

HB 1492-FN-LOCAL – AS INTRODUCED

2014 SESSION

14-2392  
08/03

HOUSE BILL            ***1492-FN-LOCAL***

AN ACT                relative to the issuance of fines for unlicensed dogs.

SPONSORS:            Rep. J. Webb, Rock 6; Rep. Bouchard, Merr 18; Sen. Carson, Dist 14; Sen. Rausch,  
Dist 19

COMMITTEE:          Municipal and County Government

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ANALYSIS

This bill allows towns to recover the full cost of service notifying a dog owner of a civil forfeiture relative to dog licensing.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                   relative to the issuance of fines for unlicensed dogs.

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

1           1 Collection of Civil Forfeitures; Delinquent Dog Licenses. Amend RSA 466:14 to read as  
2 follows:

3           466:14 Warrants; Proceedings. The town or city clerk shall annually, between June 1 and June  
4 20, present to the local governing body a list of those owners of dogs that have failed to license or not  
5 renewed their dog licenses pursuant to RSA 466:1. The local governing body shall, within 20 days  
6 from June 20, issue a warrant to a local official authorized to issue a civil forfeiture for each  
7 unlicensed dog. The warrant may also authorize a local law enforcement officer to seize any  
8 unlicensed dog. The civil forfeiture may be sent by certified mail, or delivered in hand, or left at the  
9 abode of the dog owner. The cost of service [~~shall not exceed \$5 and~~] may be recovered by the city or  
10 town in addition to the amount of the civil forfeiture. If the unlicensed dog is seized, it shall be held  
11 in a town or city holding facility for a period of 7 days, after which time full title to the dog shall pass  
12 to the facility, unless the owner of the dog has, before the expiration of the period, caused the dog to  
13 be licensed. The owner shall pay the facility a necessary and reasonable sum per day, as agreed  
14 upon by the governing body of the town or city and the facility, for each day the dog has been kept  
15 and maintained by the facility, plus any necessary veterinary fees incurred by the facility for the  
16 benefit of the dog. Before a local law enforcement officer seizes any unlicensed dog, a written  
17 warning shall be given to the dog owner.

18           2 Effective Date. This act shall take effect January 1, 2015.

LBAO  
14-2392  
11/26/13

**HB 1492-FN-LOCAL - FISCAL NOTE**

AN ACT                    relative to the issuance of fines for unlicensed dogs.

**FISCAL IMPACT:**

The New Hampshire Municipal Association states this bill, **as introduced**, may increase local revenue by an indeterminable amount in FY 2015 and each year thereafter. There will be no impact on state and county revenue, or state, county, and local expenditures.

**METHODOLOGY:**

The New Hampshire Municipal Association states this bill allows a municipality to recover the full cost of issuing a civil forfeiture to a dog owner for failing to license the dog. Civil forfeitures are issued annually to dog owners who have not licensed their dogs as required by law, but current law allows municipalities to recover only up to \$5 for the cost of serving the civil forfeiture. Allowing municipalities to recover the full cost will result in an increase in municipal revenue, but because the number of civil forfeitures in any given year is unpredictable, the extent of any such increase is indeterminable.