

SB 620 -- Redline

Version adopted by both bodies to Chaptered -- relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated.

Deletions ~~struck~~ · Insertions underlined

CHAPTER 26 SB 620-FN - ~~VERSION~~FINAL ~~ADOPTED~~VERSION BY BOTH BODIES 01/29/2026 0130s 9Apr2026...

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~~126:1~~ Driving or Operating Under the Influence of Drugs or Liquor;

(b) If the person has [a prior driving or operating while intoxicated or aggravated driving or operating while intoxicated conviction] one or more prior convictions under RSA 265-A:2, I, RSA 265-A:3, RSA 630:3, II, or under a reasonably equivalent offense in an out-of-state jurisdiction as defined in RSA 265-A:18, VI(b) or a prior refusal of consent under this section or under a reasonably equivalent law in an out-of-state jurisdiction as defined in RSA ~~265-265-A:18, A:18,~~ VI(b):

~~SB26:2-620-FN -- VERSION ADOPTED BY BOTH BODIES -- Page 2 -- 2~~ New Paragraph;

CHAPTER 26 SB 620-FN - FINAL VERSION - Page 2 - VII.

In conjunction with a plea of guilty or nolo ~~contendere~~contendere to an offense resulting in a conviction under RSA 265-A:2 or RSA 265-A:3, the court may suspend up to 180 days of the license suspension imposed pursuant to this section.

~~326:3~~ Driving or Operating Under the Influence of Drugs or Liquor;

~~426:4~~ New Subparagraph;

~~SB26:5-620-FN -- VERSION ADOPTED BY BOTH BODIES -- Page 3 -- 5~~ New Paragraph;

~~626:6~~ Effective Date.

~~LBACHAPTER 26-217026 04/14/2026-SB 620-FN-620-FN FISCAL- NOTEFINAL ASVERSION AMENDED- BYPage THE3 HOUSE- (AMENDMENTApproved: #2026-1220h) AN ACT relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated.~~

FISCALApril IMPACT:20, 2026 Effective Date:

~~EstimatedJanuary State01, Impact FY 2026 FY 2027 FY 2028 FY 2029 Revenue \$0 \$0 \$0 \$0 Revenue Fund None Department of Safety IT \$20,000 in FY 2027 Expenditures* \$0 Criminal Justice Related Indeterminable General Fund, Restricted Highway Fund Cost of Collections Per the Funding Source state constitution, costs associated with the collection/administration of highway fund revenue by the Department of Safety is deducted prior to funds being credited as unrestricted highway fund revenue Appropriations* \$0 \$0 \$0 \$0 \$0 Funding Source None *Expenditure = Cost of bill *Appropriation = Authorized funding to cover cost of bill Estimated Political Subdivision Impact FY 2026 FY 2027 FY 2028 FY 2029 County Revenue \$0 \$0 \$0 \$0 County Expenditures \$0 Indeterminable Local Revenue \$0 \$0 \$0 \$0 Local Expenditures \$0 Indeterminable METHODOLOGY:~~

~~This bill increases the duration of administrative license suspensions for refusals from the current 180 days to 0 months for first refusal, and from the current 2 years to 3 years for subsequent refusals.~~

~~This bill also allows the courts to suspend up to 180 days of the refusal suspension in conjunction with a plea to RSA 265-A:2 or RSA 265-A:3.~~

~~It is also clarified that suspensions under 265-A:18 run consecutively to any administrative suspension.~~

~~The Department of Safety states existing Division of Motor Vehicles (DMV) processes would remain unchanged under this bill, however, implementing the new statutory duration and judicial discretion will require information technology system configuration updates, testing, and deployment work.~~

~~The Department estimates this to be a one-time cost in FY 2027 of \$20,000.~~

~~This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation.~~

~~Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments.~~

~~A summary of such costs can be found at:~~

~~https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf AGENCIES CONTACTED:~~

~~Department of Safety, Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association~~