

Amendment to SB 368-FN

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

2

3 AN ACT establishing the agricultural hearings officer revolving fund and relative to penalties
4 for unlawfully transferring dogs, cats, and ferrets.

5

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

7

8 1 New Section; Revolving Fund for Agricultural Hearings Officers. Amend RSA 425 by inserting
9 after section 11 the following new section:

10 425:11-a Revolving Fund for Agricultural Hearings Officers.

11 I. There is established within the department of agriculture, markets, and food a revolving
12 fund for agricultural hearings officers. All fines collected by the department, except as provided in
13 RSA 427:14, shall be deposited into the fund. The fund shall be nonlapsing and continually
14 appropriated to the department to fund the department's adjudicative procedures, including, but not
15 limited to, the costs associated with contracting with one or more hearing officers who shall be
16 responsible for administering all aspects of the department's adjudicative procedure as directed by
17 the commissioner. The amount withdrawn from the fund shall not exceed \$75,000 in total each year.
18 The department of agriculture, markets, and food shall every quarter forward any unpaid fines
19 assessed in an adjudicative proceeding to the attorney general for collection in accordance with RSA
20 7:15-a.

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

23 2 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12:
24 II(b) by inserting after subparagraph (383) the following new subparagraph:

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

27 3 Transfer of Birds and Animals; Penalty. Amend RSA 437:10, I to read as follows:

28 I. Any *person who transfers ownership of a live dog, cat, or ferret without an official*
29 *certificate of transfer or* any pet vendor who transfers live animals or birds customarily used as
30 household pets in this state without having a license to do so as required by this chapter shall be
31 guilty of a misdemeanor *and may be subject to an administrative fine levied by the*
32 *commissioner, not to exceed \$1,000 for each violation.*

Amendment to SB 368-FN
- Page 2 -

1 4 Effective Date. This act shall take effect January 1, 2023.

Amendment to SB 368-FN
- Page 3 -

2022-1780h

AMENDED ANALYSIS

This bill establishes the revolving fund for agricultural hearing officers.

This bill also requires a dog, cat, or ferret to be transferred with a health certificate, and establishes an administrative fine for violations.