

HB 1107 - AS INTRODUCED

2022 SESSION

22-2574

11/10

HOUSE BILL            **1107**

AN ACT                establishing a committee to study the rental or lease of housing to a person who has pets.

SPONSORS:            Rep. Read, Rock. 17; Rep. Kenney, Straf. 6

COMMITTEE:          Judiciary

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ANALYSIS

This bill establishes a committee to study the rental or lease of housing to a person who has pets.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT                    establishing a committee to study the rental or lease of housing to a person who has pets.

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

1            1 Committee Established. There is established a committee to study the rental or lease of  
2 housing to a person who has pets.

3            2 Membership and Compensation.

4            I. The members of the committee shall be as follows:

5                    (a) Four members of the house of representatives, appointed by the speaker of the house  
6 of representatives.

7                    (b) Two members of the senate, appointed by the president of the senate.

8            II. Members of the committee shall receive mileage at the legislative rate when attending to  
9 the duties of the committee.

10          3 Duties. The committee shall study the following:

11            I. Whether legislation should be proposed to prohibit discrimination or to add protection for  
12 pet owners and pets under property leasing and landlord-tenant laws.

13            II. Whether such legislation should be limited to indoor cats, animals kept in indoor  
14 enclosures, and dogs, with separate requirements. Specifically:

15                    (a) For cats and animals kept in enclosures, allowing a refundable pet security deposit  
16 per animal, with maximum allowable security deposit. Existing laws and ordinances on the number  
17 of animals would remain in effect.

18                    (b) For dogs, landlords would be allowed to charge an additional refundable pet security  
19 deposit unless the tenant provides proof of insurance against dogs' damages and injuries, in which  
20 case the pet deposit for other animals would apply. Landlord may demand proof of insurance.  
21 Prohibition against breed/size restrictions would remain.

22            III. The grandfathering of any new legislation for existing tenants so no current tenant is  
23 affected.

24            IV. Providing clarification that prohibition on asking about pets does not preclude a landlord  
25 from inquiring of previous landlords in regard to damages and nuisance to other tenants.

26            V. Establishing a process for landlord action against pet-owning tenants, in the case that  
27 damage or disruption of other tenants' peaceful enjoyment is reasonably suspected, that best  
28 maximizes the rights of pet owners without preventing landlords' ability to minimize and recover  
29 losses. The process should provide that a landlord may provide the tenant, commensurate with the  
30 offense, with a series of written warnings to remedy behavior and orders to remove the offending pet

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1 or be subject to eviction. The process should also protect the right of the tenant to timely warnings,  
2 sufficient opportunities to remedy the situation, the ability to keep the pet if a reasonable remedy  
3 can be achieved, and should clear the tenant of the responsibility of the remainder of the lease  
4 should they choose to move in response to the landlord action, provided sufficient notice to the  
5 landlord is given.

6 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from  
7 among the members. The first meeting of the committee shall be called by the first-named house  
8 member. The first meeting of the committee shall be held within 45 days of the effective date of this  
9 section. Four members of the committee shall constitute a quorum.

10 5 Report. The committee shall report its findings and any recommendations for proposed  
11 legislation to the speaker of the house of representatives, the president of the senate, the house  
12 clerk, the senate clerk, the governor, and the state library on or before November 1, 2022.

13 6 Effective Date. This act shall take effect upon its passage.