shrago said the U.S. Treasury had been encouraging delegation (Figure 5).

A fifth path is **the state as issuer**. Wyoming's Frontier Stable Token (FRNT), the only state-issued stable token in the record, is issued by a Governor-chaired state commission, backed 102% by cash, short-term Treasuries, and repurchase agreements, and sold through licensed service providers that verify customers' identities; reserve interest goes to the state's school foundation fund (Anthony Apollo, October 15, 2025; Chair, May 4). North Dakota's Roughrider Coin is different: it is a stablecoin issued by a private bank for payments among North Dakota banks and credit unions, with the state-owned Bank of North Dakota providing governance and oversight, not a token issued by the state (§5.2). Wyoming argues a state-issued token falls outside the GENIUS Act (Digital Chamber, November 12, 2025). Its operations are in §8.2.

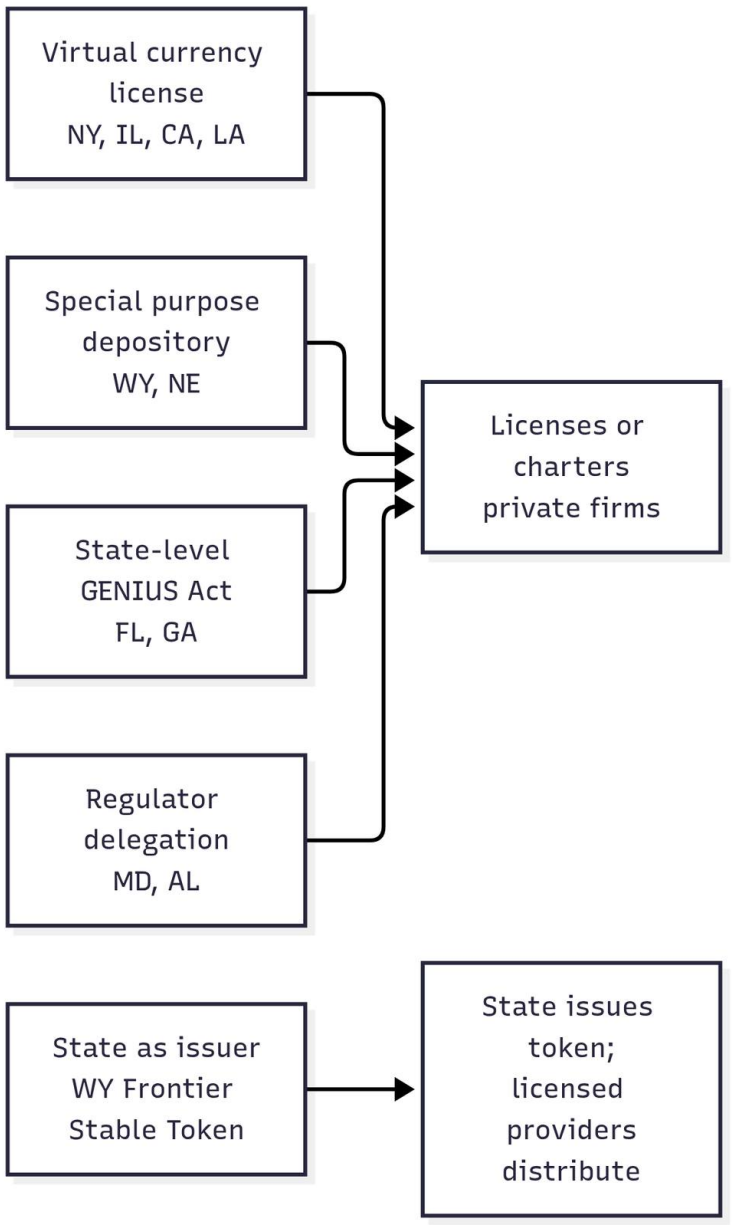


Figure 5. State approaches in the record: the four CSBS models (March 10) plus Wyoming's state-issuer path (October 15, 2025).

Florida's stablecoin issuer approval for trust companies took effect October 1, 2026 (Fla. Stat. 658.997; ch. 2026-176, HB 175), and a separate Florida pilot lets agencies accept stablecoins for government fees (Fla. Stat. 17.72; ch. 2026-175). Georgia enacted a Payment Stablecoin Act in 2026 (HB 1272, Act 452); Alabama (HB 259, Act 2026-354) and Maryland (Maryland Stablecoin Act, 2026 Md. Laws ch. 514, effective January 1, 2027) have enacted laws; Delaware has proposed one [Outside the record: Chambers, 2026]; and Texas's 2023 money services law treats certain reserve-backed stablecoins as money (Tex. Fin. Code 152.003(19)). In New Hampshire, LSR 2027-0200, "regulating the use of stablecoins," and LSR 2027-0239, a task force to study emerging technologies and digital innovations, have been filed for 2027 (§3.4).

5.2 Three bank-led designs

Three presenters showed ways for banks to carry dollars on a blockchain, each handling the moment value leaves the network differently (Figures 6a to 6c).

Hazel (Vantage Bank and Custodia Bank, May 13). Each bank holds the token as a deposit. When it leaves the network, its backing moves to Custodia and the same token works as a stablecoin, preserving what Shawn Main of Vantage called the "singleness of money." Hazel is still in a pilot phase, and Vantage, which presented it, sells it as a product (Appendix L).

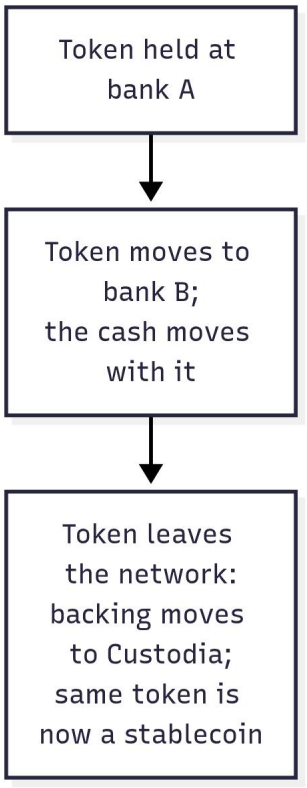


Figure 6a. Hazel: the same token works inside and outside the bank network (Main, May 13).

Roughrider Coin (Fiserv and the Bank of North Dakota, September 17). A dollar-backed token on a public blockchain that only state-approved North Dakota banks and credit unions may hold, used first as an intraday settlement rail among them. The Bank of North Dakota, a correspondent bank to about 90 institutions in the state, is the lead bank and admits members (Joe Healey). Fiserv, which sells the platform, described its token products as backed by 100% reserves in overnight bank deposits, and its multi-bank tokenized deposit as converting to a stablecoin when value leaves the network: the system "burns the tokenized deposit, and issues a stablecoin, in real time and without swaps" (Healey). [Outside the record: Roughrider went live on October 1, 2026 on the Solana blockchain as a permissioned, fully reserved stablecoin for bank-to-bank payments only, issued by VersaBank USA, N.A., which handles minting, burning, custody, and reserves; the Bank of North Dakota provides governance and oversight, calls the coin a "token deposit," its term for stablecoins, and distinguishes it

from tokenized deposits such as JPM Coin (Fiserv, October 1, 2026; Bank of North Dakota, October 5, 2026).] Roughrider is therefore a closed stablecoin network among banks, not a tokenized-deposit network.

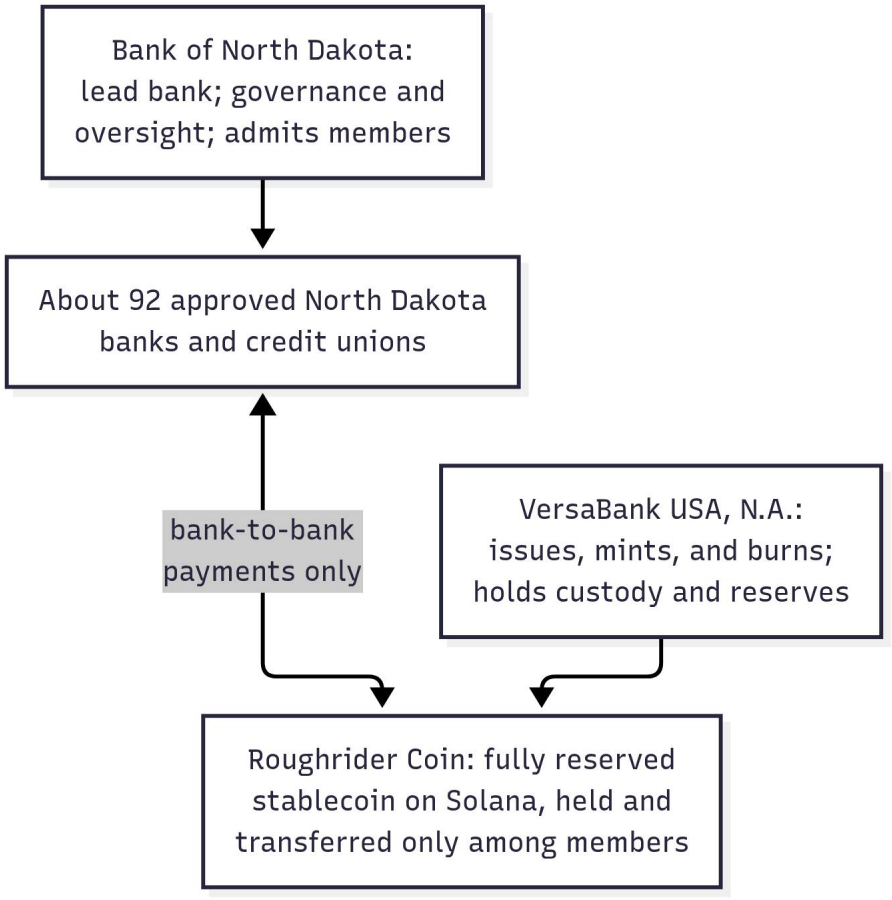


Figure 6b. Roughrider Coin: a closed stablecoin network of approved North Dakota institutions, with the Bank of North Dakota as lead bank (Healey, September 17). [Outside the record: issuer, blockchain, and launch (Bank of North Dakota; Fiserv).]

BankChain Alliance (New Hampshire Bankers Association, September 17). A bank-owned payments network whose members include 40 state bankers associations, New Hampshire's among them, though their 3,400 member banks are not the number signed up (Kristy Merrill). A technology-partner request for proposals was still open. Commission member Jim Kisch of Passumpsic Bank described a tokenized deposit backed 1:1 by the sender's bank that moves instantly, while the corresponding dollar settlement between financial institutions is finalized by the end of the business day.

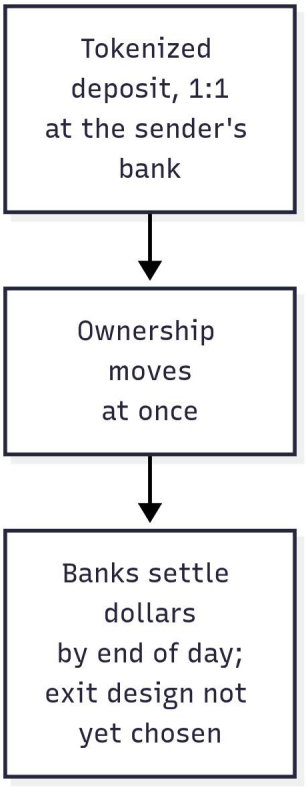


Figure 6c. BankChain Alliance: a bank-owned payments network still selecting its technology (Merrill and Kisch, September 17).

5.3 The models compared

	Wyoming FRNT	State qualified issuer (FL, GA style)	Hazel	Roughrider / Fiserv	BankChain
Reserves	Cash, short Treasuries, repos; 102% required	1:1 cash and liquid assets (Circle)	Bank deposit; Custodia holds 1:1 outside network	100% overnight bank deposits	1:1 at member bank (Kisch)
Redemption	"Dollar in, dollar out" via providers	At par (§4.1)	Deposit inside; stablecoin outside	At par	Not yet designed
Supervision	Governor-chaired commission	State regulator, certified; federal above $10B	Bank regulators; "a deposit is a deposit"	Bank regulators; lead bank admits members	Bank regulators; 15-member industry board
Consumer protection	Freeze or seize only by court order	Additive state protections (Circle)	Compliance coded in	Freeze, seize, recall like ACH returns	Not yet designed
Cost to the state	$5.8M FY2025 budget, under $2M spent	Banking Department licensing and exams	None identified	ND uses its state bank; Healey: not required	None identified

	Wyoming FRNT	State qualified issuer (FL, GA style)	Hazel	Roughrider / Fiserv	BankChain
Privacy	Seeking a "Goldilocks zone"	Must be able to freeze on lawful federal order	Main urged protocol-level standards	Banks keep customer data	Stated RFP principle

Figures are the presenters' own (Wyoming, October 15, 2025; Circle, August 19; Hazel, May 13; Fiserv and BankChain, September 17).

A state-issued token would put the state in the chain of custody of payment data (§7.2). Shared networks can spread a single failure, a risk Main said "is real and must be monitored" (May 13). The conflict between a state issuer and bank-led designs is in §11.2.

5.4 Abroad

Most of what the Commission heard about other countries came at its October 15, 2025 meeting. The Global Blockchain Business Council called the European Union's Markets in Crypto-Assets Regulation (MiCA) the most comprehensive framework for crypto assets. Plume Network described two features abroad meant to attract issuers: Bermuda's segregated account companies, which keep each pool of assets separate and out of reach of other creditors if the company fails (bankruptcy-remote), and Hong Kong's grant covering half the cost of issuing tokenized bonds. The leading jurisdictions described fold tokens into their existing financial law rather than building a separate regime.

6. Benefits and risks for New Hampshire

Answers RSA 383:26, I(d): potential benefits and risks of stable token, RWA, tokenization, and blockchain-based trust frameworks in New Hampshire.

Most benefits below came from presenters with a commercial interest, and several risks are estimates. Mitigations are in §7; the case for and against acting is in §11.

Use	Benefit claimed	Risk raised
Government payments	Tax refunds that arrive almost at once (David, Lynq, May 13); real-time audit of benefit programs (Uchill, Ceres, January 14); Wyoming's reserve interest funds schools (October 15, 2025).	Conditional, expiring, or geofenced money and "positive list" spending (Parker Feld, May 4), including geofencing of a state grant token (Gaal, April 6); revenue falls when interest rates fall (Wyoming, October 15, 2025). The record has no figures on Wyoming's adoption or revenue (§8.2).
Community-bank deposits	Stablecoin speed with deposits kept in local lending (Main, May 13; Healey, Merrill, and Kisch, September 17).	Deposit flight, up to about $5 billion in one vendor scenario (Table 4.1, §4.4); the effect on the Banking Department's self-funded model is a real and unresolved question, according to the approved May 13 minutes.
Tokenized real-world assets (§8.3)	Fractional ownership, and municipal bonds in $20 units instead of $1,000 (Whitlock, Porcupine, February 10); settlement and collateral that move 24/7 (Lynq, May 13; Canton, February 10).	Not every asset reduces to digital fields (Parker Feld, May 4); rent-to-own consumer protection (Garod, February 10); what happens when the model goes bad, including bankruptcy, eviction, and whether a de facto mortgage has been created, and the issuer's control of both the token's value and the company's value (Banking Department, February 10); the real estate transfer tax (§4.3).
Blockchain-based trusts (§9)	Code no trustee can override could ease the impossibility defense and draw trust business (Huyett, November 12, 2025).	The protection depends on the contract being sufficiently decentralized that no person can change it; admin keys, oracles, and upgrade paths can give a person control; the draft has no savings clause for creditors. The record has no opposing trust-law analysis.

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7. Consumer protection, privacy, environmental protection, and risk management

This section answers RSA 383:26, I(e): "Mechanisms for consumer protection, privacy concerns, environmental protection, and risk management."

Privacy gets the largest treatment, because it is where the state Constitution speaks most directly.

7.1 Consumer protection

The redemption gap. Direct redemption at par is typically open only to institutions; ordinary holders sell on the secondary market at whatever price it sets (§3.1, Figure 3). "This backstop is not available to retail consumers," BitGo's Eugene Hahr said; if market makers step back under stress, the result can be "cascading spread widening," as in the Terra/Luna collapse (BitGo, March 10). Run risk is present in all financial markets; what may be distinctive here is trading around the clock and automated or agentic activity that can move faster than people can respond (a member, October 15).

What federal law leaves to states. CSBS said the GENIUS Act "explicitly applies state and federal consumer protection laws to all issuers," while flagging the OCC's continued interest in preempting state consumer protection law for its own charters (CSBS, March 10). Circle said states may enforce additive protections covering fraud, disclosures, and redemption practices (Circle, August 19).

Labeling. Hahr said fiat-backed, asset-backed, algorithmic, and hybrid tokens are all sold as stablecoins (§3.1), and that "USD" in a name says nothing reliable about backing. He suggested point-of-sale classification and standardized disclosures on reserve composition, audit frequency, the absence of FDIC insurance, and secondary-market risk (BitGo, March 10). Prof. Oranburg suggested the Commission consider labeling or classification requirements (March 10). Members asked that the report carry forward the idea of a mark that tells New Hampshire consumers a stablecoin is GENIUS-compliant and meets any New Hampshire standard, in line with BitGo's suggestion to label GENIUS-compliant assets at the point of sale (October 15; Recommendation 2).

Freeze, seize, and recall. Many tokens let an issuer stop or reverse transactions. Hedera described controls so a "fat-fingered" transfer need not be a permanent loss (December 10, 2025); Fiserv described recall functions "analogous to ACH return codes" (September 17). In his presentation, Commission member Andy Schwab ran the USDC contract's `isBlacklisted` function on his own wallet and showed the issuer's blacklister address and its recent actions; technically, he said, a freeze is "no more complex than a function call" (September 17). The Chair noted an FBI-coordinated freeze of approximately $344 million of Tether on Tron (May 4). These controls are choices by particular issuers, not properties of blockchains. They protect against error and theft, but someone holds a key that can stop a person's money (§7.2; §9). The Chair noted the same tension in banking, where controls built for safety can be misused (October 15). [Outside the record: on October 14, 2026, the OCC reported that all nine of the largest national banks it supervises had policies or practices between 2020 and September 2025 that may have debanked customers (OCC News Release 2026-90).]

Custodial and non-custodial wallets. A wallet app that asks the user to write down recovery words or save a key is non-custodial: the user holds the key, and if it is lost, so are the assets. A custodial app may look the same, but a bank or other institution holds the keys, so access can be restored, at the cost of relying on that institution's solvency and security, much like cash at home versus cash in a bank (Chair, October 15). For tokenized deposits, Kisch expected banks to hold the keys, since that is how customers already work with banks (October 15).

Agentic payments. Confirmed blockchain payments cannot be disputed and clawed back like card and ACH payments (BitGo, March 10). In a live demonstration on September 17, Schwab's AI agent paid 0.001 USDC for a web page within seconds. The demonstration produced roughly two dozen on-chain transactions, each, he observed, a taxable event and a potential OFAC or FinCEN compliance exposure. Rowland Graus of Chainlink Labs, which offers agent payment products, warned that spending limits and allow-lists are "necessary but not sufficient" and that tax reporting could grow from thousands of transactions per user to hundreds of thousands (September 17). Who is liable when an agent does something the user never ruled out is unsettled (Hahr, March 10).

7.2 Privacy

Where New Hampshire starts. Part I, Article 2-b of the New Hampshire Constitution provides: "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent" (N.H. Const. Pt. I, Art. 2-b, adopted 2018, CACR 16). The New Hampshire Supreme Court has applied Article 2-b in deciding when records held by private organizations may be reached, in a case about counseling records; this report draws an inference from it for financial records (*see* State v. Zarella, 2025 N.H. 20, 343 A.3d 104 (May 1, 2025)). New Hampshire's Right to Privacy Act, RSA 359-C, protects customers' financial records from state access in connection with civil or criminal investigations. It lets state officials obtain a customer's records from a financial institution (a bank, trust company, savings association, credit union, or other person organized under state banking law) or a creditor only with the customer's authorization, an administrative or judicial subpoena with notice and a chance to challenge, or a search warrant, subject to exceptions for supervisory agencies and certain health and human services matters (RSA 359-C:3, 359-C:4, and 359-C:8 to 359-C:11). An issuer chartered as a New Hampshire trust company would be covered, but the Act does not reach money transmitters or exchanges that are not organized under banking law.

Pseudonymous, not anonymous. Blockchains are "pseudonymous (not anonymous)," which makes tracing possible (Anchorage Digital, January 14). No names are stored on-chain, but every transaction is permanently recorded, and blockchain analytics (on-chain risk management) firms combine the ledger with sanctions, law enforcement, and dark web data to cluster addresses by owner (Elliptic, August 19; reconstructed minutes, see Elliptic deck). Schwab showed about $4.2 billion of USDC on one network, across about 11 million wallets, "all publicly visible" (September 17). For an ordinary person, a public chain can reveal a full payment history, permanently, to anyone who links an address to its owner.

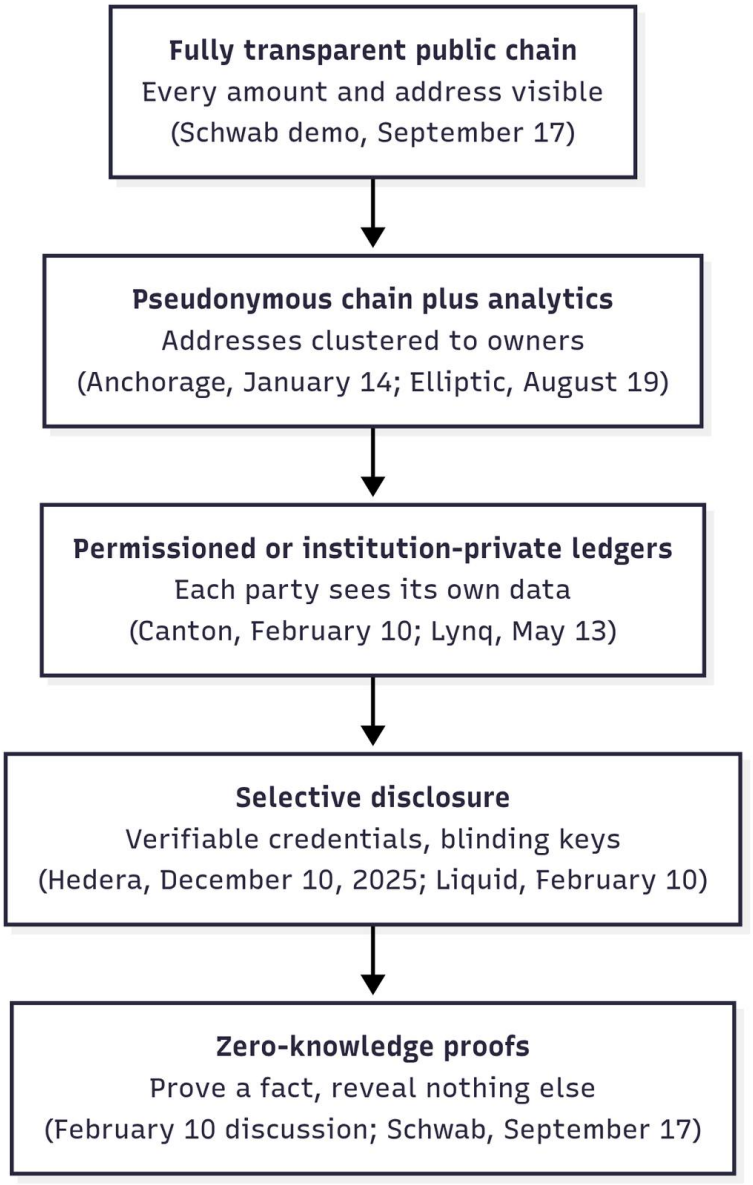


Figure 7. The privacy spectrum, from most visible (top) to most private (bottom), with examples from the Commission's record.

Designs the Commission heard (Figure 7): verifiable credentials that prove one fact, such as age 21 or over, without revealing identity (Hedera, December 10, 2025); institution-level privacy (Canton, February 10); confidential transactions with blinding keys (Liquid Network, Porcupine, February 10); a private settlement chain whose broker-dealer keeps records seven years (Lynq, May 13); Chainlink's Confidential Compute (April 6); and zero-knowledge proofs, a cryptographic method that lets someone prove a statement is true, such as that a person is over a certain age, without revealing the underlying data (February 10 discussion; Schwab, September 17). Kisch noted that zero-knowledge proofs are hard to square with know-your-customer and sanctions checks, which "need more than a simple yes/no verification"; the Chair observed that today's compliance systems create

"honeypots" of personal information that attract hackers and are vulnerable to data breaches, a problem zero-knowledge proofs could address (February 10).

Who can see a payment. In Figure 8, government can obtain identified records from the issuer or a bank through legal process and can direct a freeze. Those two points, government obtaining records and government directing a freeze, are where Article 2-b applies.

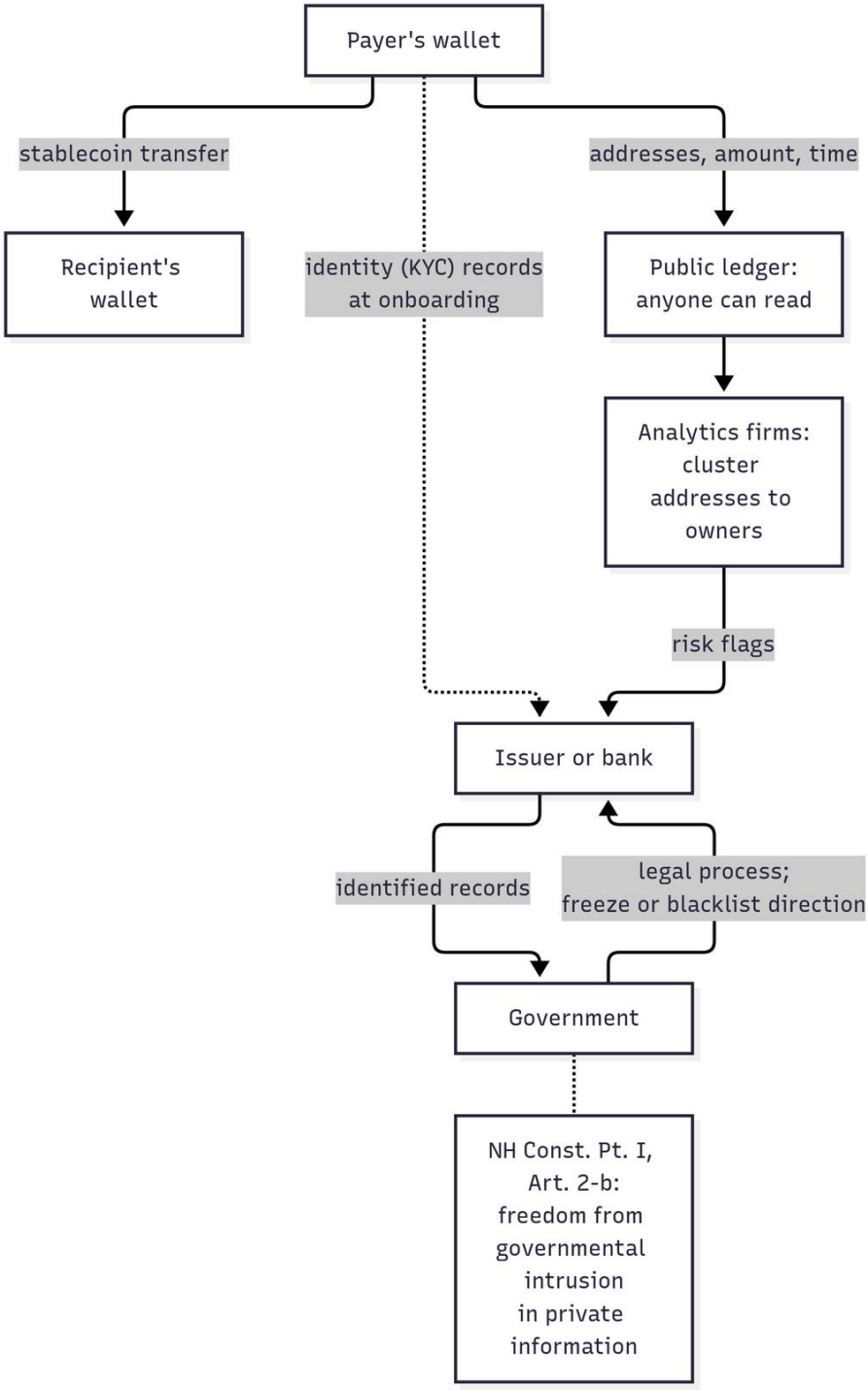


Figure 8. Who can see what in a stablecoin payment. Article 2-b's question is when government may obtain these records or direct a freeze, and on what showing.

Wyoming and the skeptic. Wyoming described a ban on forced private-key disclosure and freeze and seize "only via valid court order" (Apollo, October 15, 2025), though the Commission did not examine how these rules work in practice. Dr. Karen Parker Feld asked who can obtain a citizen's purchase records, how the GENIUS freeze requirement for "other lawful orders" differs from a central bank digital currency (CBDC), and for a citizen opt-

out (May 4; §11.3). The Chair endorsed "privacy in the private sphere, transparency in the government sphere" (May 4).

The federal backdrop on CBDCs. Executive Order 14178 (January 23, 2025; 90 FR 8647) prohibits federal agencies, except as required by law, from acting to establish, issue, or promote a CBDC, and Title XI of the 21st Century ROAD to Housing Act (P.L. 119-101, enacted July 11, 2026) prohibits a Federal Reserve retail CBDC through December 31, 2030 (Congressional Research Service, IF11471). Parker Feld noted that a CBDC prohibition expected in the National Defense Authorization Act was not included there, and that the bar now in law is temporary (October 15). Parker Feld's point stands regardless: a private stablecoin with mandatory freeze capability can raise some of the same concerns as a CBDC, depending on who can direct the freeze and on what showing.

Privacy in digital money is not fixed by the technology; it follows from design choices. Four matter most: what information goes on a public ledger, where anyone can read it; who holds the keys that can freeze or move tokens; what personal information an issuer must collect from customers; and what legal showing, such as a warrant or court order, the government must make before it examines records or freezes a token. Recommendation 9 sets the operative rules for the choices that belong to the State.

7.3 Environmental protection

The stablecoins and tokenized assets before the Commission run on smart-contract networks, and smart-contract networks tend to use consensus mechanisms (the method a network uses to agree on which transactions are valid) other than proof-of-work, the method Bitcoin uses, in which computers compete to solve puzzles and consume large amounts of electricity. The Chair noted that most networks used for stablecoins and real-world asset tokenization use proof-of-stake, in which validators put up tokens as collateral instead (January 14); Wyoming's FRNT runs on several chains, including Solana (LayerZero, April 6; §8.2). [Outside the record: Ethereum has used proof-of-stake since September 2022; Solana also uses proof-of-stake; Hedera uses hashgraph consensus secured by proof-of-stake; Base, Optimism, and Arbitrum settle to Ethereum; the Liquid Network used by Porcupine Properties is a federated sidechain (network documentation).]

The frameworks recommended in this report regulate issuers, reserves, and records, not consensus methods, and New Hampshire law already protects node operation and staking from state or local prohibition and exempts mining and node operation from money transmitter licensing (RSA 359-V:3). The Commission therefore identifies no additional environmental protection mechanism they require. The record also shows the technology serving environmental work: Virginia's Department of Environmental Quality uses a Hedera-based tool to track Chesapeake Bay watershed impact (Hedera, December 10, 2025).

7.4 Risk management

Risks in the record fall into five families (Figure 9).

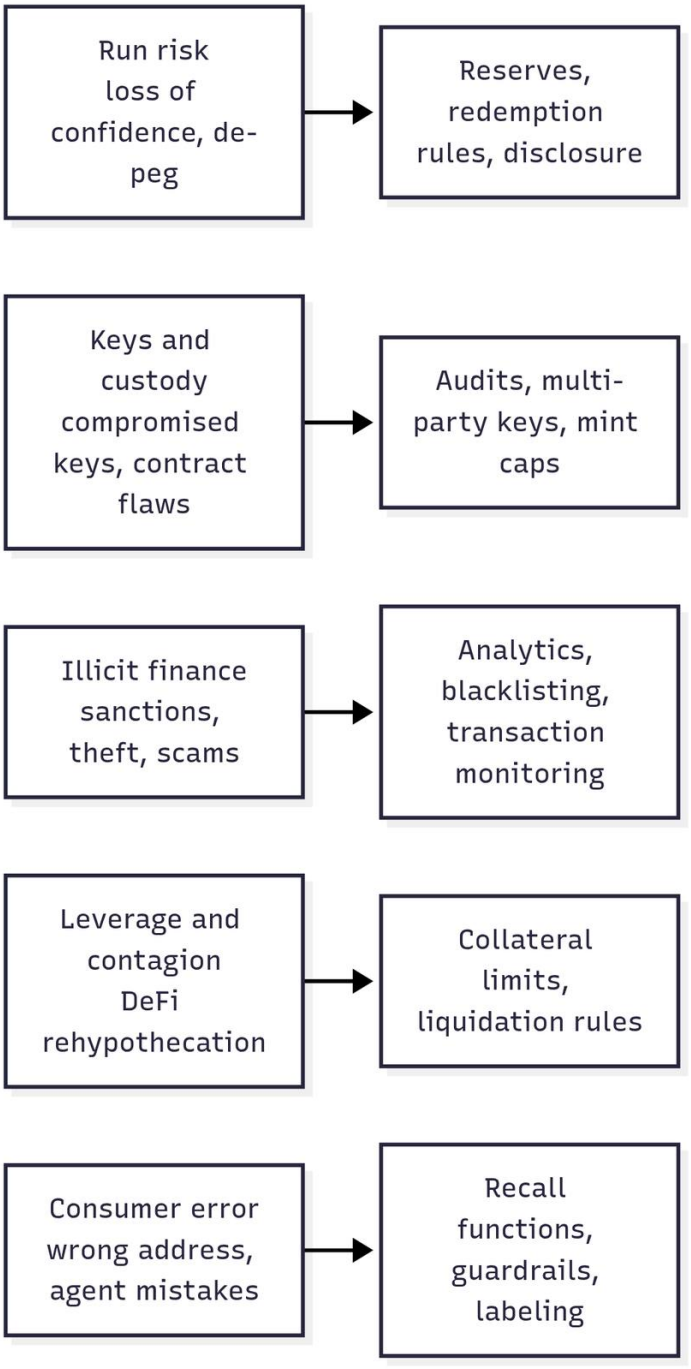


Figure 9. A risk map: five families of risk in the record and the mitigations presenters described for each.

Run risk. CSBS warned that pushing deposits into an uninsured system without bank-equivalent capital "recreates shadow banking run risks" (March 10). The OCC's reserve and redemption rules, now final, aim to prevent runs (Appendix K).

Leverage and contagion. Schwab said nearly all surviving DeFi lending is fully collateralized with automatic liquidation, but a user could "loop" deposits, and excessive rehypothecation "is what blew up in the original DeFi

boom." Woody Canaday, who had asked whether borrowing against already-lent USDC builds leverage, was concerned about many participants levered at once (September 17).

Illicit finance. Elliptic described state-sponsored theft, sanctions evasion through mixers, elder fraud, and ransomware, and said regulators increasingly expect blockchain transaction monitoring (Elliptic, August 19; see presentation slides).

Keys and custody. Whoever controls the keys controls the token. [Outside the record: on March 22, 2026, an attacker used a compromised privileged signing key to mint about 80 million unbacked Resolv Labs USR stablecoins, and USR lost as much as 80% of its value; Chainalysis traced the failure to an off-chain minting service that relied on a privileged private key, with no maximum mint limit (Chainalysis; Decrypt).] Safeguards in the record include Chainlink's "Secure Mint" (April 6), 6-of-7 multi-approval signing and three custody models, from qualified third-party custody to multi-signature self-custody (Fortris, December 10, 2025), Wyoming's state-owned keys and contracts (April 6), and Fiserv's fail-safe issuance (September 17). The controls that protect consumers are also single points of failure, so a framework should settle in advance, in published policy or statute, who holds each key and what must happen before it is used.

8. Economic opportunity: innovation and jobs

Answers RSA 383:26, I(f): economic opportunities related to blockchain technology and digital assets, including fostering innovation and job creation.

This section separates what exists from what presenters projected; the Commission received no independent economic study.

8.1 What New Hampshire already has

Building on the 2022 Commission's work (§2.6), the state has the DAO law, RSA 301-B; the Blockchain Basic Laws, RSA 359-V; and authority for a blockchain dispute docket, RSA 491:7-c (2024, 263; 2026, 131; 2026, 286). UNH is building the DAO registry (Chair, September 17), which will accept stablecoin payments for fees (§3.4).

It has people: all three LayerZero co-founders are UNH alumni (April 6). UNH's Interoperability Lab has discussed collaboration with Wyoming's Center for Blockchain (October 15, 2025), and Lab staff attended the Commission's April 6 meeting. It has a trust industry that draws firms from out of state: Fiserv's StoneCastle Trust Company, which holds cash only, chose New Hampshire after evaluating four states, in part because regulators understood its business model (Healey, September 17).

Law already on the books. The money transmitter law (RSA 399-G:3, VII; 2024, 368:1) exempts persons who sell or issue payment instruments or stored value solely in convertible virtual currency, or who receive it for transmission, subject to the Consumer Protection Act. The state adopted UCC Article 12 on controllable electronic records, conformed to the final uniform text, and its UCC defines money to exclude government currency in electronic form, so a central bank digital currency is not "money" under New Hampshire's commercial code (2022, 281; 2023, 236). RSA 359-C limits state access to financial records (§7.2). The state has no general sales tax, and its interest and dividends tax is repealed for taxable periods beginning after December 31, 2024 (RSA 77; Department of Revenue Administration).

8.2 Wyoming: what a state issuer looks like in practice

LayerZero called Wyoming's token "live in production (not a pilot)" (April 6). Reserve interest goes to the state (§5.1). The record contains no adoption figures and no revenue actually paid to the state. FRNT launched publicly on January 7, 2026 and was live on eight blockchains by August. On August 18, 2026 Wyoming moved FRNT's cross-chain infrastructure from LayerZero to Chainlink's CCIP, and on September 2, 2026 it added Chainlink Proof of Reserve, alongside The Network Firm's examinations [Outside the record: Kraken; Wyoming Stable Token Commission releases via PR Newswire, August 18 and September 2, 2026].

8.3 Tokenized real-world assets: where New Hampshire can lead

Tokenization records ownership of an existing asset, such as a Treasury bill, fund share, bond, or real estate, as a token on a blockchain. The Global Blockchain Business Council (GBBC) put tokenized RWAs above $10 billion

to $15 billion on chain in 2025, led by U.S. Treasuries, citing projections of $1 trillion to $3 trillion by 2030 (Barrero Zalles, October 15, 2025). The Chair later reported about $31 billion (May 4; §3.2).

Asset	Examples in the record	Source
Treasuries and money market fund shares	BlackRock BUIDL and Franklin Templeton BENJI; Ceres Coin, tokenized government money market fund shares proposed for state benefit programs	Chair, May 4; Chainlink, April 6; Ceres, January 14
Collateral and settlement	DTCC tokenizing Treasuries on the Canton Network under an SEC no-action letter; Lynq using a tokenized Treasury fund as settlement collateral for about 50 institutions	Canton, February 10; Lynq, May 13
Private markets and yield products	Plume's network of tokenized assets and vaults, open to U.S. users	Plume, October 15, 2025
Bonds	Hong Kong's grant covering half the cost of issuing tokenized bonds; municipal bonds sold in $20 units instead of $1,000	Plume, October 15, 2025; Whitlock, February 10
Real estate	Porcupine Properties, a New Hampshire LLC, plans to tokenize the equity in a real estate holding company, not the property itself	Whitlock, February 10

Table 8.1. Tokenized real-world assets in the Commission's record.

Most of what is tokenized is a legal claim, such as a fund share or LLC interest, and the law governing the claim still applies: "existing legal requirements don't disappear" (Barrero Zalles, October 15, 2025). In this report, tokenized real-world assets are tokens backed by assets such as real estate, commodities, Treasuries, or fund holdings; the report does not address markets in tokenized securities such as tokenized stocks (§2.5). New Hampshire community banks could trade tokenized deposits with one another on the Canton Network (Lascar, February 10), and Ceres Coin was described in discussion as essentially a stablecoin version of the state's Public Deposit Investment Pool (PDIP), the State Treasurer's investment pool for public funds (January 14).

Matt Whitlock of Porcupine Properties showed how tokenization could open New Hampshire real estate to small investors: the property sits in an ordinary LLC whose shares are issued as "Pine" tokens, with compliance enforced before transfers reach the chain (February 10). He also modeled a rent-to-own path that, on a $300,000 home, matched a 30-year mortgage at an effective rate of about 10.81% (his estimate). The model was theoretical, and it drew consumer-protection concerns from Senior Assistant Attorney General Garod and questions from the Banking Department about what happens when the model goes bad (see "What stands in the way," below). As written, the real estate transfer tax would probably treat every token trade as taxable (§4.3), as Figure 10 shows.

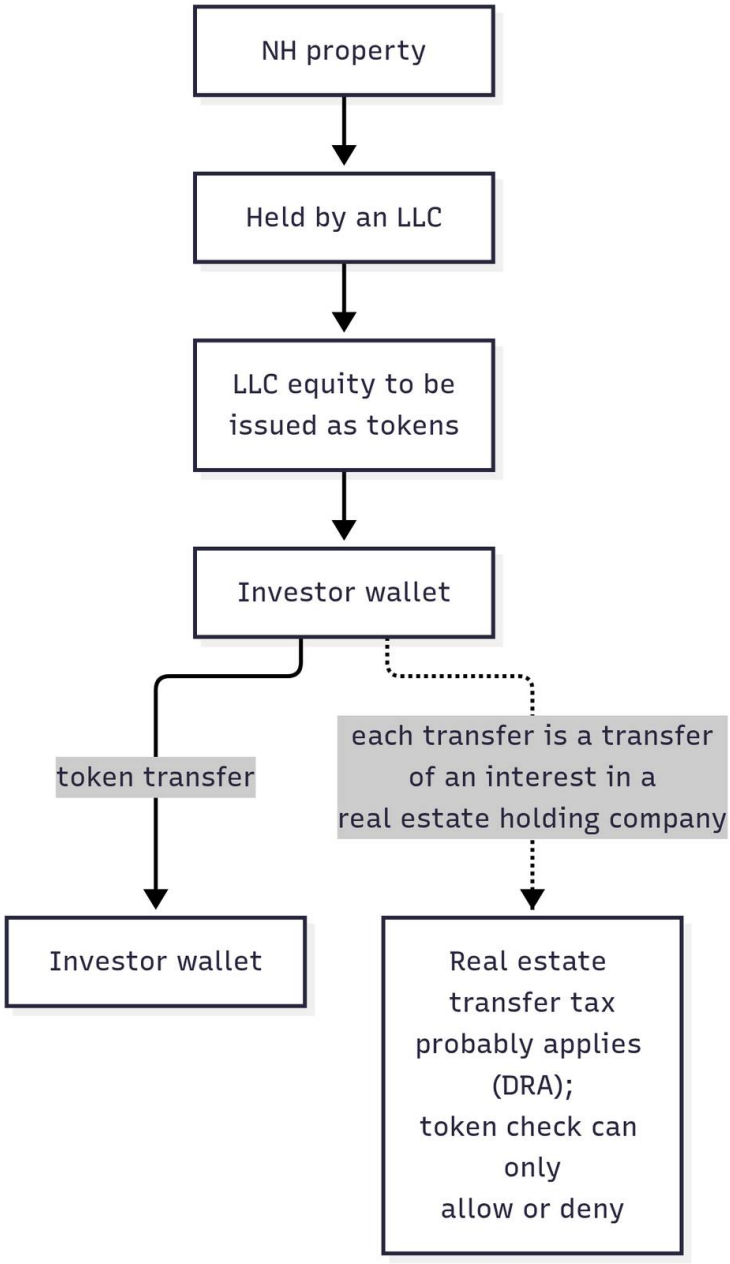


Figure 10. The tokenized real estate structure presented by Porcupine Properties, and where the transfer tax problem arises (Whitlock, February 10; DRA, October 15).

What New Hampshire already has. UCC Article 12 (§8.1) sets rules for who controls a digital asset and how it is transferred and pledged (2022, 281). The same act expanded the existing exemption of certain consumptive "open blockchain tokens" from parts of state securities law (RSA 421-B:1-102(35-a) and 421-B:2-202(25); 2017, 172; 2022, 281:82 to 83), and RSA 421-B governs a security whatever form its records take.

What presenters proposed. Plume Network recommended encouraging tokenized municipal bonds, as Hong Kong does; a Bermuda-style framework of bankruptcy-remote entities holding the asset behind each token; recognizing ledger-based shares, as Switzerland does; and accepting verified credentials in place of repeated

identity checks (October 15, 2025). Prof. Oranburg cited certificateless (uncertificated) tokenized shares, recorded only electronically with no paper certificate, as attractive to issuers (October 15, 2025).

What stands in the way. The real estate transfer tax (§4.3); consumer protection in retail real estate offerings (Garod, February 10) and failure scenarios such as bankruptcy, eviction, and a de facto mortgage (Banking Department, February 10); and the gap between a token and its asset, since not every feature reduces to digital fields (Parker Feld, May 4). Recommendation 8 addresses the first two, and its voluntary safe harbor for verifiable tokens addresses the third.

Verifying the backing. A token is only as good as the asset behind it, and the record shows tools for checking that link. Chainlink's proof-of-reserves service compares the tokens in circulation with the reserves held off chain, and its "Secure Mint" blocks minting beyond verified backing (April 6). Lynq issues its fund shares on a public chain for proof-of-reserves visibility (May 13). Two limits came out in the same discussions. Proof-of-reserves reads from the issuer's designated source of truth, such as the custodian, fund administrator, or bank (Cunningham, April 6), so it is only as reliable as that source. And Chainlink, which sells the service, said automated attestations are "substantially cheaper" than recurring third-party audits (April 6), which makes them a complement to audits, not a substitute. BitGo urged standard disclosures of reserve composition and audit or attestation frequency, and reserves held with qualified custodians (March 10). The Commission sought a briefing from The Network Firm, the proof-of-reserves provider for Wyoming's token, but no briefing took place (May 13).

No state or model law yet sets proof-of-reserves or audit standards for tokenized real-world assets. The nearest benchmarks govern stablecoins and custodians: the GENIUS Act requires a monthly public reserve report examined by a registered public accounting firm (12 U.S.C. 5903(a)(1)(C) and (a)(3)); New York's 2022 stablecoin guidance requires daily full backing, segregated reserves at approved custodians, and independent attestations (NYDFS guidance, June 8, 2022); California's Digital Financial Assets Law requires a licensee to hold enough of each digital asset to cover customers' claims, treats those assets as held in trust for customers in bankruptcy even if commingled, and requires audited annual financial statements above $2 million in California revenue and reviewed statements below it (Cal. Fin. Code 3503 and 3211; licensing required from July 1, 2026, Cal. Fin. Code 3201); Illinois's 2025 Digital Assets and Consumer Protection Act requires custodians to hold enough of each digital asset to cover customers' claims, segregate it, and not lend, pledge, or hypothecate it, and authorizes rules on audit requirements for customer assets (205 ILCS 731/5-10, P.A. 104-428, effective August 18, 2025); the EU's MiCA requires an independent reserve audit every six months for asset-referenced tokens (Regulation (EU) 2023/1114, Article 36); and the AICPA's 2025 Criteria for Stablecoin Reporting give accountants a common standard for these examinations [Outside the record: AICPA, March 6, 2025]. Recommendation 8 adapts these benchmarks to tokenized real-world assets as a voluntary safe harbor.

8.4 Community banks and programmable money

For New Hampshire banks, the opportunity is faster, programmable payments without losing the deposits that fund local loans. Commission member Jim Kisch gave an example of how a transfer could be held in a smart-contract escrow and released automatically once a lien waiver is acknowledged (September 17).

Myth vs. fact

Myth: A state needs its own state bank to run a bank token network. **Fact:** Healey said the Bank of North Dakota leads Roughrider, but "a state does not need its own state bank to run this model" (September 17).

The Commission received no independent estimate of jobs the industry would create. The only job figure in the record came from a party with a stake, and it counts jobs at risk, not new ones: 1,700 to 2,800 under Vantage's deposit-erosion scenario (Main, May 13; Table 4.1, §4.4).

8.5 Agentic commerce

Agentic commerce means software agents, often built on artificial intelligence, that find, buy, and pay for things on a person's behalf within limits the person sets. Blockchain payments let such agents pay very small amounts at machine speed: in a live demonstration, Schwab's agent paid a fraction of a cent for a web page (§7.1). Chainlink's Rowland Graus said verifiable on-chain agent activity "remains small" (September 17). Graus explained why: the on-chain environment is hostile, with constant spam and theft attempts; tooling is fragmented; mistakes are usually irreversible; and even a simple request, such as finding the best yield on a stablecoin, requires an agent to resolve the user's intent, compare options across protocols and chains, and build a correct transaction, while the user sees only the result. Guardrails such as spending limits and allow-lists remove most high-risk errors but cannot ensure an agent acts well within its permitted scope, a principal-agent problem. He expects agents to be tied to a human operator for legal reasons, inheriting the operator's identity credentials so they can buy regulated assets (September 17). The Chair described the task as putting a deterministic boundary around non-deterministic software (September 17). Members saw agentic payments as too new for specific recommendations and asked that the area be followed, including who is responsible for what an agent does (October 15; Recommendation 13). The tax burden Schwab described is federal: such a payment in New Hampshire triggers no state sales or personal income tax (§8.1), a point worth making to firms building agent payments. BitGo suggested treating stablecoin transactions as cash equivalents for state tax purposes (March 10); Recommendation 13 studies the business profits and business enterprise taxes.

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9. Blockchain-based trusts

This section answers RSA 383:26, I(a) to (d) as they apply to blockchain-based trusts.

9.1 Why trusts are in the mandate

New Hampshire is a trust-friendly jurisdiction: its Trust Code, RSA 564-B, allows self-settled asset protection trusts (§9.2), and its trust industry draws firms from out of state (§8.1). Huyett argued that recognizing blockchain-based trusts could extend that position, because a trust whose terms are carried out by code no one can alter would strengthen the protection such trusts offer and attract new trust business to the state (November 12, 2025). RSA 383:26 names blockchain-based trusts alongside stable tokens and RWAs, though the topic is trust and creditor law. Ian Huyett, who presented it (§9.2), noted that no other state's commission had taken it up (November 12, 2025).

9.2 Proposals made to the Commission

Attorney Ian Huyett, a New Hampshire Blockchain Council board member, presented an article co-authored with Brian Quirk (November 12, 2025). Self-settled asset protection trusts, recognized under RSA 564-B, rest largely on the "defense of impossibility": a court cannot hold a person in contempt for failing to do the impossible. Huyett's thesis is that a decentralized smart contract has no trustee and so no human "back door" (Figure 11). He cited the Cook Islands, where he said asset protection trust business is roughly one-third of GDP, as the value of being an early jurisdiction.

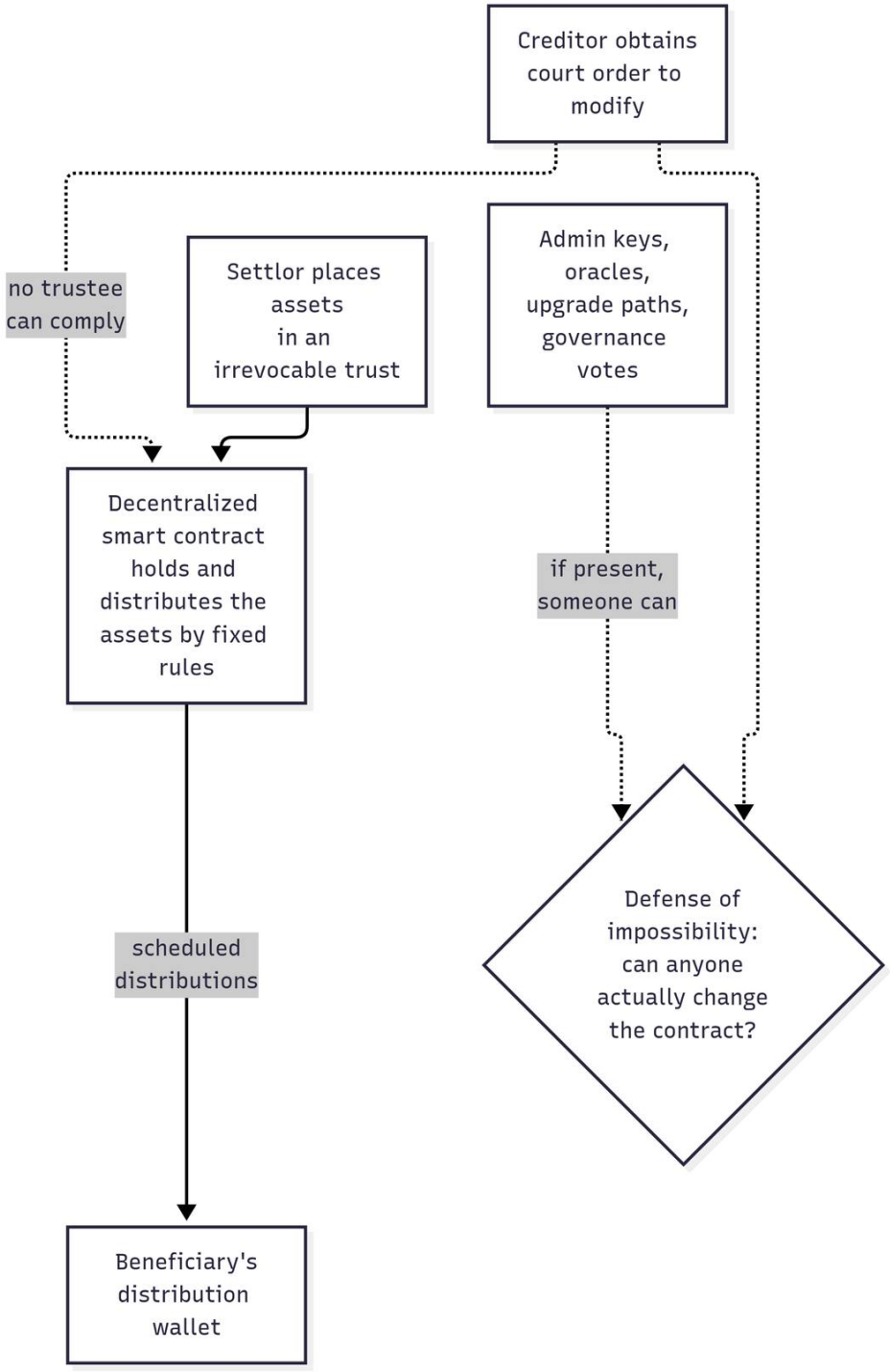


Figure 11. How a blockchain-based asset protection trust is meant to work, and the question a court would ask (Huyett, November 12, 2025). The right-hand path shows the weakness discussed in Appendix H.

He proposed jurisdiction over such trusts, spendthrift protection for qualifying smart contracts, a presumed impossibility defense, a statutory definition of a decentralized smart contract, and a blockchain docket (since enacted, §2.6). The draft language needs work (Appendix H). Federal law also limits it: a bankruptcy court can reach transfers to a self-settled trust made to hinder creditors within ten years before filing (11 U.S.C. 548(e)), and

a federal court has rejected a self-created impossibility defense (FTC v. Affordable Media, 179 F.3d 1228 (9th Cir. 1999)).

9.3 Commission position

Commission position (§9.3), as adopted

The Commission endorses further study of the concept of blockchain-based asset protection trusts as a promising extension of New Hampshire's trust leadership, and recommends that the draft be redrafted, placed in RSA 564-B, and reviewed by the Attorney General and the trust bar, for introduction no later than the 2028 session, resolving the points in Appendix H (Recommendation 12). *Alternatives considered:* endorse the draft for introduction as written; refer for further study without endorsement.

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10. Findings

This section states the Commission's findings under RSA 383:26, IV. Each is drawn from the sections cited.

Finding 1. Federal law now sets the terms for state action. The GENIUS Act, signed July 18, 2025, created a federal framework for payment stablecoins with a pathway for states (Chair, May 4). A state may supervise issuers under $10 billion only if certified "substantially similar," with initial submissions due January 18, 2028 (CSBS, March 10). (§3.3, §4.1)

Finding 2. The market is large and growing, though measured inconsistently. The Chair reported stablecoins growing from about $240 billion to about $322 billion, and tokenized real-world assets from about $8 billion to about $31 billion, each over about a year (May 4); figures vary by source and date, and none separates GENIUS-compliant tokens from others. (§3.2)

Finding 3. Tokens that look alike are legally different. Payment stablecoins, tokenized deposits, tokenized fund shares, and wrapped tokens differ in issuer, backing, regulator, and rights; "USD" in a name says nothing reliable about backing (BitGo, March 10). (§3.1, §7.1)

Finding 4. States are moving, along several models. CSBS identified four state models (March 10); Wyoming issues its own token (October 15, 2025), and North Dakota runs a bank-led closed network (Fiserv, September 17). Florida, Georgia, Alabama, and Maryland have since enacted stablecoin laws. (§5.1)

Finding 5. Bank-led designs can keep deposits local. Hazel (May 13) and the BankChain Alliance (September 17) keep value as tokenized deposits inside a bank network and handle value leaving it differently, and North Dakota's Roughrider Coin shows banks using a closed stablecoin network among themselves (Healey, September 17); the FDIC position, as reported, is that a tokenized deposit is a deposit (Main, May 13). (§5.2)

Finding 6. Deposit flight is the most-cited risk, and its size is uncertain. Interested parties estimated up to about $1.7 billion (American Bankers Association, as revised; cited at about $1.9 billion by the Chair, May 4, for the NH Bankers Association) and about $5 billion under a 10% erosion scenario (Vantage Bank, May 13); the Banking Department described the effect on its funding as a real and unresolved question, according to the approved May 13 minutes, and later said its greater concern is fewer state-chartered choices for consumers (October 15). (§4.4)

Finding 7. A state token could compete with community banks for deposits; bank-led designs show how the two can work together. A state token earns revenue by drawing dollars into reserves, while bank-led designs aim to slow deposit migration (Mike Dennehy, May 13; §11.2). In North Dakota, the state bank and about 92 community institutions work in one closed network (Fiserv, September 17), and designs that convert a tokenized deposit to a stablecoin only when value leaves a bank network bridge the two forms (Hazel, May 13; Fiserv, September 17). (§11.2)

Finding 8. Retail holders depend on markets, not redemption. Redemption at par is typically an institutional right; retail holders sell on secondary markets that depend on market makers (BitGo, March 10). (§3.1, §7.1)

Finding 9. Privacy is a design choice, and New Hampshire's Constitution speaks to it. Every public blockchain transaction is permanently traceable (Anchorage, January 14; Elliptic, August 19), and federal law requires issuers to be able to freeze or seize tokens (Circle, August 19). Article 2-b of the state Constitution protects the right "to live free from governmental intrusion in private or personal information." (§7.2)

Finding 10. Whoever holds the keys controls the token. Freeze, recall, and administrative functions protect consumers but are single points of failure (§3.1, §7.4). The March 2026 Resolv USR failure, caused by a compromised minting key, illustrates the risk (§7.4).

Finding 11. Tokenized real-world assets fit existing law, and New Hampshire can be a home for them. The examples tokenize legal claims that existing law governs; the one statutory barrier found is the real estate transfer tax on each token transfer (Whitlock, February 10). Other jurisdictions have acted to attract issuers (Plume, October 15, 2025), and New Hampshire has UCC Article 12. Tools to verify that a token is backed by what it claims, such as on-chain proof-of-reserves and minting limits, exist and are in use (Chainlink, April 6; Lynq, May 13), but a proof is only as good as its data source, and no state or model law yet sets a standard for tokenized real-world assets. (§4.3, §8.3)

Finding 12. Blockchain-based trusts are novel and promising, and the proposal needs refinement. The draft needs further work, and its premise depends on contracts no person can alter (§9).

Finding 13. New Hampshire has foundations to build on: blockchain statutes, a trust industry, and UNH talent. It has a DAO law, authority for a blockchain docket, self-custody protections, a money transmitter exemption, UCC Article 12, a financial privacy statute, a trust industry, and university talent, including UNH's Interoperability Lab (§2.6, §8.1).

Finding 14. Some questions were not answered. The Commission received no briefing on algorithmic stablecoins (flagged January 14 and February 10), the deferred SoFi presentation (April 6, May 4), or Chainlink's follow-up on oracle liability (April 6), and took no evidence on markets in tokenized securities (§2.5). Liability for smart-contract and AI-written code failures is unsettled (§7.1, §11.3).

Finding 15. Network effects reward scale and connection. A payment network becomes more useful as more people and businesses accept it; a small state can gain scale through shared bank networks (September 17) and interoperability across issuers and states (BitGo, March 10; LayerZero, April 6). A consortium of states could create significant network effects (§4.5).

11. Reasons for action

Answers RSA 383:26, IV (findings and recommendations), and supplies the Commission's net assessment under I(d).

Since the 2022 Commission reported, federal law has invited states to supervise stablecoin issuers, with an initial certification deadline of January 18, 2028 (CSBS, March 10; §4.1), and other states are already acting (§5.1). As the Digital Chamber put it, "the rules of the road are now being written in the states" (November 12, 2025).

11.1 What is at stake

- **Community banks and the Banking Department.** "We can't lend if we don't have deposits," Healey quoted Andrew Silsby of Kennebec Savings Bank as saying (September 17). Deposit loss would also reduce the bank payments that help fund examination, a question the Department described as real and unresolved, according to the approved May 13 minutes; on October 15 it said the greater effect would fall on consumers, through fewer state-chartered banks. The deposit-flight figures come from interested parties, but no presenter disputed the direction of the risk (§4.4).
- **Prosperity and the trust industry.** Finance is moving onto digital rails, and New Hampshire's trust companies already serve national firms (Healey, September 17).
- **Consumers.** Retail holders cannot redeem at par with the issuer and rely on secondary markets that can fail under stress (Hahr, BitGo, March 10).
- **Privacy.** Every blockchain transaction leaves a permanent, traceable record (Elliptic, August 19).

11.2 The structural conflict

Mike Dennehy, a lobbyist with Dennehy-Bouley, flagged "a structural conflict" at the close of the May 13 meeting: a state-issued stable token "would on the issuer side want maximum stablecoin adoption to generate state revenue, while the bank-led tokenized-deposit thesis (Vantage / Hazel) wants the opposite" (May 13). A Wyoming-style token earns revenue only as dollars leave bank deposits for its reserves, so the state's revenue would partly be its banks' loss.

The bridge is the handoff design in bank-led networks such as Hazel and Fiserv's multi-bank tokenized deposit (§5.2): inside the network a token is a tokenized deposit, and when value leaves, the system "burns the tokenized deposit, and issues a stablecoin, in real time and without swaps" (Healey, September 17). That is why §12 accommodates both forms and defers a state-issued token to study rather than rejecting it.

In North Dakota, the state-owned Bank of North Dakota leads a closed network of about 92 banks and credit unions, which Healey described as keeping dollars on deposit at participating institutions (September 17). New Hampshire has no state bank, and the Chair has said one is not practical (§12.6). Here the banks lead, through the BankChain Alliance or a network they form; the State clears the way and has no role in a network's governance, membership, or choice of vendor (Recommendation 4).

The honest trade-off: a licensed private issuer also draws dollars from bank deposits, and a state license may lend legitimacy, so a framework may modestly increase stablecoin use. The Commission accepts that: residents already buy stablecoins supervised elsewhere, and Banking Department licensees handled about $1 billion in crypto money transmission in one quarter of 2024 (Moranti, January 14; clarified October 15). Supervised issuance under New Hampshire's rules is better than unsupervised use of out-of-state tokens, and Recommendation 4's deposit monitoring will test that judgment.

11.3 Answering the skeptical case

Dr. Karen Parker Feld asked "what problem are we trying to solve?" across six areas, and Sen. Reardon urged a focus on the legitimate role of state government, where state action can reach (May 4).

1. **Blockchain: records and chains.** A state cannot govern a public network's consensus, but it can govern the issuers it licenses; Wyoming screened chains against about 30 criteria and reviews them quarterly (October 15, 2025). *Where the case is weak:* base-layer governance stays outside state reach.
2. **Smart contracts: conditions and liability.** Controls exist: audited contracts (Main, May 13), issuance blocked if any control fails (Healey, September 17), and IT and third-party risk examination (Shrago, March 10). *Where the case is unproven:* oracle liability, which Chainlink referred to its lawyers (April 6), and AI-written code; both go to study (Recommendation 13).
3. **Stablecoins: freezes, seigniorage, community banks.** The freeze capability is a federal requirement the state cannot remove, and the "lawful order" it answers is a federal order only (Circle, August 19; GENIUS Act section 2(16)). A state freeze needs state process, on the showing Recommendation 9 sets; Recommendation 3 sets issuers' rules. Issuers may not pay yield, so reserve income goes to the issuer unless the issuer is public, as in Wyoming (Recommendation 13). Recommendation 4 addresses community banks. Dollarization abroad is beyond state reach.
4. **Programmable money: conditionality, expiration, geofencing.** These capabilities exist (§6), and freeze controls belong to particular contracts, not blockchains. Recommendation 9 bars state agencies from attaching expiration dates or location limits to residents' money and guarantees a non-token way to deal with the state.
5. **Real-world assets: not every asset reduces to digital fields.** Agreed. The RWAs in the record tokenize legal claims (LLC equity, fund shares) under existing securities law (Whitlock, February 10). The Commission proposes no new RWA licensing statute (§12.7); Recommendation 8 removes the transfer tax barrier (§12.2).
6. **Tokens: custody and title.** New Hampshire already protects self-custody (RSA 359-V:2), and Recommendation 2's disclosures cover custody. *Where the case is weak:* that investors hold claims rather than title is a feature of national securities markets a state cannot resolve.

Her requests about process (an open record, no "Wall Street timeline," a citizen opt-out; May 4) are met by an open process, phased recommendations, and Recommendation 9.

11.4 Net assessment

New Hampshire should act, not because the benefits are proven but because federal law rewards states that build a certifiable regime. Doing nothing leaves the deposit risk in place and residents using stablecoins supervised by other jurisdictions, which tokenized deposits alone cannot change (§12.6). The case is weakest on government use of programmable money, smart-contract liability, a state token's revenue, and whether issuers will choose a New Hampshire charter (§12.1): the Commission recommends restraint and study on the first three, and features that draw issuers on the last.

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12. Recommendations

Answers RSA 383:26, I and IV. Each recommendation below ends with a summary as adopted by the Commission on October 29, 2026, with the alternatives the Commission considered. Committees are listed only as possibilities; referral is for the Speaker of the House and the President of the Senate.

The recommendations aim where the record shows New Hampshire can lead. They form four bills for the 2027 session and a plan for the work after; drafting detail is in Appendix J, and Figure 12 shows the timeline.

No.	Recommendation	Vehicle	Responsible actor
1	Certifiable issuer framework	Bill A	General Court; Banking Department
2	Protections beyond the federal floor	Bill A	General Court; Banking Department
3	Clear rules for monitoring, freezing, and reversing tokens	Bill A	General Court; Banking Department
4	Tokenized deposits	Bill A	General Court; Banking Department
5	A safe harbor and binding answers for builders	Bill A	General Court; Banking Department; Bureau of Securities Regulation
6	An independent Office of Financial Innovation	Bill D	General Court
7	Supervisory structure and federal partnerships	Bill A	General Court; Banking Department; Bureau of Securities Regulation
8	A home for tokenized real-world assets	Bill B	General Court; Department of Revenue Administration; Bureau of Securities Regulation
9	Privacy in digital money, and limits on a retail CBDC	Bill C	General Court
10	One body to carry the work forward	LSR 2027-0239 or session law	General Court
11	Federal engagement and interstate cooperation	Agency action	Banking Department; Bureau of Securities Regulation
12	Blockchain-based trusts: study and redraft for the 2028 session	Legislation, after review	Body under No. 10; Attorney General; trust bar
13	Further study	Session law or the body under No. 10	Body under No. 10; State Treasury; Office of Financial Innovation

12.1 Bill A: certification and consumer trust

Possible committees: House Commerce and Consumer Affairs; Senate Commerce. Passing Bill A in 2027 is preferable; a conditional certification by January 18, 2028 meets the federal deadline (§4.1).

Recommendation 1. A certifiable state issuer framework, on time. The Banking Department should license and supervise state qualified payment stablecoin issuers under a new chapter written to be certified as "substantially similar" under GENIUS section 4(c), covering licensing, reserves, redemption, disclosures,

examination, fees, enforcement, receivership, and rulemaking, on the regulator delegation model (§5.1) that CSBS said Treasury encourages (March 10). Four features would make it competitive:

- **On time.** Effective on passage, with interim rules adopting the federal standards by reference, so the Department can file a conditional certification as soon as Treasury accepts filings and a complete one once its rules are adopted (§4.1). The 2027 session is preferable.
- **Nationwide reach.** Authorize the cooperative agreements that let a New Hampshire licensee operate in other states without their licenses, and keep an issuer that grows past $10 billion chartered in New Hampshire under joint supervision (§4.1).
- **Trust companies eligible.** A New Hampshire trust company that is not FDIC-insured, or a limited-purpose trust company subsidiary, may apply (drafting detail in Appendix J).
- **Fast, funded licensing.** A decision on a substantially complete application within 120 days, matching the federal clock, with approval deemed if none is made; and licensing and examination fees set by the Banking Department, which would be expected to cover costs (Moranti, October 15), with no bank assessment money (drafting detail in Appendix J).

Recommendation 1 should be carried in LSR 2027-0200 (§3.4), the stablecoin licensing framework already filed for 2027. *Rationale:* certification is the only lever GENIUS gives states, and with no issuer telling the Commission it would seek a New Hampshire charter and Fiserv viewing an OCC-chartered bank as currently best suited to issue (Healey, September 17), these features are what would draw issuers.

> **Recommendation 1, as adopted**
>
> Enact a Banking Department issuer framework designed for certification on time. Do not create a state-issued token now; study it instead (Recommendation 13). *Alternatives considered:* Wyoming-style state issuance now; virtual-currency licensing (New York model); special purpose depository institution model; relying on tokenized deposits alone (§12.6). *Banking Department position:* the Department proposed the 120-day period and the fee approach, and asked that the summary not restate features already in its proposal.

Recommendation 2. Protections beyond the federal floor. New Hampshire should exceed the federal minimum in six ways:

- **Redemption for every holder.** Any holder, not only large institutions, may redeem at par within a fixed period, with fees capped and minimums limited (Finding 8; BitGo, March 10).
- **Reserve safety.** Limit the share of reserves held at any single bank, require public reserve reports at least monthly, and require each issuer to keep a resolution plan (drafting detail in Appendix J).
- **Plain disclosure.** Label products sold to residents as "stablecoins" by type (§3.1), with point-of-sale disclosures on reserves, attestation frequency, custody of reserves and keys, the absence of FDIC insurance, and secondary-market redemption risk (Hahr and Oranburg, March 10). The Department should pursue a uniform label through CSBS. The duty falls on issuers and platforms selling to residents, not on non-custodial software (drafting detail in Appendix J).

- **A compliance mark.** Let a stablecoin that is GENIUS-compliant and meets New Hampshire's standards display a mark, such as a check, so consumers can tell it apart from tokens that do not (Oranburg, March 10; members, October 15).
- **Who may sell to residents.** Bar digital asset service providers serving New Hampshire residents from offering a payment stablecoin unless it is issued by a state-licensed, federally licensed, or registered foreign issuer, using the GENIUS term "digital asset service provider" (Scott, Circle, October 15; §4.1).
- **A privacy floor.** Issuers collect no customer data beyond what federal law requires, may not sell or make secondary use of transaction data, and must publish their data practices. Federal financial privacy law permits states to give consumers greater protection (15 U.S.C. 6807).

Rationale: states keep authority over additive consumer protection (Circle, August 19), and protections a consumer can see are a reason to choose a New Hampshire token.

Recommendation 2, as adopted

Require New Hampshire issuers to exceed the federal floor: par redemption for every holder with capped fees, limits on reserve concentration with monthly public reserve reports and a resolution plan, plain point-of-sale disclosure with a compliance mark, a limit on which stablecoins service providers may offer residents, and a privacy floor. *Alternatives considered:* adopt the federal standards only; require par redemption only above a minimum amount; drop the privacy floor and rely on federal financial privacy law; omit the compliance mark.

Recommendation 3. Clear rules for when a token can be monitored, frozen, or reversed. Every payment stablecoin issued by a New Hampshire licensee, and any token the State itself might issue, should operate under statutory rules that say when, by whom, and on what showing a token or wallet may be monitored beyond the public ledger and required identity checks; frozen or locked; seized or burned; or recalled or reversed.

- **Legal basis.** Each action needs one: a state warrant or court order for any action taken at the State's request (Recommendation 9); a lawful federal order; the issuer's federal anti-money-laundering and sanctions duties; or a narrow, published policy for correcting errors and recovering stolen or wrongly minted tokens (drafting detail in Appendix J).
- **Due process.** The holder gets notice, a prompt way to contest the action and have it lifted, and time limits on temporary holds, except where federal law forbids disclosure or governs release (drafting detail in Appendix J).
- **Transparency.** Each issuer and the Banking Department report yearly, in aggregate, how many actions were taken and on what grounds, and issuers publish their terms in plain language before a person buys or receives a token.
- **Safe harbor.** An issuer that follows these rules is not liable to holders under state law for the action.
- **Supervision preserved.** Nothing in these rules limits the Bank Commissioner's examination, enforcement, or receivership authority.

The rules apply to payment stablecoins issued by licensees, not to governance tokens, consumptive tokens, or non-custodial software. *Rationale:* the controls already exist in nearly every token in the record (Fiserv, September

17; §7.1), and rules written in law supply the trust the industry sees as the main gap to adoption (Graus, September 17), as Wyoming presents its court-order rule (Apollo, October 15, 2025).

Recommendation 3, as adopted

Put statutory rules for monitoring, freezing, seizing, and recalling tokens in Bill A, with the legal bases, due process, transparency, safe harbor, and supervisory carve-outs above. *Alternatives considered:* leave these actions to each issuer's terms of service, subject to federal law; allow state-requested actions on administrative process without a court order.

Recommendation 4. Tokenized deposits. No new statutory definition is needed: a New Hampshire bank's tokenized deposit is a deposit under the existing definition (RSA 383-A:2-201(a)(18)), which follows the FDIC's, and the FDIC's position as reported is that "a deposit is a deposit" (Main, May 13). The Banking Department should confirm this in guidance for state-chartered banks that issue tokenized deposits or join shared networks such as the BankChain Alliance, of which the New Hampshire Bankers Association is a member (Merrill, September 17) (drafting detail in Appendix J). State agencies may use bank-led networks for state payments where that saves money; the State should have no role in a network's governance, membership, or choice of vendor. The Department should report deposit trends quarterly, with a voluntary supplement from banks on outflows to stablecoin platforms, to test the estimates in §4.4. *Rationale:* community banks carry the deposit-flight risk (§4.4), and shared bank-led networks let them compete at scale (§4.5, §5.2, §11.2).

Recommendation 4, as adopted

Rely on the existing definition of deposit, direct Banking Department guidance confirming that tokenized deposits are deposits, and quarterly deposit reporting, and give the State no role in a bank network's governance, membership, or vendor choice. *Alternatives considered:* define "tokenized deposit" by statute; give the State a governance role in a bank-led network. *Banking Department position:* the Department opposes any statutory change to the definition of deposit that is out of alignment with the FDIC. New Hampshire defines "deposit" by reference to the federal definition (RSA 383-A:2-201(a)(18)), and the FDIC has proposed that a tokenized product meeting the federal definition is a deposit, insured like any other, with technology not a factor (FDIC notice of proposed rulemaking, approved April 7, 2026, 91 FR 18534, April 10, 2026; not yet final). At the Department's request, the statutory element has been removed.

Recommendation 5. A safe harbor and binding answers for builders. A "builder" is a person who writes code or creates a protocol or product for digital assets (October 15); the statute should define the term by the activities below.

- **Safe harbor.** No person should be treated as an issuer, money transmitter, or custodian under the new chapter or RSA 399-G solely for developing, publishing, or maintaining software, or for providing an interface through which users direct their own digital assets, if the person cannot move a user's assets on its own; and no person should be treated as an issuer or custodian under the new chapter solely for operating a node or validator. RSA 359-V:3, III already exempts node operation from money transmitter licensing under RSA 399-G, so the safe harbor extends that protection to the new chapter rather than repeating it.

- **The existing exemption.** The new chapter should not narrow RSA 399-G:3, VII, which exempts transfers of convertible virtual currency from money transmitter licensing, as it applies to builders (§8.1) (drafting detail in Appendix J).
- **Binding answers.** The Banking Department and the Bureau of Securities Regulation should answer a complete request for a no-action or interpretive letter within 60 days.
- **A sandbox.** The General Court should revisit a regulatory sandbox for activities outside the issuer chapter, such as tokenized-asset pilots, agent payments, and deposit-token networks.

Rationale: without the CLARITY Act, builders have no federal statute to point to (§4.1), so a state statute and regulators who answer on a deadline would set New Hampshire apart.

Recommendation 5, as adopted

Enact the builder safe harbor, preserve RSA 399-G:3, VII as it applies to builders, require 60-day answers to no-action and interpretive requests, and revisit a regulatory sandbox. *Alternatives considered:* rely on case-by-case guidance without a statutory safe harbor; omit the 60-day deadline; defer the sandbox to further study; narrow the RSA 399-G:3, VII exemption by transaction volume, or refer the exemption to study. *Banking Department position:* preserving the exemption conflicts with the Department's discussions with the Chair about a proposal to narrow it based on transaction volume.

Recommendation 7. Supervisory structure and federal partnerships. Bill A should name the Banking Department as the State payment stablecoin regulator and authorize the federal relationships certification needs: Federal Reserve Board examination participation and information sharing; joint supervision above $10 billion; arrangements letting New Hampshire trust companies hold reserves and private keys for issuers chartered anywhere; cooperative agreements with other states; and contract examiners and CSBS networked supervision (drafting detail in Appendix J). The Bureau of Securities Regulation keeps tokenized securities under RSA 421-B; for federally registered funds, such as tokenized money market fund shares, its role is notice filings and antifraud enforcement. Crypto-backed securities and tokenized securities are not for the Banking Department (members, October 15). *Rationale:* the Chair posed the supervisory question (May 4), and GENIUS draws the same line, treating payment stablecoins as neither securities nor commodities (Circle, August 19).

Recommendation 7, as adopted

Banking Department as the State payment stablecoin regulator; Bureau of Securities Regulation for tokenized securities; the federal agreements above. *Alternatives considered:* Banking Department alone; Bureau of Securities Regulation alone; a new digital asset authority (Wyoming's direction, October 15, 2025).

12.2 Bill B: tokenized real-world assets

Possible committees: House Ways and Means and Commerce and Consumer Affairs; Senate Ways and Means and Commerce.

Recommendation 8. A home for tokenized real-world assets.

- **Transfer tax.** Amend RSA 78-B so that an interest in a real estate holding company is taxed only when a person, or a group acting together, acquires a controlling interest, at a threshold the Department of Revenue Administration recommends with a revenue estimate (Whitlock proposed more than 25%, February 10); DRA's revenue data is in §4.3.
- **On-chain registers.** Provide that an entity's records may be kept on a blockchain, that an entry on a ledger the entity designates as its official register counts as registration and delivery under UCC Article 8, and that an LLC may elect Article 8 treatment for interests so registered (drafting detail in Appendix J). Plume recommended recognizing ledger-based shares (October 15, 2025). This applies only to an entity's own ownership records, at the entity's election; it does not reach public land records, such as registries of deeds, or any person's bank account.
- **Securities guidance.** The Bureau of Securities Regulation should engage in further study of how RSA 421-B applies to tokenized securities, including small and intrastate offerings for New Hampshire real estate tokens, and, if necessary, publish guidance (drafting detail in Appendix J).
- **A safe harbor for verifiable tokens.** Create a voluntary standard. A tokenized real-world asset offered to New Hampshire residents or issued by a New Hampshire entity that meets it, and is not registered with the SEC, would be presumed to give adequate disclosure of its backing under RSA 421-B, and could say that it meets the New Hampshire standard. Issuers that do not opt in remain fully subject to existing law. The standard has six parts (drafting detail in Appendix J): (1) a defined legal link, stating what the holder owns and how it is enforced, with the asset held in a segregated, bankruptcy-remote entity (Plume, October 15, 2025); (2) for tokens backed by liquid assets, daily reconciliation, a public on-chain proof-of-reserves fed by the custodian or fund administrator rather than the issuer, and minting limited to verified holdings (Chainlink, April 6); (3) a monthly independent accountant's examination of the backing, and annual audited or reviewed financial statements above a size threshold; (4) an independent smart-contract audit before launch and after any upgrade, with disclosure of every administrative key, upgrade path, and freeze power and who holds it (§7.4); (5) for illiquid assets such as real estate, disclosure of valuation method, frequency, data sources, and fallback, and of title and lien status; and (6) a requirement that any tokenized asset the State Treasury, the Business Finance Authority, or a state fund holds or accepts meet parts 1 to 4.

Rationale: the transfer tax is the record's one concrete statutory barrier to tokenized real-world assets (§4.3), since a token's compliance check can allow or deny a transfer but cannot collect a tax (Whitlock, February 10). The safe harbor answers the other question buyers will ask, whether a token is backed by what it claims (§8.3). A voluntary standard rewards issuers who prove their backing without creating a licensing regime the record does not support (§12.7), and lets New Hampshire set the first state benchmark for tokenized real-world assets.

Recommendation 8, as adopted

Enact Bill B: a change-of-control test for the real estate transfer tax, recognition of on-chain registers under UCC Article 8 with an LLC opt-in, Bureau of Securities Regulation study of tokenized securities, with guidance if necessary, and a voluntary safe harbor for verifiable tokens. *Alternatives considered:* leave the transfer tax unchanged; identify the transfer tax issue for further study, using Department of Revenue Administration data, rather than propose a threshold now (October 15); exempt token transfers from the transfer tax entirely; rely on existing corporate records law without an Article 8 opt-in; make the proof-of-reserves and attestation parts mandatory for tokens sold to retail buyers as backed by liquid assets; or omit the safe harbor.

12.3 Bill C: privacy in digital money

Possible committees: House and Senate Judiciary. Bill C stands apart from Bill A so that debate over law enforcement access cannot delay certification.

Recommendation 9. Privacy in digital money, and limits on a retail CBDC. Bill C should build on Article 2-b (§7.2) and the Right to Privacy Act, RSA 359-C:

- **Coverage.** Extend RSA 359-C to stablecoin issuers, digital asset custodians, exchanges, and money transmitters holding residents' transaction records, to the extent they are not already covered as financial institutions, so tokenized deposits and stablecoins are protected alike.
- **The showing.** Require a search warrant or court order before a state agency obtains a person's transaction records from any of them, or buys the same data from an analytics firm or data broker. Keep RSA 359-C's existing exceptions and add consent and emergencies, with an order sought promptly afterward (drafting detail in Appendix J).
- **State freezes.** A New Hampshire agency may freeze or seize a token only through state legal process, such as a warrant, attachment, or forfeiture. The GENIUS freeze mandate answers only federal orders (§11.3).
- **Remedies and reporting.** Provide suppression of evidence obtained in violation, damages and fees, and an annual report from every state agency on requests, orders, and freezes.
- **CBDC.** No state agency may issue, promote, pilot, or require use of a retail central bank digital currency, or condition a payment or service on its use (definition in Appendix J). This does not bar acceptance, which would conflict with payment choice.
- **Payment choice.** Where a state agency accepts or pays in tokens, residents must have a non-token alternative; none may be required to hold a digital wallet or digital ID to receive a state payment or service; and state payments may not carry expiration dates or location limits beyond existing program law.

Rationale: Parker Feld asked for a citizen opt-out, which the Chair endorsed under the principle "privacy in the private sphere, transparency in the government sphere" (May 4; §7.2), and Wyoming paired its token with a CBDC prohibition (October 15, 2025).

Recommendation 9, as adopted

Adopt Bill C on the base of RSA 359-C, with a warrant or court-order standard and the exceptions listed. *Alternatives considered:* keep "legal process," which includes administrative subpoenas, as the standard; write a separate digital-money privacy chapter; make no CBDC provision.

12.4 Bill D: Office of Financial Innovation

Possible committees: to be determined. The Office is proposed as its own bill so that it does not ride on the certification bill; LSR 2027-0200 does not include it.

Recommendation 6. An independent Office of Financial Innovation. The General Court should establish a small Office of Financial Innovation as an independent agency, administratively attached to the Department of Administrative Services, led by a director appointed by the Governor and Council and advised by a board (drafting detail in Appendix J). The Office would be the state's single point of contact for digital finance: the first stop for firms, coordinator of the agencies in the field, adviser to the Governor and the Legislature, staff to the body under Recommendation 10, and intake point for the requests in Recommendation 5. It would have no licensing or supervisory power. A modest appropriation, later supplemented by fees, would fund it; no bank assessment money would. The model is the Office of Energy Innovation. *Rationale:* digital finance touches at least five state agencies, two of them absent from the Commission's membership (Moranti, December 10, 2025), and an independent office keeps the state's promoter and its supervisors separate.

Recommendation 6, as adopted

Establish an independent Office of Financial Innovation, administratively attached to the Department of Administrative Services, advisory and coordinating only. *Alternatives considered:* place the office in the Banking Department, the Department of Business and Economic Affairs, or the State Treasury; carry the Office in Bill A rather than a separate bill; rely on the body under Recommendation 10 alone; create no office.

12.5 Continuing work and agency action

Recommendation 10. One body to carry the work forward. RSA 383:26 is repealed on November 1, 2026; the work should have one owner. If LSR 2027-0239, "establishing a task force to study emerging technologies and digital innovations in the areas of blockchain, cryptocurrency, artificial intelligence, and cybersecurity" (Rep. John Schneller) (§3.4), is introduced as a bill, the General Court should charge its task force with this agenda: progress toward certification (Recommendation 1), oversight of the trusts redraft (Recommendation 12), and the studies in Recommendation 13; if not, it should establish a successor body with similar membership. Either body should include the State Treasurer and the Department of Revenue Administration (Moranti, December 10, 2025), report by fixed dates, and be staffed by the Office (Recommendation 6).

Recommendation 10, as adopted

Ask that the task force proposed in LSR 2027-0239 carry this agenda, or establish a successor body if it does not advance. *Alternatives considered:* a separate successor body regardless of LSR 2027-0239; no successor.

Recommendation 11. Federal engagement and interstate cooperation. The Banking Department and the Bureau of Securities Regulation should consider commenting on Treasury's certification rule by November 30, 2026 (91 FR 61688) and in other federal rulemakings, and should tell the public where federal comment periods are announced, since anyone may comment directly (October 15): proposed federal rules and their comment deadlines are published in the Federal Register (federalregister.gov), and most can be commented on at regulations.gov. They should also ask Treasury to confirm that Recommendation 9 does not count against substantial similarity, seek a pre-filing consultation, and track SEC and CFTC rulemaking and the CLARITY Act (September 17 action item). The Banking Department should explore shared examination and token interoperability with CSBS and New England regulators. If states form a consortium, for example through interstate compacts, it could create significant network effects (§4.5); New Hampshire should monitor it and may want to be an early participant, after study and due diligence. *Rationale:* Wyoming plans interstate compacts (October 15, 2025), and Lynq's advice was "don't go it alone" (May 13).

Recommendation 11, as adopted

Consider commenting on Treasury's rule by November 30, 2026 and later federal rulemakings, with public notice of comment periods; explore interstate arrangements with CSBS and New England states; monitor any state consortium or compact and join early if study and due diligence support it; no compact legislation now. *Alternatives considered:* propose a compact now; take no position.

Recommendation 12. Blockchain-based trusts: redraft for introduction no later than the 2028 session. The Commission endorses further study of Ian Huyett's concept (November 12, 2025); he noted that no other state's commission had taken up the subject (§9.1). The body under Recommendation 10 should oversee a redraft amending RSA 564-B:5-505A, with Attorney General and trust bar review, resolving the points in Appendix H.

Recommendation 12, as adopted

Endorse further study of the concept; redraft in RSA 564-B with Attorney General and trust bar review, for introduction no later than the 2028 session. *Alternatives considered:* endorse the draft for introduction as written; refer for study without endorsement.

Recommendation 13. Further study. The body under Recommendation 10 should take up (drafting detail in Appendix J):

- **A state token.** The State Treasury, with the Banking Department and the Department of Revenue Administration, should study a Wyoming-style token (§11.2).
- **A tokenized municipal bond pilot,** in two phases, led by the New Hampshire Municipal Bond Bank and the State Treasurer (Plume, October 15, 2025; Whitlock, February 10).

- **A special purpose vehicle framework** for holding the asset behind a token in a segregated, bankruptcy-remote entity (Plume, October 15, 2025).
- **Tokenized money market fund shares** for state cash management, including the Public Deposit Investment Pool.
- **Markets in tokenized securities.** Tokenized stocks and other securities and the venues that trade them, including venues under the SEC's Innovation Exemption (§2.5), which the Commission did not study (Oranburg and Taylor, October 29, 2026).
- **Open questions:** liability for oracle, smart-contract, and AI-written code failures (April 6; May 4); agent transactions; algorithmic stablecoins (January 14; February 10); business tax treatment of stablecoins and reserve income (March 10); and tokens that combine payment and asset features (October 15).

Recommendation 13, as adopted

Assign these studies to the body under Recommendation 10, with the lead agencies named above. *Alternatives considered:* drop the state token study; drop the study of tokenized money market fund shares and the Public Deposit Investment Pool, as the Banking Department asks; begin a tokenized municipal bond pilot now rather than study it; let the questions lapse with RSA 383:26.

12.6 Considered and not recommended

- **A state-issued token now.** The structural conflict (§11.2), unproven revenue, and start-up burden argue for study first (Recommendation 13).
- **No statute, relying on tokenized deposits alone.**
- **A state bank.** Not practical, said the Chair, and unnecessary for a Roughrider-style network (Healey, September 17).
- **The trusts draft as written** (§9; Recommendation 12).

The no-statute baseline (§12.6), as adopted

Do not adopt the no-statute baseline. Confirm by guidance that bank tokenized deposits are deposits under existing law (Recommendation 4), but enact Recommendation 1. Relying only on tokenized deposits would let the January 18, 2028 certification window pass, leaving issuers no New Hampshire option and residents' stablecoins under other jurisdictions' rules. *Alternative considered:* rely on tokenized deposits under existing law and revisit after 2028.

12.7 Statutory elements with no new legislative recommendation

- **Environmental protection (I(e)).** No new mechanism is needed. The frameworks recommended here regulate issuers, reserves, and records, not consensus methods; the smart-contract networks used for stablecoins and tokenized assets tend to use consensus mechanisms other than proof-of-work; and RSA 359-V:3 already protects node operation and staking from prohibition and exempts mining and node operation from money transmitter licensing (§7.3).

- **Tokenized RWAs (I(b), (d)).** No new licensing statute: the RWAs in the record are securities or LLC interests already covered by RSA 421-B and federal law (§8.3); Recommendation 8 removes the one barrier found and offers a voluntary verification standard rather than a license.

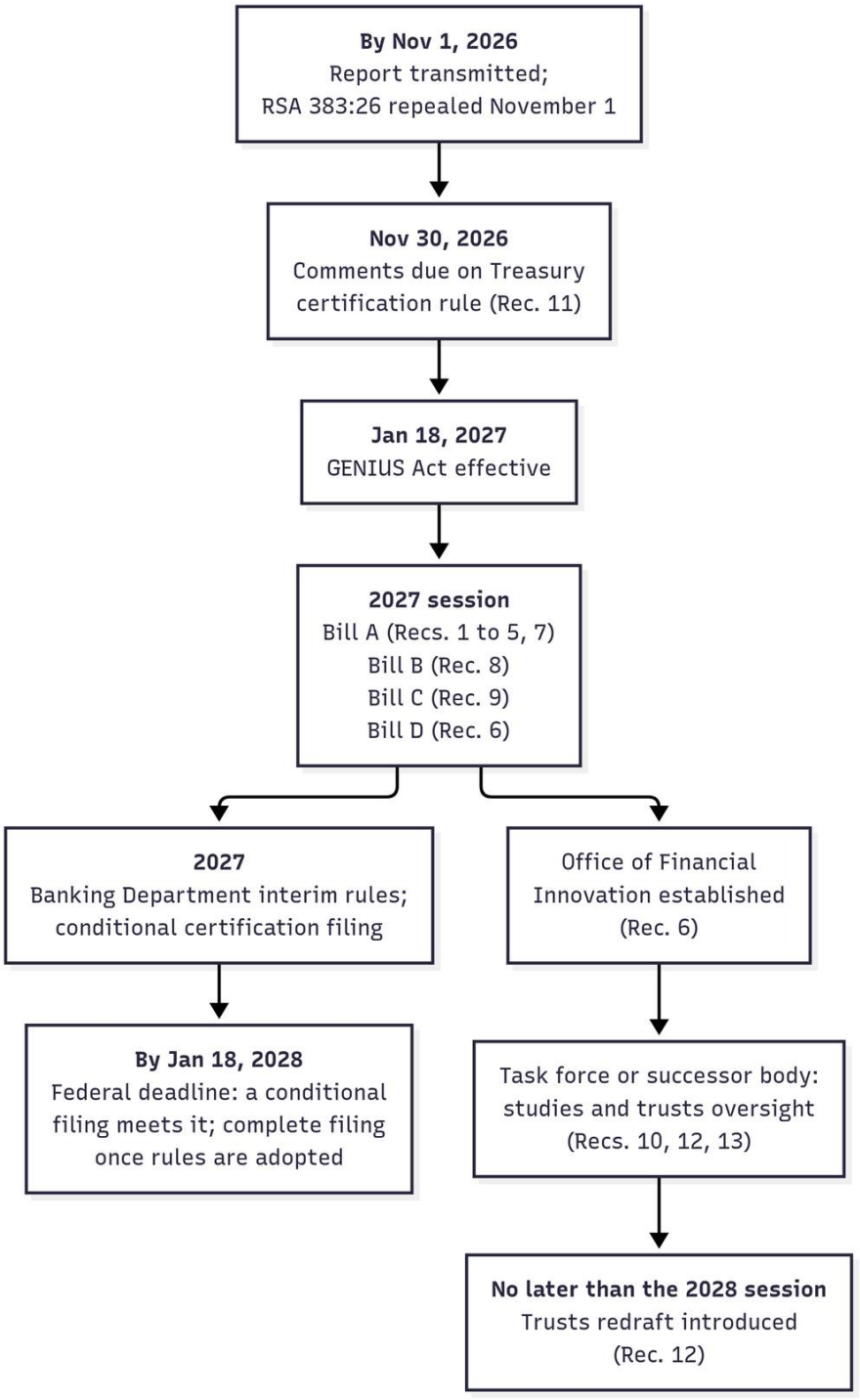


Figure 12. Recommendations roadmap. Federal dates: GENIUS Act section 20 (effective date) and Treasury interim final rule (91 FR 61688); January 18, 2028 per CSBS (March 10).

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13. Conclusion

New Hampshire will not be the first state to act on stablecoins, but it can be the state that does it best. The Commission asks the Legislature to enact four bills in 2027: Bill A, a certifiable issuer framework with protections beyond the federal floor, clear rules for freezes and recalls, tokenized deposits, a safe harbor for builders, and a named regulator with the federal partnerships certification needs; Bill B, a home for tokenized real-world assets; Bill C, privacy in digital money; and Bill D, an independent Office of Financial Innovation. It asks the Banking Department and the Bureau of Securities Regulation to consider commenting on Treasury's certification rule by November 30, 2026, and the Banking Department to prepare interim rules and a conditional filing before January 18, 2028. And it asks that one body carry the work forward: the trusts redraft for the 2028 session, with the Attorney General and the trust bar, and the studies in Recommendation 13.

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Appendices

Appendices A to L follow. The glossary (Appendix D) is published separately as Glossary of Terms; the minutes and other materials in the Commission's record are reproduced in Volume 2 (Appendix E).

- **A.** Full text of RSA 383:26
- **B.** Summaries of the presentations, by meeting date
- **C.** Minutes of all meetings, in chronological order, and the record of the report's adoption
- **D.** Glossary of terms
- **E.** Bibliography, legal authorities, and sources, including all items marked [Outside the record]
- **F.** Statements of state departments
- **G.** Supplemental statements of members
- **H.** The blockchain-based trusts draft and the points a redraft should resolve
- **I.** The Commission's meetings
- **J.** Bill map and drafting detail
- **K.** GENIUS Act certification detail
- **L.** Presenters' interests

Appendix A. RSA 383:26

Text as published by the General Court (gc.nh.gov), retrieved October 28, 2026. RSA 383:26 is repealed by 2025, 177:2, effective November 1, 2026.

383:26 Commission to Study Stable Tokens, Tokenized Real-World Assets, and Blockchain-based Trusts Frameworks.

There is hereby established a commission to study the creation of regulatory frameworks for stable tokens, tokenized real-world assets (RWAs), and blockchain-based trusts in New Hampshire.

I. The commission shall study and make recommendations regarding the following:

(a) The current landscape of stable token, tokenized RWA, and blockchain-based trust regulation within and outside New Hampshire.

(b) Legal, regulatory, financial, and technological considerations for a state-level regulatory framework.

(c) Best practices and ongoing regulatory efforts from other jurisdictions, including federal jurisdictions, for stable token, RWA, and blockchain-based trust regulation.

(d) Potential benefits and risks associated with the adoption of stable token, RWA, tokenization, and blockchain-based trust frameworks in New Hampshire.

(e) Mechanisms for consumer protection, privacy concerns, environmental protection, and risk management.

(f) Economic opportunities related to blockchain technology and digital assets, including fostering innovation and job creation.

II. Notwithstanding RSA 14:49, the commission shall consist of the following members:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the senate president.

(c) The commissioner of the banking department, or designee.

(d) The secretary of state, or designee.

(e) The attorney general, or designee.

(f) Two representatives from the blockchain technology industry, appointed by the governor.

(g) One representative from the New Hampshire banking industry with experience with digital assets, appointed by the governor.

(h) One representative from the academic community with expertise in financial regulation or blockchain technology, appointed by the governor.

III. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the study commission shall be held within 30 days of the effective date of this section. Five members of the study commission shall constitute a quorum. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house commerce and consumer affairs committee, the senate commerce committee, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2026. The report shall describe the activities, findings, and any legislative or regulatory recommendations of the commission.

Source. 2025, 177:1, eff. July 15, 2025. Repealed by 2025, 177:2, eff. November 1, 2026.

Appendix B. Summaries of the presentations, by meeting date

The summaries below are drawn from the Commission's approved minutes (for February 10, 2026, as corrected on October 29, 2026; see Appendix C). Figures, claims, and proposals are those of the presenters, not findings of the Commission; the full minutes of every meeting appear in Appendix C.

September 17, 2025

Organizational meeting. There were no presentations.

October 15, 2025

Diana Barrero Zalles, Head of GSMI and Research, Global Blockchain Business Council (GBBC)

Ms. Barrero Zalles surveyed stablecoins and tokenized real-world assets (RWAs) worldwide. She said regulators are converging on fiat-backed and asset-backed models and are skeptical of algorithmic stablecoins after the Terra Luna failure. She listed uses including payments, remittances (a market she put at over $100 billion), decentralized finance (DeFi), and inflation hedging in places such as Argentina. She put total stablecoin supply at $200 to $250 billion, growing more than 50% a year, with wallet addresses rising from 19.6 million to 30 million between February 2024 and February 2025. She summarized rules in the U.S., the EU (MiCA), the UK, the UAE, Singapore, Japan, and Brazil. She described the tokenized RWA market as $10 to $15 billion on-chain in 2025, with projections of $1 to $3 trillion by 2030. Asked how real estate tokenization fits structures such as limited partnerships, she said existing legal requirements do not disappear and must be built into token governance.

Interest: Industry association.

Anthony Apollo, Executive Director, Wyoming Stable Token Commission

Mr. Apollo described Wyoming's 2023 Stable Token Act, which created a seven-member commission chaired by the Governor to issue a state token. He said the Frontier Stable Token (FRNT), announced in August 2025, is the first fiat-backed, fully reserved token issued by a U.S. public entity, and is not a central bank digital currency. Reserves are cash, short-term Treasuries, and repurchase agreements held at 102% of tokens outstanding, and interest income goes to the state school foundation fund. He said FRNT was deployed on seven blockchains with LayerZero as primary partner, is distributed through licensed service providers such as exchanges and banks that perform customer checks, and can be frozen or seized only by valid court order. Challenges he named included running a startup inside government and dependence on interest rates. He floated interstate arrangements in which each state runs its own transaction verifier. Colin Crossman of the Wyoming Secretary of State's office offered help on interstate cooperation.

Prof. Seth Oranburg, a Commission member, gave a brief preview of the GENIUS and CLARITY Acts; his full presentation was moved to November 12, 2025.

Salman Banaei and Rich Minice, Plume Network

Plume described itself as a U.S. company of about 60 employees operating a network for tokenized RWAs. It said the network, launched in June 2025, held $464 million in total value and accounted for 54% of non-stablecoin RWA wallet addresses across all blockchains. Its tools include a tokenization engine, a vault protocol that invests deposited stablecoins in yield strategies, on-chain whitelisting and sanctions screening, and an SEC transfer agent license. The presenters cited Bank for International Settlements research finding lower bid-ask spreads for tokenized bonds, and Hong Kong's subsidy of 50% of issuance costs for blockchain-based bonds. They recommended that New Hampshire encourage tokenized municipal bonds, develop a bankruptcy-remote special purpose vehicle framework modeled on Bermuda's segregated account companies, recognize ledger-based shares as valid shares (as Singapore and Switzerland do), and accept verified credentials as an alternative to repeated identity checks. Screen-sharing problems affected the presentation.

Interest: Operates a tokenized-asset network.

Record: R-3 (Global Blockchain Business Council (GBBC)); R-4 (Wyoming Stable Token Commission); R-5 (Plume Network)

November 12, 2025

Prof. Seth Oranburg, Professor of Law, UNH Franklin Pierce School of Law (Commission member)

Prof. Oranburg reviewed the federal GENIUS Act, now law, which he characterized as monetary and banking law for payment stablecoins. He described its three tiers (federally qualified, state-qualified, and state-issued tokens), its balance between federal and state authority, its reserve and third-party attestation requirements, and its limits on issuers' other activities. He described the CLARITY Act, then advancing in the Senate, as broader legislation that would sort digital assets into payments, investments, and commodities and divide jurisdiction between the SEC and the CFTC. He said the framework leaves room for New Hampshire to pursue state-qualified or state-issued token models within federal requirements, and that separating payments from investments gives states distinct pathways for different policy goals. The Chair added that Senate negotiators had released draft market-structure text the day before.

Ian Huyett, Attorney; volunteer board member, New Hampshire Blockchain Council

Mr. Huyett presented his law review article, co-authored with attorney Brian Quirk, on blockchain-based asset protection trusts, stating that he appeared as a volunteer and not as a lobbyist. In such a trust, a settlor places assets beyond his own control. Courts accept a defense of impossibility against contempt orders but are often skeptical, and drafting gaps can create "back doors." He cited a 2014 federal case involving a $1.7 million Cook Islands trust. New Hampshire already permits these trusts under RSA 564-B. He argued that a trust run by an immutable smart contract would make impossibility easier to prove. He proposed that New Hampshire provide jurisdiction over such trusts with an in-state connection, extend existing trust protections to qualifying smart contracts, codify the impossibility defense, define a well-constructed decentralized smart contract, and create a blockchain dispute docket. He said the Cook Islands draws about a third of its GDP from this business.

Interest: Co-author of the trust proposal; volunteer board member, New Hampshire Blockchain Council.

Anastasia Dellaccio, Executive Director, Digital State Network, and Jonathan Schmalfeld, Director of Policy, The Digital Chamber

The Digital Chamber, an association of nearly 200 member organizations, said that after 11 years of federal advocacy it sees "the rules of the road" now being written in the states, and was launching a Digital State Network for state policymakers. The presenters said about $170 billion in stablecoins circulate, 98% tied to the U.S. dollar. They compared state approaches: New York's BitLicense (rigorous, but requiring separate approval for each blockchain), California (one approval per issuer), Texas (guidance treating stablecoins as stored value), and Wyoming (DAO entities, special purpose depository banks, and a state token). Their baseline for every state was 1:1 reserves in deposits or Treasuries, reserves legally separate from the issuer, clear and timely redemption at $1, and anti-money laundering checks at the issuer. Members expressed strong interest in their suggestion of a state digital finance roadmap. Asked about agentic commerce, they said member firms are developing agent payment frameworks.

Interest: Industry association.

Record: R-9 (Prof. Seth Oranburg's Prepared Remarks for NH Stable Token Commission); R-10 (Ian Huyett's Presentation on Smart Contract-based Asset Protection Trusts (APTs)); R-11 (Huyett and Quirk article); R-12 (Draft Legislation: Blockchain Based Trusts); R-13 (The Digital Chamber / Digital State Network Presentation)

December 10, 2025

Noah Herman, Chief Strategy Officer, Fortris

Mr. Herman, an early Circle employee, described Fortris as a 200-person firm providing enterprise crypto wallet and treasury infrastructure to governments, nonprofits, and companies. He put the stablecoin market at about $300 billion, with USDC and USDT holding 87%, and said stablecoins hold about $150 billion in U.S. Treasuries. He cited a commodities-trading client that used stablecoins to move funds around the clock and avoid port delay fees. For states, he outlined custody options (qualified third-party, managed, and self-custody), multi-approval signing, and links to accounting systems, and summarized activity in Wyoming, North Dakota, Ohio, Pennsylvania, and North Carolina. Asked by Mr. Kisch about deposits leaving the state, he cited tools that ring-fence incentives within a state. Asked by Mr. Garod about fraud, he said multi-approval controls and on-chain audit trails provide accountability, though not perfect protection.

Interest: Sells custody or network services.

Greg Bell, Chief Business Officer; John Kikko, Director of Business Development; and Shyam Nagarajan, Chief Operating Officer, Hedera Foundation

The Hedera team described a public ledger governed by a council of large companies (including Google, IBM, and Dell) whose validators are permissioned, which they said removes the risk of sanctioned parties validating transactions. They cited final settlement in under three seconds, fixed fees of about a tenth of a cent, and more than 71 billion transactions processed. Issuers can elect controls to freeze, burn, and reissue tokens, for example to return stolen funds, though recovery is harder once assets move to other networks. They suggested state uses including a state stable token (with reserve yield of about 4% at then-current rates), digital IDs, title records, tokenized municipal bonds, targeted benefits, and a transparent lottery. Mr. Nagarajan described verifiable credentials that prove a fact, such as being over 21, without revealing identity. Mr. Moranti suggested WIC-style restricted-use benefits; Mr. Kikko said no state had yet done so.

Interest: Sells custody or network services.

Record: R-15 (Fortris Global Presentation); R-16 (Hedera Presentation)

January 14, 2026

Melinda Delis, Institutional Partnerships and Strategy; Joe Medioli, Head of Financial Institutions Group; and Kevin Wysocki, Head of Policy, Anchorage Digital

The presenters said Anchorage Digital became in 2021 the first crypto-native firm to receive a federal charter, as a national trust bank. They described activity after the GENIUS Act, including Anchorage partnerships to bring Ethena's stablecoin under U.S. regulation, to launch USAT (a U.S.-compliant version of Tether's USDT), and to launch a Western Union stablecoin. Ms. Delis cited the Marshall Islands' use of a tokenized sovereign bond for direct payments to citizens. Mr. Medioli outlined bank uses (remittances, instant interbank payments, lending

against digital collateral, wealth management) and longer-term state opportunities such as putting property records on a blockchain to avoid costly lien searches. The presenters stressed that compliance duties do not change and that blockchains are "pseudonymous (not anonymous)," which allows tracing. In Q&A they said remittance recipients often keep stablecoins rather than convert them, extending dollar use, and that USAT will have stricter reserves than USDT.

Interest: Sells custody or network services.

Charles Uchill, Co-founder and CIO, Ceres Coin

Mr. Uchill described Ceres Coin as an SEC-registered, yield-bearing token representing a share of a U.S. government money market fund, which he said falls outside the GENIUS Act's definition of a payment stablecoin. The fund holds cash, short-term Treasuries, and repurchase agreements, keeps a $1 value, and passes yield to holders. He said SEC registration took more than two years. He proposed government uses: real-time audit of 529 education savings purchases (citing 2,000 hours of manual audit work in Kansas), SNAP, ABLE accounts, and summer meal assistance, with states earning yield on federal funds awaiting distribution. He reported a letter of intent with Mississippi's treasurer and talks with Wyoming. Asked about liquidity, he said fund rules require holdings liquid enough to redeem all coins at once.

Interest: Proposed its own product for state benefit programs.

Record: R-18 (Anchorage Digital Presentation); R-19 (Ceres Coin Presentation)

February 10, 2026

Julie Lascar, Director of Policy and Government Affairs, Digital Asset (Canton Network)

Ms. Lascar, who previously spent 10 years at the U.S. Treasury on anti-money laundering and sanctions policy, described tokenization as a new form of books and records that can cut settlement from days or weeks to near-instant. She said Canton was built to address three barriers for financial institutions: privacy, capacity, and the need to reverse, freeze, or pause transactions. Canton is a public network on which each institution controls its own data and disclosure, coordinated by about 39 "super-validators." She cited DTCC's plan to tokenize Treasuries on Canton following an SEC no-action letter, and JPMorgan's plan to bring JPM Coin to the network. She urged clear definitions separating tokenized securities from synthetic tokens. In Q&A she said New Hampshire community banks could each run an application and trade tokenized deposits with one another, that a state could be a validator, and that regulators obtain information through the regulated institution.

Interest: Operates the Canton Network.

Matt Whitlock, Founder, Porcupine Properties LLC

Mr. Whitlock, a New Hampshire software engineer and co-inventor of an early Bitcoin ATM, described a New Hampshire real estate holding company whose LLC equity, not the property itself, is tokenized as "Pine" tokens on the Liquid Network, a Bitcoin sidechain with confidential transactions. Transfer-restricted tokens require the platform's co-signature, so rules such as identity checks, in-state sale limits, and RSA 421-B purchaser limits are enforced before a transfer occurs. He presented a rent-to-own model in which a tenant buys tokens monthly; for a $300,000 home he calculated parity with a 30-year mortgage at an effective rate of about 10.81%. He identified the real estate transfer tax, which reaches transfers of interests in holding companies, as a barrier, and proposed

taxing only a complete change of beneficial owners (holders of more than 25%). Mr. Garod raised consumer-protection concerns about the rent-to-own path, and the Banking Department asked what happens when the model goes bad, including bankruptcy and whether a de facto mortgage has been created; Mr. Whitlock confirmed the model was theoretical.

Interest: Plans to sell real estate tokens.

Record: R-21 (Canton Network Presentation); R-22 (Porcupine Properties Presentation)

March 10, 2026

Yevgeny Shrago, Senior Director of Regulatory Policy, Conference of State Bank Supervisors (CSBS)

Mr. Shrago, substituting for Sabrina Bergen, reviewed GENIUS Act implementation. Federal agencies were due to issue rules by July 2026, and January 18, 2028 is the initial deadline for states to submit frameworks for certification as "substantially similar." He walked through the OCC's 367-page proposed rule: permitted activities; a rebuttable presumption that an issuer pays yield when an affiliate pays holders; reserve rules including a 20-day weighted average maturity and 1:1 redemption within two business days; capital of at least $5 million plus a reserve of 12 months of expenses; and notice duties for state issuers above $10 billion. He described four state models (virtual currency license, special purpose depository, state-level GENIUS Act, and delegation to the regulator) and emerging bank consortia. On yield, he said banks see it as an existential threat to deposits while issuers see it as key to adoption, and that New Hampshire may have room to design third-party arrangements, subject to Treasury.

Eugene Hahr, Vice President of Product (Stablecoins and Fiat), BitGo, with Mike Gross, BitGo

Mr. Hahr described BitGo as an OCC-chartered digital asset trust bank with more than $100 billion in custody; Mr. Gross noted that BitGo would be custodian for the proposed BFA Bitcoin-backed bond (rejected July 8, 2026; §2.6). Mr. Hahr explained four stablecoin types (fiat-backed, asset-backed, algorithmic, and hybrid) that consumers often cannot tell apart, since many carry "USD" in their names. Only large institutions can redeem directly with an issuer; retail holders rely on secondary markets, where arbitrage restores the peg unless confidence fails, as in the Terra/Luna collapse. His considerations for New Hampshire (not formal recommendations) were to align with the GENIUS Act, label compliant assets at the point of sale, standardize disclosures on reserves, attestations, lack of FDIC insurance, and secondary-market risk, require qualified custodians for reserves, and help community banks receive and issue stablecoins. Asked by Rep. Kofalt about taxes, he said the state could treat stablecoin transactions as cash equivalents.

Interest: Sells custody or network services.

Record: R-24 (CSBS Presentation); R-25 (BitGo Presentation)

April 6, 2026

Colin Cunningham, Head of Tokenization and Alliances, Chainlink Labs, with Mark Gaal, Head of US Public Sector Sales

Mr. Cunningham said Chainlink, whose "oracle" networks bring outside data onto blockchains and move assets between them, has enabled about $29 trillion in economic activity since 2019. He put the stablecoin market at

about $316 billion and described four services for token issuers: proof of reserves, which checks on-chain supply against off-chain reserves and blocks excess minting; cross-chain distribution; a compliance engine for identity and jurisdiction rules; and confidential transactions. He cited work with J.P. Morgan, Mastercard, Visa, and SWIFT. Asked by Prof. Oranburg where liability sits when an oracle fails, he cited consensus among many node operators and referred details to Chainlink's lawyers. He said programmatic reserve attestations are typically much cheaper than recurring audits, and that proof of reserves relies on the issuer's chosen source of truth, such as a custodian or bank. Mr. Gaal described geofencing so that a state grant token could not be spent out of state.

Interest: Sells data, interoperability, and agent-payment services.

Simon Baksys, Chief Business Officer, LayerZero Labs

Mr. Baksys said LayerZero, whose three co-founders are UNH alumni, carries about 80% of cross-chain messaging and connects about 170 blockchains with no exploits to date. Rather than "wrapping" assets, a method linked to about $2.1 billion in industry losses, it moves native tokens between chains, and issuers choose which verifier networks must approve each transfer. He described Wyoming's FRNT, live on six chains, where the state runs a required verifier and owns the contracts and keys; a demonstration transfer took about a minute and a half. He also previewed "Zero," a LayerZero blockchain due in fall 2026. Asked about an interstate compact, he said each state could replicate Wyoming's model, and that 1:1 exchange between state coins would need a liquidity pool or a shared issuance layer. Wyoming's Anthony Apollo said the state chose LayerZero after several procurement rounds, on condition that it own the technology. Prof. Oranburg noted New Hampshire's DAO statute could let vendors domicile here.

Interest: Built Wyoming's FRNT; sells interoperability.

Record: R-27 (Chainlink Presentation); R-28 (LayerZero Presentation)

May 4, 2026

Dr. Karen Parker Feld, economist; member of the public

Dr. Parker Feld, drawing on about four decades in finance, asked "what problem are we trying to solve?" She urged weighing the promised benefits of stable tokens, tokenized assets, and programmable money against less discussed costs in energy, privacy, fiscal discipline, and the ability to opt out. Her questions included: who can see blockchain records and who decides changes to them; who sets and checks a smart contract's conditions, and who is liable when code fails; how a stablecoin that issuers must be able to freeze differs from a central bank digital currency, and where reserve earnings go; whether programmable money invites expiring or restricted spending; and which assets reduce cleanly to tokens. She asked the Commission to keep its open process, move deliberately and document trade-offs, and preserve a citizen opt-out, including from digital ID, citing Idaho SB 1299. Mr. Kisch asked that a presenter be invited to answer her open questions.

Rep. Keith Ammon, Chair: stable token and RWA year in review

Drawing on the Commission website's news feed, the Chair reported stablecoin market value rising from about $240 billion to about $322 billion, and tokenized RWAs from about $8 billion to about $31 billion, roughly 65% of them U.S. Treasuries. He reviewed the GENIUS Act (law since July 18, 2025) and pending federal rules, Senate CLARITY Act negotiations over stablecoin yield, Wyoming's FRNT, and activity in Georgia, Florida,

North Dakota, and Delaware. He cited bank pilots and on-chain stablecoin transfers of about $33 trillion in 2025, noting that much of that was trading rather than retail payments. Risks he listed included bank deposit outflows (an estimate, cited by the New Hampshire Bankers Association, of up to about $1.9 billion from New Hampshire banks, since revised; see §4.4), dollarization of weaker economies, and cyber security. He closed with five questions: which model to adopt, where yield flows, how to protect RWA consumers, whether to pursue interstate compacts, and which agency supervises.

Record: R-31 (Parker Feld Presentation); R-32 (NH Stable Token, Year in Review)

May 13, 2026

Jerald David, CEO, Lynq Network

Mr. David, introduced by member Dan Nuñez Cohen (Crypto.com partners with Lynq), described building what he called the first SEC-registered, tokenized U.S. Treasury fund, effective in July 2020, and then Lynq, a broker-dealer-operated network on which institutions settle obligations around the clock using tokenized Treasury fund shares. Holders earn "yield in transit," accrued every two-second block and paid daily for the time held. Uses include exchange funding, weekend collateral for futures brokers, and corporate treasury. Shares are issued on a public Avalanche chain, while trades run on a private chain visible only to the parties and the broker-dealer. He predicted that stablecoins will not be able to pay holders yield, suggested stable tokens for retail uses and tokenized funds for institutional ones, and advised states not to "go first" or "go it alone." Prof. Oranburg noted the GENIUS yield ban would not reach Lynq because it is a security.

Interest: Operates a tokenized settlement network.

Shawn Main, EVP and Chief Business Architect, Vantage Bank (Hazel Network, with Custodia Bank)

Mr. Main said Vantage, a family-owned $5 billion bank, built Hazel with Custodia Bank because stablecoins are drawing payments and deposits away from banks. He said about 1.4% of community bank deposits have already left, and that 10% erosion of New Hampshire commercial deposits would mean about $5 billion leaving, with 1,700 to 2,800 jobs at risk. On Hazel, each bank keeps tokenized deposits on its own balance sheet; tokens and cash move between banks at the same moment, and when a token leaves the network Custodia holds the 1:1 backing, so the same token works as a stablecoin. He said about 88% of stablecoins that leave banks never return. He called tokenized deposits "stablecoin plus": insured, interest-bearing, and regulated. He asked New Hampshire to keep public blockchains open, fast-track licensing (30-day completeness review, 120-day decisions), define tokenized deposit, crypto, and blockchain in statute, and support protocol-level privacy. He said contagion risk among network banks must be monitored.

Interest: Sells the Hazel tokenized-deposit product.

Record: R-34 (Lynq Presentation); R-35 (Hazel Network Presentation (Vantage + Custodia))

August 19, 2026

No recording or transcript of this meeting was retained. The minutes, approved October 15, 2026, were reconstructed from the agenda, the presenters' slide decks, and information from the Chair, and they do not record the questions and discussion.

Prof. Seth Oranburg (Commission member): CLARITY Act update

Prof. Oranburg updated members on the federal CLARITY Act (H.R. 3633), for which a Senate floor vote was then scheduled for September 15, 2026. Drawing on a section-by-section concordance, he said the Senate Banking Committee substitute reported June 1, 2026 carries 9 of the House-passed bill's 66 sections through largely intact, reworks 22, moves 19 (mostly CFTC provisions) to the Senate Agriculture bill (S. 3755), and drops 16, including the entire Anti-CBDC Surveillance State Act title. He said the Senate version replaces the House bill's decentralization-based "mature blockchain system" test with an "ancillary asset" test grounded in the Howey "efforts of others" standard, and omits the House bill's ethics rule of construction, which he identified as a key sticking point holding up floor action. The Chair reported on September 17 that the Senate did not pass the bill.

Joe Bognanno, Head of Americas, Policy and Regulatory Affairs, and Peter Phelan, Strategic Advisory, Elliptic

The Elliptic presenters explained that blockchains store no names but permanently record each transaction's sending and receiving addresses, amount, and time, so digital assets behave like "digital cash": faster and borderless, but more traceable than physical cash. They traced regulation from a pre-2018 "regulatory vacuum" to today, when most major financial centers regulate digital asset service providers under international (FATF) standards, including the Travel Rule, and said regulators such as FinCEN increasingly expect blockchain monitoring as a core part of anti-money laundering programs. They described bank activity in payments, deposit tokens, custody, and tokenized bonds and funds. They outlined threats including North Korean state-sponsored theft, mixers such as Tornado Cash, "pig butchering" romance scams, and ransomware, and explained that analytics firms combine ledger data with sanctions lists and other intelligence to link addresses to owners, score risk, and trace funds across chains.

Interest: Sells on-chain risk management services.

Ashley Scott, Senior Director, Global Policy, Circle

Ms. Scott described Circle, issuer of USDC, as a publicly traded firm whose stablecoin had more than $73 billion in circulation, backed 100% by cash and cash-equivalent reserves disclosed monthly, and licensed in many jurisdictions, including money transmitter licenses in 46 states and a New York BitLicense. She summarized the GENIUS Act: payment stablecoins are neither securities nor commodities; issuers must hold 1:1 high-quality reserves, may not pay yield or reuse reserves, must publish monthly reserve reports, and must be able to freeze tokens on legal order; and holders have first claim on reserves if an issuer fails. A state's regime must be certified as "substantially similar" before the state may supervise issuers under $10 billion, which generally move to federal oversight above that level unless granted a waiver. States keep authority to license issuers, enforce consumer protection laws, and penalize unauthorized issuers. She argued that early state frameworks give firms a path to scale and help shape national policy.

Interest: Issues USDC.

Record: R-38 (Elliptic Presentation); R-39 (Circle Presentation); R-40

September 17, 2026

No quorum was present, so no votes were taken; the presentations proceeded.

Andy Schwab, Commission member (blockchain industry representative)

Mr. Schwab gave a live demonstration. Using a wallet he controls himself (non-custodial), he funded a new account on Base, a network built on Ethereum, with about $48 of ether, swapped part of it for USDC, lent 10 USDC on Aave to earn yield, borrowed a euro stablecoin against it, and supplied liquidity to a trading pool, all within minutes and visible on a public ledger. He ran USDC's blacklist check on his wallet to show how Circle enforces compliance at the issuer level, then had an AI agent pay 0.001 USDC to read a web page, settling in seconds. He observed that each of the demo's roughly two dozen transactions was a taxable event and a potential compliance exposure, and said that after about 13,000 on-chain transactions he stopped using DeFi because the compliance burden became unmanageable. In Q&A he said nearly all surviving DeFi lending is fully collateralized, with automatic liquidation.

Rowland Graus, Product Leader, Agentic Economy and Payments, Chainlink Labs

Mr. Graus said that although AI agents are expected to become major blockchain users, verifiable on-chain agent activity remains small. He cited overlapping protocols and chains, a hostile environment of spam and theft, fragmented tools, and irreversible mistakes. He warned that agents hide complexity and can create false confidence, especially for non-technical users, and that guardrails such as spending limits and allow-lists are necessary but not sufficient. Chainlink's agent product, in beta, lets agents pay per use with stablecoin micropayments and receive correctly built transactions, and Chainlink is working with an Ethereum agent-identity effort (ERC-8004) so an agent can carry its operator's identity credentials. Asked by Mr. Kisch about reading user intent, he said guardrails probably remove about 80% of high-risk errors and the rest depends on better AI models. He added that agents could raise users' tax-reporting burden from thousands of transactions to hundreds of thousands.

Interest: Sells data, interoperability, and agent-payment services.

Joe Healey, Head of Digital Assets, Fiserv, joined by Josh Siegel

Mr. Healey, formerly of StoneCastle, whose deposit network and New Hampshire trust company Fiserv acquired in December 2025, said community banks are losing deposits to fintechs and stablecoins, quoting Andrew Silsby of Kennebec Savings Bank: "We can't lend if we don't have deposits." Fiserv offers banks a GENIUS-compliant stablecoin (FIUSD), a multi-bank tokenized deposit, and custom closed-loop tokens, run through banks' existing systems. Reserves are 100% overnight bank deposits, and the New Hampshire trust company holds cash only. Controls include blocking issuance if any check fails, sanctions screening, freeze and recall, and full audit trails. He described North Dakota's Roughrider coin: a dollar token on a public blockchain open only to about 92 approved in-state banks and credit unions, led by the Bank of North Dakota and used first for intraday settlement. He said a state does not need a state bank to run this model, and offered to help New Hampshire scope a pilot.

Interest: Sells the Roughrider platform and the FIUSD stablecoin.

Kristy Merrill, President and CEO, New Hampshire Bankers Association, and Jim Kisch, President and CEO, Passumpsic Bank (Commission member): BankChain Alliance

Ms. Merrill described the newly announced BankChain Alliance as a network designed, owned, and governed by banks, unlike the other networks presented. Its 40 member state bankers associations, including New Hampshire's, represent more than 3,400 banks and $22 trillion in assets, though she noted that is association membership, not banks signed up. It aims to serve banks of all sizes, work with any core provider, and interoperate with networks such as the Cari Network, with programmable payments as its first product; a request for proposals for a technology partner was underway. Mr. Kisch explained that a deposit token can change hands instantly while the backing cash settles between banks by day's end, and that a smart contract could, for example, hold funds until a lien waiver is acknowledged. The 15-member board reserves six seats for community banks under $10 billion in assets. On weekend real estate closings, he said bottlenecks such as appraisals often matter more.

Interest: Represents banks; member of the BankChain Alliance.

Record: R-42 (Chainlink Presentation); R-43 (BankChain Alliance Presentation). Fiserv's slides were not provided for the record.

October 15, 2026

Drafting meeting; there were no presentations. Members reviewed the first draft of this report. Two guests commented on the record. Ashley Scott of Circle said the GENIUS Act requires an initial federal certification of a state regime and annual recertification, for which Treasury had not yet set a process; that Circle is the only issuer near the $10 billion threshold, the one larger issuer being foreign; and recommended that New Hampshire bar digital asset service providers (using the GENIUS term "DASP") from offering stablecoins that are not state-licensed, federally licensed, or from registered foreign issuers. Jennifer Ramsey, Tax Policy Counsel at the Department of Revenue Administration, said that, as the statute is written, each trade of a token backed by real estate held in an entity would probably trigger the real estate transfer tax, said any change would be a policy decision for the Legislature, and offered data on holding company transfers. The Commission approved the minutes of this meeting on October 29, 2026.

Appendix C. Minutes of the Commission's meetings

The Commission's minutes are reproduced in full, in chronological order, in Volume 2 (record numbers below and in Appendix E). Each set was approved at a later meeting, as shown below, except the minutes of the October 29, 2026 meeting, which the Chair prepared after the Commission's final meeting and which could not be approved because the Commission held no further meetings. Where a set says so, it was drafted with the help of AI tools from the meeting video or transcript and reviewed before approval (§2.4).

Meeting	Minutes (record number)	Approved
September 17, 2025 (organizational)	R-1	November 12, 2025
October 15, 2025	R-2	November 12, 2025
November 12, 2025	R-8	December 10, 2025
December 10, 2025	R-14	January 14, 2026

Meeting	Minutes (record number)	Approved
January 14, 2026	R-17	February 10, 2026
February 10, 2026	R-20	March 10, 2026; corrected October 29, 2026 (below)
March 10, 2026	R-23	April 6, 2026
April 6, 2026	R-26	May 13, 2026
May 4, 2026	R-29	May 13, 2026
May 13, 2026	R-33	October 15, 2026
August 19, 2026	R-37	October 15, 2026
September 17, 2026	R-41	October 15, 2026
October 15, 2026 (drafting)	R-44	October 29, 2026
October 29, 2026 (adoption)	R-45	Not approved; no further meetings

Table C.1. Minutes and approval dates.

Notes on the record.

- *December 10, 2025.* The header of these minutes reads "November 12, 2025" in error; the content is the December 10, 2025 meeting.
- *May 4, 2026.* Teams did not capture the video; the minutes were prepared from the transcript (§2.4).
- *August 19, 2026.* No recording or transcript exists; the minutes were reconstructed from the agenda, presenters' materials, and the Chair's information (§2.4).
- *February 10, 2026.* The approved minutes attribute questions on bankruptcy, eviction, and a de facto mortgage to Deputy Commissioner Moranti. The meeting video (about 1:50:15 to 1:51:55) shows that Bank Commissioner Emelia Galdieri and Deputy Commissioner Moranti asked these questions together, at times speaking over each other. Commissioner Galdieri asked whether the case study was theoretical, what happens when the rent-to-own model goes bad, whether a de facto mortgage has been created, about bankruptcy, and how a holder is cashed out; Deputy Commissioner Moranti raised a tenant's eviction and the issuer's control of both the token's value and the property's value. The minutes also misspell the Commissioner's first name. On October 29, 2026, the Commission adopted the following correction:
  - In *Other Officials and Members of the Public*, replace "Amelia Galdieri (Bank Commissioner)" with "Emelia Galdieri (Bank Commissioner)."
  - In Section IV, *Q&A Discussion*, replace the final paragraph with: "Q (Emelia Galdieri, Bank Commissioner): Is any of this actually happening, or is it theoretical? A (Whitlock): Theoretical. Commissioner Galdieri asked what happens when the rent-to-own model goes bad, whether a de facto mortgage has been created, how bankruptcy would be handled, and how a holder is cashed out at the end. Deputy Commissioner Moranti raised a tenant's eviction and the issuer's control of both the token's value and the property's value. Mr. Whitlock said a departing tenant would still receive dividends if the property is re-let, and that tenants build equity in the holding company rather than in a specific property."
  - *Result of the vote:* adopted by voice vote, with no opposition, on a motion by Mr. Kisch, seconded by Mr. Moranti, with the Chair given latitude to correct the spelling of the Commissioner's first name. The

corrected minutes, marked "Corrected by vote of the Commission, October 29, 2026," replace the original (R-20).

- *October 29, 2026.* Prof. Oranburg left the meeting at about 10:49 AM to teach a class, before the vote on adoption. Before leaving, he stated for the record that he had heard and approved of everything in the report up to that point in the discussion. The Chair noted that a member cannot vote in advance, so his statement is not counted in the roll call.

Record of adoption, October 29, 2026

The Commission adopted this report on October 29, 2026, at the State House in Concord, by roll call, 5 to 0, with one abstention. Six members took part in the vote, four in the room and two remotely, a quorum (RSA 383:26, III).

Member	Attendance	Vote on adoption
Rep. Keith Ammon, Chair	Present, in person	Yes
Rep. Jim Kofalt, Vice Chair	Absent	
Rep. Chris McAleer	Absent	
Sen. Tara Reardon	Absent	
Sen. Daryl Abbas	Absent	
Michael Moranti (Banking Commissioner's designee)	Present, in person	Abstained
Brandon Garod (Attorney General's designee)	Absent	
Katie Taylor (Secretary of State's designee)	Present, in person	Yes
Jim Kisch	Present, in person	Yes
Andy Schwab	Present, remote	Yes
Dan Nuñez Cohen	Present, remote	Yes
Prof. Seth Oranburg	Present, remote, about 10:12 to 10:49 AM	Not present for the vote (note above)

How the Commission voted. The Commission reviewed the recommendations in §12, and its positions in §9.3 and §12.6, in order. Items to which no member objected were left as written and adopted in the final motion; each change was made by a separate motion and voice vote. The six amendments below are reflected in this report.

Amendment	Subject	Moved	Seconded	Result
1	§2.5 and Recommendation 13: keep the limiting language on markets in tokenized securities and add them as an item for further study	Oranburg	Kisch	Adopted, Moranti abstaining
2	Recommendation 5: the new chapter should not narrow RSA 399-G:3, VII "as it applies to builders"	Ammon	Kisch	Adopted, Moranti abstaining
3	Recommendation 7: strike the references to a memorandum of understanding between the Banking Department and the Bureau of Securities Regulation	Taylor	Ammon	Adopted
4	Recommendation 8: the Bureau of Securities Regulation to engage in further study and, if necessary, publish guidance; conforming change to Bill B (Appendix J)	Ammon	Taylor	Adopted, Moranti abstaining
5	Recommendation 10: add the title of LSR 2027-0239	Ammon	Moranti	Adopted

Amendment	Subject	Moved	Seconded	Result
6	Recommendation 12 and §9.3: endorse further study of the concept of blockchain-based asset protection trusts	Kisch	Taylor	Adopted, Moranti abstaining

Final motion. To adopt the report and its findings and recommendations, as amended at the meeting, and to authorize the Chair to make conforming and editorial changes, format the report as a PDF, and transmit it. Moved by Mr. Kisch, seconded by Mr. Moranti. Roll call: Taylor, yes; Kisch, yes; Moranti, abstained; Nuñez Cohen, yes; Schwab, yes; Ammon, yes. Adopted, 5 to 0, with one abstention.

Minutes. At the same meeting the Commission approved the minutes of October 15, 2026 and corrected the approved minutes of February 10, 2026, each on a motion by Mr. Kisch, seconded by Mr. Moranti, by voice vote (Table C.1; the February 10 correction is set out above).

Appendix D. Glossary of terms

The Commission's glossary is published separately as Glossary of Terms. It defines more than 400 terms used in the Commission's meetings and in this report, from "attestation" to "zero-knowledge proof."

Appendix E. Bibliography and sources

Part 1 lists the Commission's record: the materials presented at its meetings and the comments it received. Part 2 lists the legal authorities the report cites and its other sources outside the record; the latter are marked **[Outside the record]** where they appear (§2.5). Presentation materials are reproduced in the public record; statutes and federal rules are cited in the form used in the text.

Part 1. The Commission's record

Each item in the Commission's record has a record number (R-1 to R-51). The record is transmitted with this report as Volume 2, in record-number order. A citation in the text such as "(BitGo, March 10)" refers to that meeting's minutes and materials, listed here.

By meeting

- *September 17, 2025.* R-1: Minutes, organizational meeting.
- *October 15, 2025.* R-2: Minutes; R-3: Global Blockchain Business Council, presentation to the Commission; R-4: Wyoming Stable Token Commission, "Wyoming's Digital Frontier"; R-5: Plume Network, presentation to the Commission; R-6: "What is a Blockchain" one-pager (March 28, 2025), distributed as reference material; R-7: Hedera, written submission of Nilmini Rubin, Chief Policy Officer (October 14, 2025).
- *November 12, 2025.* R-8: Minutes; R-9: Prof. Seth Oranburg, prepared remarks; R-10: Ian Huyett, presentation on smart contract-based asset protection trusts; R-11: Ian Huyett and Brian Quirk, "The Potential of the Blockchain for Asset Protection Planning"; R-12: Draft statutory language, "Blockchain-Based Trusts Recognized" (Appendix H); R-13: The Digital Chamber, Digital State Network presentation.
- *December 10, 2025.* R-14: Minutes (header reads "November 12, 2025" in error); R-15: Fortris, presentation; R-16: Hedera, "Network and Asset Control".

- *January 14, 2026.* R-17: Minutes; R-18: Anchorage Digital, presentation; R-19: Ceres Coin, "A New Type of Stablecoin for Government Use".
- *February 10, 2026.* R-20: Minutes (corrected October 29, 2026; Appendix C); R-21: Digital Asset, Canton Network presentation; R-22: Porcupine Properties, presentation.
- *March 10, 2026.* R-23: Minutes; R-24: Conference of State Bank Supervisors, "GENIUS Act Implementation Update"; R-25: BitGo, presentation.
- *April 6, 2026.* R-26: Minutes; R-27: Chainlink Labs, presentation; R-28: LayerZero, presentation.
- *May 4, 2026.* R-29: Minutes (prepared from the transcript); R-30: Transcript of the meeting; R-31: Dr. Karen Parker Feld, presentation; R-32: Chair, "NH Stable Token: Year in Review".
- *May 13, 2026.* R-33: Minutes; R-34: Lynq, presentation; R-35: Hazel Network (Vantage Bank and Custodia Bank), presentation; R-36: Shawn Main, biography.
- *August 19, 2026.* R-37: Minutes (reconstructed; no recording); R-38: Elliptic, digital assets overview; R-39: Circle, "GENIUS Act: State/Federal Alignment"; R-40: "H.R. 3633 Concordance," section-by-section comparison of the Senate Banking Committee's amendment to the CLARITY Act.
- *September 17, 2026.* R-41: Minutes; R-42: Chainlink Labs, "Agentic Economy"; R-43: BankChain Alliance, presentation.
- *October 15, 2026.* R-44: Minutes, drafting meeting (approved October 29, 2026).
- *October 29, 2026.* R-45: Minutes, adoption meeting (prepared by the Chair; not approved, as the Commission held no further meetings).

Published material cited in the report, issued after the record closed on October 15, 2026

- R-46: American Bankers Association, "Stablecoins and Deposit Outflows: Implications for Community Banks in New Hampshire" (September 2026).

Reference materials provided to members

- R-47: Final Report of the Commission on Cryptocurrencies and Digital Assets (December 21, 2022).
- R-48: U.S. Department of the Treasury, Strengthening American Leadership in Digital Financial Technology (July 2025).
- R-49: OCC, notice of proposed rulemaking implementing the GENIUS Act, 91 FR 10202 (March 2, 2026).
- R-50: Kenechukwu Anadu, Patrick McCabe, JP Perez-Sangimino, and Nathan Swem, "A Framework for Understanding the Vulnerabilities of New Money-Like Products," Federal Reserve Bank of Boston, SRA 26-01 (January 2026).
- R-51: RWA.io, Tokenized Deposits: The Future of Money (March 2026).

Video recordings of most meetings were posted on YouTube during the Commission's work. The May 4, 2026 meeting has a lower-resolution video and a transcript (R-30); the August 19, 2026 meeting was not recorded. The minutes are the Commission's official record of each meeting.

Part 2. Legal authorities and other sources outside the record

Legal authorities are cited directly in the text. Other sources are marked [Outside the record] where they appear (§2.5).

New Hampshire constitution, statutes, and bills

- N.H. Const. Pt. I, Art. 2-b (adopted 2018, CACR 16)
- RSA 383:26 (2025, 177:1; repealed by 2025, 177:2, effective November 1, 2026) (Appendix A); HB 310 (2025), signed July 15, 2025
- RSA 301-B, DAO law: HB 645 (2024), Ch. 263; HB 1073 (2026), Ch. 131
- RSA 359-V, Blockchain Basic Laws, and RSA 491:7-c, blockchain dispute docket: HB 639 (2026), Ch. 286, effective September 8, 2026
- RSA 359-C, Right to Privacy Act: RSA 359-C:3, 359-C:4, and 359-C:8 to 359-C:11
- RSA 399-G:3, VII, money transmitter exemption for convertible virtual currency (2024, 368:1)
- RSA 382-A, Uniform Commercial Code: Article 12, controllable electronic records (Laws 2022, ch. 281 (HB 1503); Laws 2023, ch. 236), and RSA 382-A:1-201(b)(24), definition of money (2022, 281; 2023, 236)
- RSA 421-B:1-102(35-a) and 421-B:2-202(25), open blockchain token exemption (2017, 172; 2022, 281:82 to 83)
- RSA 78-B:1, 78-B:1-a, V, and 78-B:4, III, real estate transfer tax
- RSA 77, interest and dividends tax (repealed for taxable periods beginning after December 31, 2024)
- RSA 564-B, Trust Code, including RSA 564-B:5-505A (2026, 215)
- RSA 545-B, Uniform Voidable Transactions Act: HB 1127 (2026, 215), effective August 31, 2026
- RSA 6:45 to 6:47 (Public Deposit Investment Pool); RSA 12-P:7-b, II(b); RSA 21-G:10; RSA 293-A:6.26 and 16.01
- HB 1232 (2024) and HB 1507 (2024), each sent to interim study
- LSR 2027-0200, "regulating the use of stablecoins" (Rep. John Hunt), and LSR 2027-0239, task force on emerging technologies and digital innovations (Rep. John Schneller) (General Court LSR search)
- Executive Order 2022-1 (Commission on Cryptocurrencies and Digital Assets)
- *State v. Zarella*, 2025 N.H. 20, 343 A.3d 104 (May 1, 2025)

Federal law and rulemaking

- GENIUS Act, Pub. L. 119-27 (S. 1582), signed July 18, 2025, including sections 2(16), 2(23), 2(31), 3, 4(a)(5) to 4(a)(7), 4(a)(11), 4(c), 4(d), 5(d), 7, 8, 10(a)(1)(B), 11, 18, and 20; 12 U.S.C. 5903(a)(1)(C), 5903(a)(3), and 5904(d)(1)(A)
- U.S. Department of the Treasury: interim final rule on certification of state regimes, 91 FR 61688 (September 30, 2026); proposed rule on "substantially similar" state regimes, 91 FR 16844 (April 3, 2026); GENIUS issuance proposal, 91 FR 53368 (August 18, 2026)
- Office of the Comptroller of the Currency: Bulletin 2026-3 (February 25, 2026) and proposed rule, 91 FR 10202 (March 2, 2026); final rule, Bulletin 2026-50, 91 FR 67000 (issued October 21, published October 23, 2026, effective January 18, 2027)

- FDIC proposed rules, 90 FR 59409 (December 19, 2025) and 91 FR 18534 (April 10, 2026; approved April 7, 2026, including tokenized deposits)
- NCUA proposed rules, 91 FR 6531 (February 12, 2026) and 91 FR 28956 (May 18, 2026)
- Federal Reserve Board proposed rules, 91 FR 61346 and 91 FR 61580 (September 29, 2026)
- Securities and Exchange Commission: Innovation Exemption order, Release No. 34-106402, 91 FR 60168 (September 17, 2026; published September 22, 2026); Statement on Tokenized Securities by the Divisions of Corporation Finance, Investment Management, and Trading and Markets (January 28, 2026); proposed "Regulation Crypto Assets," Release Nos. 33-11434 and 34-106150, 91 FR 54510 (August 18, 2026; published August 21, 2026)
- U.S. Senate Roll Call Vote No. 234, 119th Congress (September 15, 2026), cloture on the motion to proceed to H.R. 3633 (CLARITY Act)
- 11 U.S.C. 548(e); 15 U.S.C. 6807
- 21st Century ROAD to Housing Act, P.L. 119-101, Title XI (July 11, 2026); Executive Order 14178, 90 FR 8647 (January 23, 2025); Congressional Research Service, IF11471
- *FTC v. Affordable Media*, 179 F.3d 1228 (9th Cir. 1999)

Other states and jurisdictions

- Florida: Fla. Stat. 658.997 (ch. 2026-176, HB 175) and 17.72 (ch. 2026-175, stablecoin pilot for government fees)
- Georgia Payment Stablecoin Act, HB 1272 (2026), Act 452; Alabama HB 259 (2026), Act 2026-354; Maryland Stablecoin Act, 2026 Md. Laws ch. 514 (HB 1355), effective January 1, 2027
- Texas Finance Code 152.003(19) (SB 895, 2023); Utah Code 7-28-104 (HB 230, 2025); Montana SB 282 (2025)
- California Financial Code 3201, 3211, and 3503 (Digital Financial Assets Law); Illinois Digital Assets and Consumer Protection Act, 205 ILCS 731/5-10 (P.A. 104-428, effective August 18, 2025); New York Department of Financial Services, stablecoin guidance (June 8, 2022)
- Delaware General Corporation Law sections 219 and 224
- European Union, Markets in Crypto-Assets Regulation, Regulation (EU) 2023/1114, Article 36

Other sources (marked [Outside the record] in the text)

Web addresses are given with an Internet Archive (Wayback Machine) copy where one exists, so the source can be found if the original page moves.

- AICPA, 2025 Criteria for Stablecoin Reporting: Specific to Asset-Backed Fiat-Pegged Tokens (March 6, 2025): https://www.aicpa-cima.com/news/article/aicpa-publishes-comprehensive-criteria-for-reporting-on-stablecoins, archived https://web.archive.org/web/20261020090225/https://www.aicpa-cima.com/news/article/aicpa-publishes-comprehensive-criteria-for-reporting-on-stablecoins
- American Bankers Association, New Hampshire stablecoin one-pager (September 2026); reproduced as R-46: https://secureamericanopportunity.com/wp-content/uploads/2026/09/2026-Stablecoin-One-Pager-NH.pdf, no archived copy yet

- Bank of North Dakota (October 5, 2026) and Fiserv (October 1, 2026), Roughrider Coin launch: https://bnd.nd.gov/roughrider/, archived https://web.archive.org/web/20261006152725/https://bnd.nd.gov/roughrider/; https://bnd.nd.gov/bank-of-north-dakota-launches-roughrider-coin-credits-collaboration-and-controlled-innovation/, archived https://web.archive.org/web/20261012034503/https://bnd.nd.gov/bank-of-north-dakota-launches-roughrider-coin-credits-collaboration-and-controlled-innovation/
- Chainalysis (Resolv USR, March 2026): https://www.chainalysis.com/blog/lessons-from-the-resolv-hack/, archived https://web.archive.org/web/20261012083154/https://www.chainalysis.com/blog/lessons-from-the-resolv-hack/
- Chambers (2026) (Delaware stablecoin proposal)
- CNBC (USDC, March 11, 2023): https://www.cnbc.com/2023/03/11/stablecoin-usdc-breaks-dollar-peg-after-firm-reveals-it-has-3point3-billion-in-svb-exposure.html, archived https://web.archive.org/web/20261009050842/https://www.cnbc.com/2023/03/11/stablecoin-usdc-breaks-dollar-peg-after-firm-reveals-it-has-3point3-billion-in-svb-exposure.html
- CoinDesk Research, September 2026 stablecoin report: https://data.coindesk.com/reports/stablecoins-tokenized-assets-report-september-2026, archived https://web.archive.org/web/20261009221839/https://data.coindesk.com/reports/stablecoins-tokenized-assets-report-september-2026
- Kraken and Wyoming Public Media (FRNT public launch, January 7, 2026): https://blog.kraken.com/product/asset-listings/frnt-is-available-for-trading, archived https://web.archive.org/web/20261004200619/https://blog.kraken.com/product/asset-listings/frnt-is-available-for-trading; https://www.wyomingpublicmedia.org/wyoming-economy/2026-01-07/wyoming-releases-frnt-stablecoin-for-public-purchase, archived https://web.archive.org/web/20260519112255/https://www.wyomingpublicmedia.org/wyoming-economy/2026-01-07/wyoming-releases-frnt-stablecoin-for-public-purchase
- Office of the Comptroller of the Currency, News Release 2026-90 (debanking report, October 14, 2026): https://occ.gov/news-issuances/news-releases/2026/nr-occ-2026-90.html, archived https://web.archive.org/web/20261022163812/https://occ.gov/news-issuances/news-releases/2026/nr-occ-2026-90.html
- The Block and The Bond Buyer (Business Finance Authority bond, July 8, 2026): https://www.theblock.co/post/407867/new-hampshire-bitcoin-backed-bond-fails, no archived copy yet; https://www.bondbuyer.com/news/new-hampshire-sends-bitcoin-bond-plan-to-the-crypt, archived https://web.archive.org/web/20260711161838/https://www.bondbuyer.com/news/new-hampshire-sends-bitcoin-bond-plan-to-the-crypt
- The Bond Buyer (Quincy, Massachusetts bonds, April 25, 2024): https://www.bondbuyer.com/news/quincy-massachusetts-issues-first-ever-blockchain-bond-deal-in-u-s, archived https://web.archive.org/web/20260126222648/https://www.bondbuyer.com/news/quincy-massachusetts-issues-first-ever-blockchain-bond-deal-in-u-s
- Wyoming Stable Token Commission releases via PR Newswire (August 18 and September 2, 2026): https://www.prnewswire.com/news-releases/wyoming-stable-token-commission-migrates-to-chainlink-ccip-for-enhanced-operational-security-302854502.html, archived https://web.archive.org/web/20260903212141/https://www.prnewswire.com/news-releases/wyoming-stable-token-commission-migrates-to-chainlink-ccip-for-enhanced-operational-security-302854502.html; https://www.prnewswire.com/news-releases/wyoming-

stable-token-commission-adopts-chainlink-proof-of-reserve-to-set-new-us-standard-for-digital-asset-transparency-302867690.html, archived https://web.archive.org/web/20261011130316/https://www.prnewswire.com/news-releases/wyoming-stable-token-commission-adopts-chainlink-proof-of-reserve-to-set-new-us-standard-for-digital-asset-transparency-302867690.html

- Network documentation (consensus mechanisms) for Ethereum, Hedera, and the Liquid Network: https://ethereum.org/en/roadmap/merge/, archived https://web.archive.org/web/20250824135442/https://ethereum.org/en/roadmap/merge; https://docs.hedera.com/learn/getting-started/what-is-hedera, archived https://web.archive.org/web/20260710144029/https://docs.hedera.com/learn/getting-started/what-is-hedera; https://docs.liquid.net/docs/technical-overview, archived https://web.archive.org/web/20260613150027/https://docs.liquid.net/docs/technical-overview; and for Solana, Base, Optimism, and Arbitrum (project documentation)

Appendix F. Statements of state departments

State departments represented on the Commission were invited to submit written statements of their own positions, including positions they cannot take as agencies through their designees' votes (Disclaimer, §0), by 2:00 PM, Friday, October 30, 2026. Statements received are reproduced below in the order received, without editing.

Statement of the New Hampshire Banking Department, received October 30, 2026

The Banking Department extends its sincere appreciation to the Commission members, and especially to the Chair of the Commission, for their dedication, hard work, and the significant time invested in meeting and preparing this report. The Banking Department strongly supports innovation and development in payment stablecoins that is conducted in a safe and sound manner and in compliance with applicable laws and regulations. To that end, the Banking Department has proposed legislation for the upcoming legislative session for a state-level regulatory regime for the supervision of payment stablecoins in New Hampshire. This legislation, if enacted, is designed to enable New Hampshire financial service providers the opportunity to issue stablecoins.

Please note that the statements and opinions reflected in this report do not necessarily reflect the official position of the State of New Hampshire Banking Department. If a member of the public has questions about statements attributed to an employee of the Banking Department in the report, please contact the department directly for further information.

Michael Moranti
Deputy Commissioner, New Hampshire Banking Department

Statement of the Office of the Attorney General, received October 30, 2026

The Office of the Attorney General abstains from taking a position on the report. This is the Office's usual practice when serving on study commissions unless the subject is one the Office is likely to enforce.

Appendix G. Supplemental statements of members

Members were invited to submit written statements, including statements explaining a vote, by 2:00 PM, Friday, October 30, 2026. Statements received are reproduced below in the order received, without editing.

Statement of Commission Member Seth C. Oranburg, received October 30, 2026

I support the Final Report of the Commission to Study Stable Tokens as adopted on October 29, 2026, and its transmittal to the Legislature, the Governor, and the State Library. I participated in the Commission's final meeting but was unable to remain for the concluding roll-call vote because of my professional obligation to teach a law school course at its assigned time. Had I been present for the vote, I would have voted in favor of adopting the report. I thank Chair Ammon and my fellow members for their diligent work.

Seth C. Oranburg
Professor of Law, Columbus School of Law, The Catholic University of America

Appendix H. The blockchain-based trusts draft

The draft statutory language

Draft language, styled RSA 359-V:5, "Blockchain-Based Trusts Recognized," was provided to the Commission. In summary, it would:

- **I. Jurisdiction:** New Hampshire courts, when RSA 564-B:2-202 is satisfied or the settlor directed someone in New Hampshire to create the smart contract.
- **II. Impossibility presumption:** presume the defense for a person ordered to modify a smart contract, rebuttable by clear and convincing evidence that the contract is not decentralized.
- **III. Spendthrift equivalence:** treat a qualifying smart contract as the functional equivalent of an irrevocable spendthrift trust, with the protections of RSA 564-B:5-502.
- **IV. Wallet access:** bar compelling access to a wallet whose sole purpose is to receive and distribute funds from such a smart contract.
- **V. Limits:** preserve a court's power to order a beneficiary to produce funds already received.

The draft implements the first three proposals in §9.2 (jurisdiction, spendthrift protection, and the impossibility presumption). The 2026 Blockchain Basic Laws have since supplied the rest: RSA 359-V:1 defines "decentralized," "blockchain protocol," and "smart contract," and RSA 491:7-c authorizes a docket (2026, 286).

Points for any redraft

None of these issues goes to the merits of the idea; all go to whether the language would work.

- **Numbering.** RSA 359-V:5 is already taken (severability). The draft needs a new section number and arguably belongs in the Trust Code, RSA 564-B (2026, 286:3).
- **Citations.** Paragraph III cites "RSA 563-B:5-502" in one place and RSA 564-B elsewhere; the intended citation is likely RSA 564-B:5-502. RSA 545-A was repealed and replaced by RSA 545-B, the Uniform Voidable Transactions Act, effective August 31, 2026 (HB 1127; 2026, 215), so any cross-reference should cite 545-B.
- **Paragraph V.** Its second sentence reads: "This section shall not mean that a person may be compelled to provide access to any wallet not described herein." Read literally, that protects wallets *outside* paragraph IV, apparently the opposite of the intended limit. The drafter should confirm the intended rule.

- **The "no human back door" premise.** Many smart contracts include admin keys, oracles, upgrade paths, or governance votes that let someone alter outcomes, and the record shows such controls are common in token contracts (§3.1, §7.1). Proof of decentralization alone does not prove the defendant lacks control. Paragraph II should adopt RSA 359-V:1's definition and address these controls expressly.
- **Trust elements.** Paragraph III does not address the trustee, beneficiaries, trust property, settlor intent, or governing law.
- **Creditor protections.** The draft has no savings clause for bankruptcy, tax liens, forfeiture, or voidable transfers, and does not address RSA 564-B's existing limits on self-settled trusts.
- **Existing self-settled trust law.** A redraft should amend RSA 564-B:5-505A, which already protects a settlor's interest under a spendthrift provision, and should address its exception creditors for child support and basic alimony, added effective August 31, 2026 (RSA 564-B:5-505A; 2026, 215).
- **Federal limits.** State law cannot bind a bankruptcy court applying 11 U.S.C. 548(e) or a federal court weighing a self-created impossibility defense.
- **Balance of the record.** The Commission heard no opposing trust-law analysis and has not received a formal review from the Attorney General's office or the trust bar.

Appendix I. The Commission's meetings

Date	Presenters	Principal topics
Sept 17, 2025	(organizational)	Organization
Oct 15, 2025	Global Blockchain Business Council; Wyoming Stable Token Commission; Plume Network	Global landscape; Wyoming's state token; RWA platforms
Nov 12, 2025	Prof. Seth Oranburg (UNH Law); Ian Huyett (NH Blockchain Council); The Digital Chamber	GENIUS and CLARITY Acts; blockchain-based trusts; state approaches
Dec 10, 2025	Fortris; Hedera Foundation	Enterprise stablecoin use; network selection and governance
Jan 14, 2026	Anchorage Digital; Ceres Coin	Institutional adoption; tokenized money market fund share for government use
Feb 10, 2026	Digital Asset (Canton Network); Porcupine Properties	Tokenized collateral; tokenized equity in a New Hampshire real estate LLC
Mar 10, 2026	Conference of State Bank Supervisors; BitGo	GENIUS rulemaking and state regimes; stablecoin types and markets
Apr 6, 2026	Chainlink; LayerZero	Oracles; cross-chain interoperability and Wyoming's FRNT
May 4, 2026	Dr. Karen Parker Feld; Chair Keith Ammon	"A solution in search of a problem?"; the Chair's year in review
May 13, 2026	Lynq; Vantage Bank (Hazel Network, with Custodia Bank)	Tokenized fund shares as collateral; bank tokenized deposits
Aug 19, 2026	Elliptic; Circle; Prof. Oranburg	Blockchain analytics and on-chain risk management; GENIUS federal and state roles; Senate CLARITY changes
Sept 17, 2026	Andy Schwab (member); Chainlink; Fiserv; NH Bankers Association / BankChain Alliance	Live wallet and DeFi demonstration; agentic payments; Roughrider Coin; a bank-owned payments network

Date	Presenters	Principal topics
Oct 15, 2026	(drafting meeting; comments from Circle and the Department of Revenue Administration)	Review of the draft report; approval of the May 13, August 19, and September 17 minutes
Oct 29, 2026	(adoption meeting, State House)	Amendments to §2.5, §9.3, and Recommendations 5, 7, 8, 10, 12, and 13; adoption of this report, 5 to 0 with one abstention; approval of the October 15 minutes and correction of the February 10 minutes

Table I.1. The Commission's meetings.

Appendix J. Bill map and drafting detail

Bill	Contents	Possible House committee	Possible Senate committee	Intended funding	Related filings
A. Certification and consumer trust	Recommendations 1 to 5, 7	Commerce and Consumer Affairs	Commerce	Issuer fees set by the Banking Department; no bank assessment money	LSR 2027-0200 (Rep. John Hunt), the vehicle for Recommendation 1
B. Tokenized real-world assets	Recommendation 8	Ways and Means; Commerce and Consumer Affairs	Ways and Means; Commerce	Department of Revenue Administration revenue estimate; no new appropriation	None known
C. Privacy in digital money	Recommendation 9	Judiciary	Judiciary	Agency reporting within existing budgets	HB 1232 (2024), interim study
D. Office of Financial Innovation	Recommendation 6	To be determined	To be determined	A modest appropriation, later supplemented by fees; no bank assessment money	None known
Continuing work	Recommendations 10 to 13 (Recommendation 11 by agency action)	As assigned	As assigned	Within the Office's budget	LSR 2027-0239 (Rep. John Schneller)

Drafting detail

This subsection holds the statutory specifications and supporting references for the recommendations in §12.

Bill A

Recommendation 1 (issuer framework).

- **Conditional filing.** Treasury's interim final rule treats any filing by January 18, 2028 as meeting the deadline, even a conditional one, but begins formal review only when a filing is complete and unconditional (91 FR 61688, 61691 to 61692; §4.1).
- **Trust company eligibility.** An eligible trust company's activities should be confined to those GENIUS permits, with holders' claims to reserves ranked first (GENIUS Act sections 2(31), 4(a)(7), and 11). The state's trust industry has drawn firms from out of state (§8.1).
- **Licensing clock.** The 120-day decision period matches the federal path (GENIUS Act section 5(d)(1)(A); 12 U.S.C. 5904(d)(1)(A)). The Banking Department proposed this period.

Recommendation 2 (protections beyond the floor).

- **Reserve safety.** Fully reserved stablecoins can still slip. [Outside the record: USDC fell below 87 cents in March 2023 after Circle disclosed that $3.3 billion of its reserves were held at the failed Silicon Valley Bank (CNBC, March 11, 2023).]
- **Disclosure.** Compliance with federal disclosures should count where they cover the same ground.
- **Compliance mark.** The Banking Department would set the mark's form and conditions by rule and could revoke it; a uniform mark through CSBS would be preferable to a New Hampshire-only one.
- **Service-provider limit.** Track GENIUS Act sections 3 and 8 and federal definitions rather than restating them (§4.1), so the state rule moves with federal rulemaking.

Recommendation 3 (monitoring, freezing, and reversing tokens).

- **Legal basis.** The issuer's federal duties include the GENIUS requirement that issuers be able to block, freeze, and reject impermissible transactions (GENIUS Act sections 2(16) and 4(a)(5)).
- **Due process exceptions.** The federal-law exceptions to notice include suspicious activity reports and sanctions blocks. Where a holder cannot be identified, public posting suffices.

Recommendation 4 (tokenized deposits). The Banking Department's guidance should cover reconciliation with core deposit systems, which law governs transfers and errors, loss allocation among network members, and examination expectations.

Recommendation 5 (builders).

- **Safe harbor model.** Utah exempts node operation, software development, and related activity from money transmitter licensing (Utah Code 7-28-104; HB 230, 2025).
- **Existing exemption.** The new chapter should state that it does not narrow RSA 399-G:3, VII as it applies to builders.
- **Sandbox history.** HB 1507 (2024), a Banking Department sandbox bill, was sent to interim study.

Recommendation 6 (Office of Financial Innovation).

- **Attachment.** RSA 21-G:10 lets an attached agency exercise its powers "independently of the department," which provides only administrative support.
- **Advisory board.** Legislators from both chambers, a New Hampshire banker, an issuer or builder, and a University of New Hampshire representative, with the Bank Commissioner and the Director of the Bureau of Securities Regulation as non-voting members.
- **Agencies coordinated.** The Banking Department, the Bureau of Securities Regulation, the Secretary of State's DAO registry, the State Treasury, and the Department of Revenue Administration. The Commission's membership did not include the State Treasury or the Department of Revenue Administration (Moranti, December 10, 2025).
- **Model.** The Office of Energy Innovation advises the Governor, agencies, and the Legislature on developing a new industry, clean energy resources in the Gulf of Maine (RSA 12-P:7-b, II(b)).

Recommendation 7 (supervisory structure). Joint supervision above $10 billion is with the federal regulator; the trust company arrangements rest on information sharing with the Federal Reserve Board; cooperative agreements with other states provide for nationwide operation (GENIUS Act sections 4(c)(3), 4(d), 7, and 10(a)(1)(B)).

Bill B

Recommendation 8 (tokenized real-world assets).

- **Transfer tax.** The controlling-interest test should count an acquisition in one transfer or a series of transfers within a set period.
- **On-chain registers.** Provide that an entity's records under RSA 293-A and RSA 304-C may be kept on a blockchain; that an entry on a ledger the entity designates as its official register counts as registration of transfer under RSA 382-A, Article 8, Part 4 (RSA 382-A:8-401 et seq.) and as delivery under RSA 382-A:8-301(b); and that an LLC operating agreement may elect Article 8 treatment for interests so registered. New Hampshire already allows uncertificated shares and electronic records (RSA 293-A:6.26 and 16.01); this step goes further, as Delaware did in 2017 (Delaware General Corporation Law sections 219 and 224). Tokenized shares and LLC interests are governed by Article 8 of the UCC and entity law, not by Article 12, so modernizing ownership records is what lets a token carry the interest it represents.
- **Securities guidance.** Any guidance would follow the Bureau's study and should track current SEC staff views as they develop, rather than a particular staff statement.
- **Mandate.** RSA 383:26, I names tokenized real-world assets alongside stable tokens. The pilots in Recommendation 13 build on Bill B.
- **Safe harbor for verifiable tokens.**
  - *Scope and effect.* Applies to tokenized real-world assets offered to New Hampshire residents or issued by New Hampshire entities that are not registered with the SEC. Opting in creates a presumption of adequate disclosure of backing under RSA 421-B; it does not exempt an offering from registration, antifraud, or any other law, and does not apply to payment stablecoins, which Bill A governs. The Bureau of Securities Regulation administers the standard, may adopt rules under RSA 541-A, and may revoke the presumption for noncompliance.
  - *Liquid-asset tokens* (Treasuries, fund shares, deposits, commodities held in custody): daily reconciliation of tokens to assets; a public on-chain reserve feed sourced from the custodian, fund administrator, or bank; minting blocked beyond verified holdings; a monthly examination by an independent certified public accountant, using criteria such as the AICPA 2025 Criteria for Stablecoin Reporting adapted by rule (§8.3); annual audited financial statements above a size threshold set by rule, reviewed statements below it, along the lines of California's revenue-based approach (Cal. Fin. Code 3211(b)(1), audited statements above $2 million in California revenue).
  - *Illiquid-asset tokens* (real estate, private credit, equipment): valuation by an independent appraiser or administrator at a disclosed frequency, the data sources and fallback if a source fails, and title and lien status at issuance and annually.
  - *All tokens:* the offering document states whether the holder owns the asset, an interest in an entity that owns it, or a contractual claim, consistent with the SEC staff's categories of issuer-sponsored and third-party-sponsored (custodial or synthetic) tokenized securities (Statement on Tokenized Securities,

January 28, 2026); the asset is held by a segregated, bankruptcy-remote entity; an independent smart-contract audit precedes launch and any upgrade; and every administrative key, upgrade path, oracle dependency, and freeze or seize power is disclosed with its holder.

- *Benchmarks.* GENIUS monthly examined reserve reports (12 U.S.C. 5903(a)(1)(C) and (a)(3)); NYDFS 2022 guidance (daily full backing, segregation, attestations); Illinois 205 ILCS 731/5-10 (assets sufficient to cover customer claims, segregation, no lending or pledging, rulemaking on audits); California Fin. Code 3503 (assets sufficient to cover claims, statutory trust in bankruptcy); EU MiCA Article 36 (semiannual reserve audit). No model act covers this ground; UCC Articles 8 and 12 address ownership and control, not verification of backing.

Bill C

Recommendation 9 (privacy in digital money).

- **Data brokers.** Montana closed the data broker route for government purchases in 2025 (SB 282).
- **Exceptions.** Keep RSA 359-C's existing exceptions for supervisory agencies and for child support, medical assistance, and adult protective investigations, and state whether investigative demands by the Attorney General and the Bureau of Securities Regulation keep a notice-and-challenge route (RSA 359-C:4 and 359-C:11).
- **CBDC definition.** A retail CBDC is a Federal Reserve digital liability available to the public, excluding wholesale settlement, FedNow, tokenized deposits, and stablecoins. New Hampshire's UCC already excludes government currency in electronic form from the definition of money (RSA 382-A:1-201(b)(24); 2022, 281; 2023, 236), and federal law bars a Federal Reserve retail CBDC through 2030 (§7.2). The provision is durable insurance more than an immediate change. A 2024 bill to bar state and local governments from accepting a CBDC or joining a Federal Reserve CBDC test (HB 1232) was sent to interim study.
- **Record.** Parker Feld asked how issuer freeze powers differ from a CBDC and asked for a citizen opt-out modeled on Idaho SB 1299, and Schwab spoke for preserving that opt-out (May 4).

Continuing work

Recommendation 11 (federal engagement). Members saw collaboration as avoiding duplication (November 12, 2025), and LayerZero described shared liquidity with separate issuance (April 6).

Recommendation 13 (further study).

- **A state token.** Net yield given Wyoming's 102% reserve requirement and rate sensitivity; start-up and operating cost (October 15, 2025); the deposit effect on New Hampshire banks netted against lost lending and the Banking Department's assessment base (§11.2); and whether a closed bank network could capture the benefit without a state issuer (September 17). Wyoming went first, and the record holds no figures on its adoption or revenue (§8.2); Lynq's advice was "Don't go first" (May 13).
- **Municipal bond pilot phases.** First an institutional, permissioned issuance with bond counsel's tax and registration opinions, then retail denominations once disclosure and dealer rules are resolved (Plume, October 15, 2025; Whitlock, February 10). [Outside the record: Quincy, Massachusetts issued $10 million of tax-exempt bonds recorded on J.P. Morgan's Onyx blockchain platform (since renamed Kinexys) in April 2024 (The Bond Buyer, April 25, 2024).]

- **Special purpose vehicles.** The framework should hold the asset in a segregated, bankruptcy-remote entity, drawing on Delaware statutory trusts and series LLCs as well as Bermuda's model (Plume, October 15, 2025).
- **State cash management.** The State Treasurer operates the Public Deposit Investment Pool (RSA 6:45 to 6:47).
- **Open questions.** A default rule binding a principal to an agent's transactions within a mandate the user sets; algorithmic stablecoins, distinguished from overcollateralized designs (January 14; February 10); and how the business profits and business enterprise taxes treat stablecoins and reserve income, including BitGo's suggestion to treat stablecoins as cash equivalents (March 10).

Appendix K. GENIUS Act certification detail

This appendix holds the statutory and rulemaking detail summarized in §4.1.

Who may issue. The Act lists a subsidiary of an insured depository institution among permitted issuers (GENIUS Act section 2(23)); foreign issuers are covered by section 18 (Figure 4).

Securities and commodities. GENIUS declares payment stablecoins neither securities nor commodities (Circle, August 19). Tokenized fund shares differ: Oranburg observed that the GENIUS bar on issuer yield would not reach Lynq because Lynq is a security (May 13).

Nationwide reach and host states. Under GENIUS Act sections 4(c)(3), 4(d), and 7(f), host states' licensing laws do not apply to an issuer licensed by a certified state; their other laws apply only as they would to a federally licensed issuer, with the home state's law filling any gap, and their consumer protection laws still apply.

Deadline, renewal, and expedited review. Under GENIUS Act sections 4(c)(4), 4(c)(7), and 20, the state deadline is one year after the Act's effective date, which is January 18, 2027. Certification must be renewed every year. Expedited review is reserved for regimes in effect within 180 days of the Act's enactment, which New Hampshire's will not be. The Act takes effect on the earlier of January 18, 2027 or 120 days after the primary federal regulators issue final rules (GENIUS Act section 20); since no such rule issued before September 20, 2026, the date is January 18, 2027 (91 FR 61691 n.17).

Who certifies. CSBS said states submit frameworks to Treasury (March 10); Circle named Treasury, the Federal Reserve, and the FDIC (August 19, reconstructed minutes). Treasury's interim final rule of September 30, 2026 (91 FR 61688) sets the procedures of the Stablecoin Certification Review Committee, chaired by the Secretary of the Treasury, whose other members are the Chair of the Federal Reserve Board (or the Vice Chair for Supervision) and the Chairman of the FDIC. A filing by January 18, 2028 meets the deadline even if conditional or incomplete, but it is formally submitted for review only when it is complete and unconditional (91 FR 61691 to 61692).

Where the rules stand. CSBS described the OCC's proposal as the only one published as of March 10, though the FDIC and NCUA had issued earlier proposals. The rulemakings: FDIC proposals of December 19, 2025 (90 FR 59409) and April 10, 2026 (91 FR 18534); NCUA proposals of February 12, 2026 (91 FR 6531) and May 18, 2026 (91 FR 28956); OCC Bulletin 2026-3 and proposal, February 25, 2026 (91 FR 10202, March 2, 2026); Treasury's proposed rule on "substantially similar" state regimes, April 3, 2026 (91 FR 16844), requiring state

outcomes "at least as stringent and protective"; Treasury's GENIUS issuance proposal, August 18, 2026 (91 FR 53368); and Federal Reserve Board proposals of September 29, 2026 (91 FR 61346 and 91 FR 61580). The OCC issued its final rule on October 21, 2026 (OCC Bulletin 2026-50; 91 FR 67000, October 23, 2026, effective January 18, 2027), implementing the GENIUS Act's issuer requirements for entities under its jurisdiction.

The OCC's rules as a signpost. The OCC proposed 1:1 redemption within two business days, a 20-day average portfolio maturity, $5 million minimum capital, twelve months of operating expenses held as a backstop, and a 12-month examination cycle; CSBS stressed that states keep discretion in meeting "substantially similar" (March 10). The final rule keeps the two-business-day redemption standard, drops the proposed automatic seven-day extension when redemption requests spike (91 FR 67065), gives issuers more flexibility in managing reserve assets, and simplifies the capital requirements. The other figures in this paragraph are from the proposal.

Federal reach into state issuers. CSBS flagged friction: federal regulators may act against a state issuer in "unusual and exigent circumstances," and the $10 billion threshold is not inflation-adjusted (March 10). GENIUS Act section 7(e) gives that power to the Federal Reserve Board for any state qualified issuer and to the Comptroller for nonbank state issuers.

Waivers above $10 billion. CSBS suggested Wyoming may have a stronger waiver case because its program predates the Act (March 10). GENIUS Act section 4(d)(3)(C)(ii) presumes a waiver for issuers from a state regime established before the 90-day period ending on enactment, certified under section 4(c), and with at least one approved issuer, unless the federal regulator rebuts it by clear and convincing evidence. New Hampshire's would not qualify, so its issuers above $10 billion would rely on the ordinary criteria in section 4(d)(3)(B), which include the state regulator's experience.

Yield. GENIUS Act section 4(a)(11) bars issuers from paying yield and does not name affiliates or exchanges.

The CLARITY Act. The Chair reported that the Senate did not pass it (September 17). Senate cloture on the motion to proceed failed 49 to 50 on September 15, 2026 (Senate Roll Call Vote No. 234, 119th Congress). The SEC proposed "Regulation Crypto Assets" on August 18, 2026 (Release Nos. 33-11434 and 34-106150; 91 FR 54510, August 21, 2026).

Appendix L. Presenters' interests

Several presenters offer products related to what they described; this table notes each interest and where the report relies on that presenter.

Presenter	Interest in the subject	Where the report relies on it
Fiserv (Joe Healey)	Sells the Roughrider platform and the FIUSD stablecoin	Bank-led designs; closed bank networks
Vantage Bank (Shawn Main)	Sells the Hazel tokenized-deposit product	Tokenized deposits; deposit-flight scenario
Chainlink	Sells data, interoperability, and agent-payment services	Proof-of-reserves; agentic payments
LayerZero	Built Wyoming's FRNT; sells interoperability	Wyoming; cross-chain transfers
Plume Network	Operates a tokenized-asset network	Tokenized real-world assets; proposals for New Hampshire
Lynq Network	Operates a tokenized settlement network	Tokenized collateral; advice to states

Presenter	Interest in the subject	Where the report relies on it
Ceres Coin	Proposed its own product for state benefit programs	Tokenized fund shares
Digital Asset (Canton Network)	Operates the Canton Network	Tokenized collateral; privacy design
Circle	Issues USDC	GENIUS Act roles
BitGo, Anchorage Digital, Fortris, Hedera	Sell custody or network services	Token types; custody; privacy
Elliptic	Sells on-chain risk management services	Privacy; illicit finance
Porcupine Properties	Plans to sell real estate tokens	Tokenized real estate; transfer tax
New Hampshire Bankers Association	Represents banks; member of the BankChain Alliance	Deposit flight; BankChain
Global Blockchain Business Council; The Digital Chamber	Industry associations	Landscape; state approaches
Ian Huyett	Co-author of the trust proposal; volunteer board member, New Hampshire Blockchain Council	Blockchain-based trusts

Table L.1. Presenters' interests. Members' affiliations appear in the front matter.

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Volume II
The Commission's Record

Volume II reproduces the Commission's record, R-1 to R-51, in record-number order: the minutes of every meeting, the presentations and written submissions received, and the reference documents cited in Appendix E. It is not included in this printed edition and is available online at:

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