

SB 103 – AS AMENDED BY THE SENATE

03/07/13 0469s

2013 SESSION

13-0911  
03/09

SENATE BILL **103**

AN ACT relative to beaching, grounding, or tying a boat to shore.

SPONSORS: Sen. Bradley, Dist 3; Sen. Odell, Dist 8; Sen. Cataldo, Dist 6; Sen. Fuller Clark, Dist 21; Rep. McConkey, Carr 3; Rep. Mellow, Carr 5; Rep. Ahlgren, Carr 6

COMMITTEE: Transportation

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AMENDED ANALYSIS

This bill prohibits beaching, grounding, or tying a boat to shore on a public body of water without the permission of the owner, lessee, or person in control of property fronting or abutting the body of water.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to beaching, grounding, or tying a boat to shore.

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

1 Chapter Heading Changed. The chapter heading of RSA 270-A is repealed and reenacted to  
2 read as follows:

3 CHAPTER 270-A

4 BEACHING, GROUNDING, OR TYING A BOAT TO SHORE

5 2 Definitions; Mooring. Amend RSA 270-A:1, IV to read as follows:

6 IV. “Mooring” means beaching, grounding, or tying of a houseboat to the shore of any of the  
7 ~~[inland surface waters]~~ **public bodies of water** of the state, and the anchoring of a houseboat on  
8 any of the ~~[inland surface waters]~~ **public bodies of water** of the state.

9 3 New Paragraph; Definitions; Shorefront Property. Amend RSA 270-A:1 by inserting after  
10 paragraph IV the following new paragraph:

11 V. “Shorefront property” means land fronting or abutting a public body of water.  
12 “Shorefront property” shall not include a deeded right-of-way nor shall it include land not contiguous  
13 to the shore with any with any other type of legal shorefront access.

14 4 Beaching, Grounding, or Tying Permitted. Amend RSA 270-A:2 to read as follows:

15 270-A:2 Where ~~[Overnight Mooring]~~ **Beaching, Grounding, or Tying to Shore** Permitted. A  
16 ~~[houseboat]~~ **boat** may be beached or grounded, or tied to the ~~[shore]~~ **shorefront property** of any of  
17 the ~~[inland surface waters]~~ **public bodies of water** of the state ~~[for an overnight period, or any part~~  
18 ~~of an overnight period,]~~ only when **the shorefront property is** ~~[on or at a location]~~ owned, leased, or  
19 otherwise under the control of the owner or operator of ~~[the houseboat]~~ **said boat** or by permission of  
20 the owner, lessee, or person otherwise in control of ~~[such location. An unoccupied houseboat may be~~  
21 ~~anchored on the inland surface waters of the state for an overnight period, or any part of an~~  
22 ~~overnight period, only in an area reasonably adjacent to a location owned, leased, or otherwise under~~  
23 ~~the control of the owner or operator of the houseboat or by permission of the owner, lessee, or person~~  
24 ~~otherwise in control of such location]~~ **said shorefront property. For the purposes of this**  
25 **chapter, property owned in common by a condominium association or other group shall be**  
26 **deemed owned by the group and shall not convey any rights under this chapter to its**  
27 **individual members.**

28 5 Overnight Mooring. Amend RSA 270-A:3 to read as follows:

29 270-A:3 Where Overnight Mooring Prohibited. No ~~[houseboat]~~ **boat** shall be beached or  
30 grounded, or tied to the shore of any of the ~~[inland surface waters]~~ **public bodies of water** of the

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- Page 2 -

1 state for an overnight period or any part of an overnight period, except as permitted in RSA 270-A:2  
2 or in cases of emergency. No [~~houseboat~~] **boat** shall be anchored on any of the [~~inland surface~~  
3 ~~waters~~] **public bodies of water** of the state for an overnight period or any part of an overnight  
4 period except as permitted in RSA 270-A:2 or in cases of emergency.

5 6 Penalty. Amend RSA 270-A:5 to read as follows:

6 270-A:5 Penalty for Overnight Mooring at a Prohibited Location. If any person shall violate any  
7 provision of this chapter relative to mooring a [~~houseboat~~] **boat** overnight in a prohibited location, he  
8 **or she** shall be guilty of a violation. Each night of mooring a [~~houseboat~~] **boat** in a prohibited  
9 location shall be considered a separate violation.

10 7 Additional Penalty. Amend RSA 270-A:7 to read as follows:

11 270-A:7 Additional Penalty. In addition to the penalties provided in RSA 270-A:5 and [~~6~~] **270-**  
12 **A:6**, the court may revoke the New Hampshire registration certificate and the right to obtain such a  
13 certificate for any [~~houseboat or motor used for propelling such houseboat~~] **boat** in violation of any of  
14 the provisions of this chapter, for a period not to exceed one year from the date of conviction.

15 8 Effective Date. This act shall take effect January 1, 2014.