



Select New Hampshire Mandatory Minimum Laws

IMPORTANT NOTE: This is not necessarily a complete list. Laws frequently change, and these sentences may no longer be accurate or up to date. Talk with a lawyer in your state if you have questions.

Drug Offenses

Code Section	Offense	Mandatory Minimum Sentence
RSA § 318-B:26(V)	Manufacturing, selling, prescribing, administering, dispensing, or possessing with intent to sell, dispense, or compound any controlled drug or its analog, on or within 1,000 feet of a school	1 Year
RSA § 318-B:26(VI)	Being a drug enterprise leader*	25 Years**

*Per RSA § 318-B:2(XII), a drug enterprise leader is someone who conspires with one or more persons as an organizer, supervisor, financier, or manager to engage for profit in a scheme or course of conduct to unlawfully manufacture, sell, prescribe, administer, dispense, bring with or transport in New Hampshire methamphetamine, lysergic acid diethylamide, phencyclidine (PCP), any controlled drug classified in schedule I or II, or any controlled drug analog thereof. Please see <http://www.gencourt.state.nh.us/rsa/html/XXX/318-B/318-B-2.htm>.

**This sentence can be avoided if the defendant and state have entered into a plea agreement or post-conviction agreement that provides for a lesser sentence.

Weapons Offenses

Code Section	Offense	Mandatory Minimum Sentence
RSA § 651:2(II-b)	Second or subsequent offense of committing or attempting to commit any felony when armed with a pistol, revolver, rifle, shotgun, or any other firearm	3 Years, added to the sentence for the underlying crime
RSA § 651:2(II-g)	Committing a felony - an element of which is possession, use, or attempted use of a deadly weapon, AND - the deadly weapon is a firearm. If the defendant has a prior state or federal conviction for a crime which had as an element the possession, use, or attempted use of a deadly weapon AND the maximum penalty for that crime was imprisonment for more than one year	3 Years 6 years



Weapons Offenses, cont.

Code Section	Offense	Mandatory Minimum Sentence
RSA § 159:3-a(II)	Defendant possesses or has under his control a pistol, revolver, rifle, shotgun, or any other firearm, AND the defendant has 3 or more prior convictions (from New Hampshire or any other state) for felonies under homicide, assault, sexual assault, arson, burglary, robbery, extortion, child pornography, or controlled drug laws	10 Years