

CHAPTER 290
HB 776-FN - FINAL VERSION

06/05/2025 2485s
26Jun2025... 2863CofC

2025 SESSION

25-0803
09/08

HOUSE BILL ***776-FN***

AN ACT relative to the crime of aggravated driving while intoxicated and relative to proclaiming the Virginia opossum the state marsupial of New Hampshire.

SPONSORS: Rep. Roy, Rock. 31; Rep. Proulx, Hills. 15; Rep. Rhodes, Ches. 17; Sen. Abbas, Dist 22; Sen. Birdsell, Dist 19

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

This bill adds wrong-way driving to the list of aggravating factors that can elevate a driving while intoxicated offense to an aggravated driving while intoxicated offense.

This bill also proclaims the Virginia opossum the state marsupial of New Hampshire and renames such opossums within the borders of the state as "New Hampshire opossums."

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to the crime of aggravated driving while intoxicated and relative to proclaiming the Virginia opossum the state marsupial of New Hampshire.

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

1 290:1 Aggravated Driving While Intoxicated; Aggravating Factor Added. Amend RSA 265-A:3, I(d)-
2 (e) to read as follows:

3 (d) Carries as a passenger a person under the age of 16; [or]

4 (e) Drives a vehicle with a gross combination weight rating of 10,001 pounds or more; **or**

5 ***(f) Drives or operates a vehicle in violation of 265:26, I;***

6 290:2 Aggravated Driving While Intoxicated; Aggravating Factor Added. Amend RSA 265-A:3, II(d)-
7 (e) to read as follows:

8 (d) Carries as a passenger a person under the age of 16; [or]

9 (e) Drives a vehicle with a gross combination weight rating of 10,001 pounds or more;

10 ***(f) Drives or operates a vehicle in violation of 265:26, I; or***

11 290:3 New Section; State Marsupial. Amend RSA 3 by inserting after section 31 the following new
12 section:

13 3:32 State Marsupial. The Virginia opossum (*Didelphis virginiana*) is hereby designated as the
14 official state marsupial of New Hampshire and such opossums found within our borders shall be known as
15 "New Hampshire opossums."

16 290:4 Effective Date.

17 I. Sections 1-2 of this act shall take effect January 1, 2026.

18 II. The remainder of this act shall take effect 60 days after its passage.

Approved: August 01, 2025

Effective Date:

I. Sections 1-2 effective January 1, 2026

II. Remainder effective September 30, 2025

