

Amendment to SB 368-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the unlicensed sale of live animals and establishing the agricultural
4 hearings officer revolving fund.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Penalty; Unlicensed Sale of Live Animals. Amend RSA 437:10, II to read as follows:

9 II. In addition to the penalty under paragraph I, any pet vendor who violates any of the
10 provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied
11 by the commissioner, not to exceed \$1,000 for ~~each~~ **the first violation, and up to \$5,000 for each**
12 **subsequent violation.**

13 2 New Section; Revolving Fund for Agricultural Hearings Officers. Amend RSA 425 by inserting
14 after section 11 the following new section:

15 425:11-a Revolving Fund for Agricultural Hearings Officers.

16 I. There is established within the department of agriculture, markets, and food a revolving
17 fund for agricultural hearings officers. All fines collected by the department shall be deposited into
18 the fund. The fund shall be nonlapsing and continually appropriated to the department to fund the
19 department's adjudicative procedures, including, but not limited to, the costs associated with
20 contracting with one or more hearing officers who shall be responsible for administering all aspects
21 of the department's adjudicative procedure as directed by the commissioner. The department of
22 agriculture, markets, and food shall every quarter forward any unpaid fines assessed in an
23 adjudicative proceeding to the attorney general for collection in accordance with RSA 7:15-a.

24 II. At the end of each quarter of the fiscal year any balance in the fund in excess of \$10,000
25 shall be deposited in the general fund.

26 3 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12:
27 II(b) by inserting after subparagraph (383) the following new subparagraph:

28 (384) Moneys deposited in the revolving fund for agricultural hearings officers under
29 RSA 425:11-a.

30 4 Effective Date. This act shall take effect July 1, 2022.

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AMENDED ANALYSIS

This bill increases the fine for subsequent offenses of unlicensed sale of live animals.

This bill also establishes the revolving fund for agricultural hearing officers.