

Bill as Introduced

HB 179-FN - AS INTRODUCED

2021 SESSION

21-0337
04/05

HOUSE BILL

179-FN

AN ACT

relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

SPONSORS:

Rep. Abbas, Rock. 8

COMMITTEE:

Criminal Justice and Public Safety

ANALYSIS

This bill establishes an enhanced penalty for persons convicted of negligent homicide who have prior convictions for driving under the influence of drugs or liquor.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

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

1 1 Extended Term of Imprisonment. RSA 651:6, II(c) is repealed and reenacted to read as
2 follows:

3 (c) Has been previously convicted of driving or operating under the influence of drugs or
4 liquor under RSA 265-A:2, aggravated driving while intoxicated under RSA 265-A:3, or negligent
5 homicide under RSA 630:3, II, or under reasonably equivalent offenses in an out-of-state jurisdiction,
6 and such person is charged with an offense under RSA 630:3, II or RSA 265-A:3, I(b) or II(b).

7 2 Extended Term of Imprisonment. Amend RSA 651:6, III(a) to read as follows:

8 (a) Any felony, other than murder [~~or~~], manslaughter, ***negligent homicide under RSA***
9 ***630:3, II, or aggravated driving while intoxicated under RSA 265-A:3, I(b) or II(b)***, a
10 minimum to be fixed by the court of not more than 10 years and a maximum to be fixed by the court
11 of not more than 30 years;

12 3 Extended Term of Imprisonment. Amend RSA 651:6, III(f)-(g) to read as follows:

13 (f) A third offense under RSA 632-A:3, life imprisonment; [~~or~~]

14 (g) Any of the crimes listed under RSA 651:6, I(j), a minimum to be fixed by the court of
15 not less than 90 days and a maximum of not more than one year; ***or***

16 (h) ***Negligent homicide under RSA 630:3, II or aggravated driving while***
17 ***intoxicated under RSA 265-A:3, I(b) or II(b), provided that the court may consider an***
18 ***enhanced sentence of not less than 10 years or more than 20 years where the person has***
19 ***once previously been convicted under RSA 265-A:2, I, RSA 265-A:3, or RSA 630:3, II, or under***
20 ***a reasonably equivalent offense in an out-of-state jurisdiction; or***

21 (i) ***Negligent homicide under RSA 630:3, II or aggravated driving while***
22 ***intoxicated under RSA 265-A:3, I(b) or II(b), provided that the court may consider an***
23 ***enhanced sentence of not less than 15 years or more than 30 years where the person has, on***
24 ***2 or more prior occasions, been convicted under RSA 265-A:2, I, RSA 265-A:3, or RSA 630:3,***
25 ***II, or under a reasonably equivalent offense in an out-of-state jurisdiction.***

26 4 Effective Date. This act shall take effect January 1, 2022.

LBA
21-0337
12/8/20

**HB 179-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill establishes enhanced penalties for negligent homicide, based on prior convictions for driving under the influence of drugs or liquor, that may have an impact on the New Hampshire judicial and correctional systems. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Branch	FY 2021	FY 2022
Simple Criminal Case	\$309	\$309
Routine Criminal Felony Case	\$494	\$494
Appeals	Varies	Varies
It should be noted that average case cost estimates for FY 2021 and FY 2022 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types.		
Judicial Council		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Felony	\$825/Case	\$825/Case

Assigned Counsel – Felony. Homicide (Including capital cases)	\$100/Hour up to \$20,000	\$100/Hour up to \$20,000
Assigned Counsel – Felony	\$60/Hour up to \$4,100	\$60/Hour up to \$4,100
It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).		
Department of Corrections		
FY 2020 Average Cost of Incarcerating an Individual	\$47,691	\$47,691
FY 2020 Annual Marginal Cost of a General Population Inmate	\$6,407	\$6,407
FY 2020 Average Cost of Supervising an Individual on Parole/Probation	\$584	\$584
NH Association of Counties		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$105 to \$120	\$105 to \$120

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department would likely absorb the cost within its existing budget. If the Department needs to prosecute significantly more cases or handle more appeals, then costs may increase by an indeterminable amount.

AGENCIES CONTACTED:

Judicial Branch, Departments of Corrections and Justice, Judicial Council, and New Hampshire Association of Counties

HB 179-FN - AS AMENDED BY THE SENATE

7Apr2021... 0741h
05/27/2021 1692s

2021 SESSION

21-0337
04/05

HOUSE BILL **179-FN**

AN ACT relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

SPONSORS: Rep. Abbas, Rock. 8

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill establishes an enhanced penalty for persons convicted of negligent homicide who have prior convictions for driving under the influence of drugs or liquor.

Explanation: Matter added to current law appears in ***bold italics***.
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HB 179-FN - AS AMENDED BY THE SENATE

7Apr2021... 0741h
05/27/2021 1692s

21-0337
04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

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1 1 Short Title. This act shall be known as Tyler Shaw's Law.

2 2 Extended Term of Imprisonment. RSA 651:6, II(c) is repealed and reenacted to read as
3 follows:

4 (c) Has been previously convicted of driving or operating under the influence of drugs or
5 liquor under RSA 265-A:2, aggravated driving while intoxicated under RSA 265-A:3, or negligent
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12 *another*, a minimum to be fixed by the court of not more than 10 years and a maximum to be fixed
13 by the court of not more than 30 years;

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HB 179-FN - AS AMENDED BY THE SENATE

- Page 2 -

1 5 Effective Date. This act shall take effect January 1, 2022.

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AS AMENDED BY THE HOUSE (AMENDMENT #2021-0741h)

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AGENCIES CONTACTED:

Judicial Branch, Departments of Corrections and Justice, Judicial Council, and New Hampshire Association of Counties

CHAPTER 213
HB 179-FN - FINAL VERSION

7Apr2021... 0741h
05/27/2021 1692s
24Jun2021... 2061EBA

2021 SESSION

21-0337
04/05

HOUSE BILL

179-FN

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CHAPTER 213
HB 179-FN - FINAL VERSION

7Apr2021... 0741h
05/27/2021 1692s
24Jun2021... 2061EBA

21-0337
04/05

STATE OF NEW HAMPSHIRE

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

1 213:1 Short Title. This act shall be known as Tyler Shaw's Law.

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6 homicide under RSA 630:3, II, or under reasonably equivalent offenses in an out-of-state jurisdiction,
7 and such person is charged with an offense under RSA 630:3, II or RSA 265-A:3, I(b) or II(b).

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CHAPTER 213
HB 179-FN - FINAL VERSION
- Page 2 -

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2 *or RSA 630:3, II, or under a reasonably equivalent offense in an out-of-state jurisdiction.*
3 213:5 Effective Date. This act shall take effect January 1, 2022.

Approved: August 16, 2021
Effective Date: January 01, 2022

Amendments

Amendment to HB 179-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

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Committee Minutes

SENATE CALENDAR NOTICE

Judiciary

Sen Sharon Carson, Chair
Sen Bill Gannon, Vice Chair
Sen Harold French, Member
Sen Rebecca Whitley, Member
Sen Jay Kahn, Member

Date: April 15, 2021

HEARINGS

Tuesday		04/27/2021
(Day)		(Date)
Judiciary	REMOTE	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m.	HB 179-FN	relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.
1:15 p.m.	HB 347-FN	relative to driving with a suspended license.
1:30 p.m.	HB 129-FN	prohibiting the installation or use of electronic tracking software.
1:45 p.m.	HB 125	relative to post-arrest photo distribution by law enforcement officers.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/98124930370>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +16465588656,,98124930370# or +13017158592,,98124930370#
4. Webinar ID: [981 2493 0370](https://www.zoom.us/j/98124930370)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 179-FN

Rep. Abbas

HB 347-FN

Rep. Abbas

HB 129-FN

Rep. Testerman

HB 125

Rep. Klein-Knight

Rep. Bouchard

Rep. Roy

Jennifer Horgan 271-7875

Sharon M Carson
Chairman

Senate Judiciary Committee

Jennifer Horgan 271-7875

HB 179-FN, relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

Hearing Date: April 27, 2021

Time Opened: 1:07 p.m.

Time Closed: 1:22 p.m.

Members of the Committee Present: Senators Carson, Gannon, French, Whitley and Kahn

Members of the Committee Absent : None

Bill Analysis: This bill establishes an enhanced penalty for persons convicted of negligent homicide who have prior convictions for driving under the influence of drugs or liquor.

Sponsors:

Rep. Abbas

Who supports the bill: Rep. Abbas; Honorable Dan Feltes; Beth Shaw; David Goldstein; Chief Tara Laurent, Greenland Police Department; Robert Krieger; Andrew Shagoury; Chief Joseph Hoebeke, Hollis Police Department; Brendan LaFlamme, Hollis Police Department; James Maloney, Hollis Police Department; Domenic Richardi; David Croft; Sheriff Mark Brave; Christopher Connelly; Joanne Connelly; Gary Fisher; Charles Pelton; Michael Bagan; John Simonds, Sullivan County; Edward Garone; Michael Bilodeau; Richard Krauss; Beth Sargent, NH Association of Chiefs of Police; Anthony Bean Burpee; Charles Reynolds; John Parsons; Emily Cobb; Timothy Carpenter; Bradley Osgood; Gregory Patten; David Noyes; Scott Lester; Gerald Lewis; Timothy Crowley; Eric Pauer; Peter Morency; William Wright; Joe Mahoney

Who opposes the bill: Patrick Sullivan

Summary of testimony presented in support:

Representative Abbas

- This is the same bill as SB743 from 2020.
- The bill establishes an enhanced penalty for persons convicted of negligent homicide who have prior convictions for driving under the influence.
- The section referring to the aggravated provision, specifically only applies to situations where the aggravated provision involved a collusion that resulted in serious bodily injury.

- If there is one prior conviction the penalty minimum is 10 years, but not more than 20.
- If a person has two convictions, then it can be 15 to 30 years.
- Deciding to move forward with the enhanced penalties is at the discretion of the prosecutor, who would have to notify the defendant.
- This bill is named for Tyler Shaw, who was 20 years old when he was killed by a drunk driver who had two prior convictions on his record and had an ignition interlock device that he had failed multiple times in the past.
- This will help deter individuals who continue to engage in behavior that is a threat even after serving their prior sentence.
- Senator French asked if this would apply to someone who is convicted of aggravated DWI and they hit a tree hurting themselves.
 - There are several circumstances that can invoke the aggravated provision. The enhanced sentencing would only be a situation that involved serious bodily injury, which could be interpreted to be an injury to oneself. It is at the discretion of the prosecutor, but it is not necessarily something that the court would accept. That scenario could that happen under this.
- Senator Kahn asked if a standard minimum sentencing for aggravated assault as a result of intoxicated driving exists.
 - Understands if it is a homicide it is seven years. Mr. Shaw's defendant got 6-12 years. Enhanced sentences currently fall under RSA 651:6, III(a) with 10 to 30 years.

Beth Shaw

- Shared the story of her son, Tyler Shaw, who was killed in April 2018 by a drunk driver, Joseph Leonard.
- Mr. Leonard served 6 years in prison for the death of Mr. Shaw, while having a history of drunk driving.
- Shared the history of Mr. Leonard's multiple drunk driving convictions.
- Mr. Leonard had an ignition interlock device and 6 months after it was removed, he killed Mr. Shaw while having a .16 alcohol content level.
- Mr. Leonard was not held accountable by the courts for his multiple past offenses.
- If Mr. Leonard had served time for one of his previous convictions, would that have changed his behavior?
- Shared sentences of convictions that did not result in a death that were much higher than the sentence Mr. Leonard received.
- The purpose of this bill is to adequately and appropriately sentence habitual offenders who take someone's life.

Summary of testimony presented in opposition:

None

jch

Date Hearing Report completed: April 30, 2021

Speakers

Senate Remote Testify

Judiciary Committee Testify List for Bill HB179 on 2021-04-27

Support: 38 Oppose: 1 Neutral: 0 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Abbas, Daryl	daryl.abbas@leg.state.nh.us	(603) 560 -	An Elected Official	Rockingham / District 8	Support	Yes	4/27/2021 10:47 AM
Shaw, Beth	beth_shaw@comcast.net	603-496-5582	A Member of the Public	Myself	Support	Yes	4/27/2021 11:35 AM
Feltes, Dan	danfeltes@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 12:42 PM
Goldstein, David	dgoldstein@franklinnh.org	16039989782	A Member of the Public	Myself	Support	No	4/27/2021 1:11 PM
Laurent, Tara	tlaurent@greenlandpd.us	603.431.4624	A Member of the Public	Greenland Police Department	Support	No	4/27/2021 9:56 AM
Krieger, Robert	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 9:04 AM
Shagoury, Andrew	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 10:40 AM
Hoebeke, Joseph	jhoebeke@hollisnh.org	603.765.1595	State Agency Staff	Hollis Police Department	Support	No	4/27/2021 10:53 AM
LaFlamme, Brendan	blaflamme@hollisnh.org	603.465.7637	State Agency Staff	Hollis Police Department	Support	No	4/27/2021 10:53 AM
Maloney, James	jmaloney@hollisnh.org	603.465.7637	State Agency Staff	Hollis Police Department	Support	No	4/27/2021 10:54 AM
Richardi, Domenic	Not Given	Not Given	An Elected Official	Myself	Support	No	4/27/2021 7:11 AM
Croft, David	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 7:20 AM
Brave, Sheriff Mark	Mbrave@co.strafford.nh.us	Not Given	An Elected Official	Myself	Support	No	4/27/2021 7:25 AM
Connelly, Christopher	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 7:28 AM
Connelly, Joanne	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 7:29 AM
Fisher, Gary	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 8:15 AM
Pelton, Charles	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 8:19 AM
Bagan, Michael	mbagan@grotonnh.org	603.530.1000	A Member of the Public	Myself	Support	No	4/27/2021 8:35 AM
Simonds, John	jsimonds@sullivancountynh.gov	603-863-4200	An Elected Official	Sullivan County	Support	No	4/27/2021 9:14 AM

Garone, Edward	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 10:20 AM
Bilodeau, Michael	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 3:21 PM
Krauss, Richard	rkrauss301@gmail.com	603.652.4514	A Member of the Public	Myself	Support	No	4/26/2021 3:21 PM
Sargent, Elizabeth	echasesargent@gmail.com	603.568.0213	A Lobbyist	NH Association of Chiefs of Police	Support	No	4/26/2021 5:19 PM
Bean Burpee, Anthony	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 2:16 PM
Sullivan, Patrick	Patsully@comcast.net	Not Given	A Member of the Public	Myself	Oppose	No	4/26/2021 2:22 PM
REYNOLDS, CHARLES	REYNOLDS.CHARLES@COMCAST.NET	603.781.0168	A Member of the Public	Myself	Support	No	4/26/2021 5:34 PM
Parsons, John	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 2:50 PM
Cobb, Emily	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 2:51 PM
Carpenter, Timothy	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 2:54 PM
Osgood, Bradley	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 2:57 PM
Patten, Gregory	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 2:58 PM
Noyes, David	pdchief@wvpublicsafety.com	603.236.8809	A Member of the Public	Myself	Support	No	4/26/2021 3:10 PM
Lester, Scott	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 3:25 PM
Lewis, Gerald	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 3:40 PM
Crowley, Timothy	tcrowley@atkinson-nh.gov	978.888.3248	A Member of the Public	Myself	Support	No	4/26/2021 3:58 PM
Pauer, Eric	secretary@BrooklineGOP.org	603.732.8489	A Member of the Public	Myself	Support	No	4/26/2021 10:25 PM
Morency, Peter	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 6:05 AM
Wright, William	Not Given	Not Given	An Elected Official	Myself	Support	No	4/26/2021 6:04 PM
Mahoney, Joe	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 6:54 AM

Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # HB179

Hearing date: _____

Executive Session date: _____

Motion of: OB 1582 Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gannon, V-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. French	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Whitley
 Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, May 25, 2021

THE COMMITTEE ON Judiciary

to which was referred **HB 179-FN**

AN ACT

relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

Having considered the same, the committee recommends that the Bill

ought to pass with amendment

by a vote of: 5-0

Amendment # 2021-1692s

Senator Rebecca Whitley
For the Committee

This bill establishes an enhanced penalty for persons convicted of negligent homicide who have prior convictions for driving under the influence of drugs or liquor. The Committee amended the bill to clarify the language to include when a person causes serious bodily injury as defined in RSA 625:11 to another and asks for your support in passing the bill.

Jennifer Horgan 271-7875

FOR THE CONSENT CALENDAR

JUDICIARY

HB 179-FN, relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

Ought to Pass with Amendment, Vote 5-0.

Senator Rebecca Whitley for the committee.

This bill establishes an enhanced penalty for persons convicted of negligent homicide who have prior convictions for driving under the influence of drugs or liquor. The Committee amended the bill to clarify the language to include when a person causes serious bodily injury as defined in RSA 625:11 to another and asks for your support in passing the bill.

General Court of New Hampshire - Bill Status System

Docket of HB179

Docket Abbreviations

Bill Title: relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

Official Docket of HB179.:

Date	Body	Description
1/4/2021	H	Introduced (in recess of) 01/06/2021 and referred to Criminal Justice and Public Safety HJ 2 P. 38
3/10/2021	H	Public Hearing: 03/10/2021 10:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/92387218591 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/31/2021	H	Committee Report: Ought to Pass with Amendment #2021-0741h (Vote 14-7; RC) HC 18 P. 34
4/7/2021	H	Amendment #2021-0741h : AA VV 04/07/2021 HJ 5 P. 140
4/7/2021	H	Ought to Pass with Amendment 2021-0741h: MA DV 249-120 04/07/2021 HJ 5 P. 140
4/13/2021	S	Introduced 04/08/2021 and Referred to Judiciary; SJ 12
4/15/2021	S	Remote Hearing : 04/27/2021, 01:00 pm; Links to join the hearing can be found in the Senate Calendar; SC 20
5/25/2021	S	Committee Report: Ought to Pass with Amendment #2021-1692s , 05/27/2021; Vote 5-0; CC; SC 25A
5/27/2021	S	Committee Amendment #2021-1692s , AA, VV; 05/27/2021; SJ 17
5/27/2021	S	Ought to Pass with Amendment 2021-1692s, MA, VV; OT3rdg; 05/27/2021; SJ 17
6/10/2021	H	House Concurs with Senate Amendment 2021-1692s (Rep. Abbas): MA DV 211-149 06/10/2021 HJ 10 P. 2
7/8/2021	S	Enrolled Bill Amendment #2021-2061e Adopted, VV, (In recess of 06/24/2021); SJ 20
7/12/2021	H	Enrolled Bill Amendment #2021-2061e : AA VV (in recess of) 06/24/2021
7/21/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/23/2021	H	Enrolled (in recess of) 06/24/2021
8/17/2021	H	Signed by Governor Sununu 08/16/2021; Chapter 213; Eff: 01/01/2022

NH House

NH Senate

Other Referrals

July 7, 2021
2021-2061-EBA
10/05

Enrolled Bill Amendment to HB 179-FN

The Committee on Enrolled Bills to which was referred HB 179-FN

AN ACT relative to enhanced penalties based on prior convictions for driving under the influence of drugs or liquor.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 179-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 179-FN

Amend RSA 651:6, III(g) as inserted by section 4 of the bill by replacing line 2 with the following:

not less than 90 days and a maximum of not more than one year;

Senate Inventory Checklist for Archives

Bill Number: H3179

Senate Committee: Jud

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 15823 - amendment # _____

- amendment # 16925 - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- amendment # _____ - amendment # _____

- amendment # _____ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s) 2041

Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Jennifer Horgen
Committee Aide

8/2/01
Date

Senate Clerk's Office AK