

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***

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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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:

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

2 213:2 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 RSA 651:6, II(c) is repealed and reenacted to read as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
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).

8 213:3 Extended Term of Imprisonment. Amend RSA 651:6, III(a) to read as follows:

9 (a) Any felony, other than murder [ø], manslaughter, ***negligent homicide under RSA***
10 ***630:3, II, or aggravated driving while intoxicated under RSA 265-A:3, I(b) or II(b) under***
11 ***circumstances where the person caused serious bodily injury as defined in RSA 625:11 to***
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;

14 213:4 Extended Term of Imprisonment. Amend RSA 651:6, III(f)-(g) to read as follows:

15 (f) A third offense under RSA 632-A:3, life imprisonment; [ø]

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

18 (h) ***Negligent homicide under RSA 630:3, II or aggravated driving while***
19 ***intoxicated under RSA 265-A:3, I(b) or II(b) under circumstances where the person caused***
20 ***serious bodily injury as defined in RSA 625:11 to another, provided that the court may***
21 ***consider an enhanced sentence of not less than 10 years or more than 20 years where the***
22 ***person has once previously been convicted under RSA 265-A:2, I, RSA 265-A:3, or RSA 630:3,***
23 ***II, or under a reasonably equivalent offense in an out-of-state jurisdiction; or***

24 (i) ***Negligent homicide under RSA 630:3, II or aggravated driving while***
25 ***intoxicated under RSA 265-A:3, I(b) or II(b) under circumstances where the person caused***
26 ***serious bodily injury as defined in RSA 625:11 to another, provided that the court may***
27 ***consider an enhanced sentence of not less than 15 years or more than 30 years where the***

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- 1 *person has, on 2 or more prior occasions, been convicted under RSA 265-A:2, I, RSA 265-A:3,*
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

