

SB 14-FN - AS AMENDED BY THE HOUSE

4May2023... 1520h

2023 SESSION

23-0696

04/05

SENATE BILL ***14-FN***

AN ACT relative to the use of game cameras.

SPONSORS: Sen. Watters, Dist 4; Sen. Gendreau, Dist 1; Rep. Goley, Hills. 21

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill adds a definition of "game camera" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the use of game cameras.

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

1 1 New Paragraph; General Provisions as to Fish and Game; Game Camera. Amend RSA 207:1
2 by inserting after paragraph XI the following new paragraph:

3 XI-a. Game Camera. Any device capable of recording and transmitting photographic or
4 video data, with or without a wire, to a remote device, such as a computer, smartphone, or other
5 viewing device. The term shall also include a device that merely records photographic or video data
6 and stores such data for later use.

7 2 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA
8 207 by inserting after section 62 the following new section:

9 207:63 Game Cameras.

10 I. Any person taking or attempting to take a game animal or fur-bearing animal may use a
11 game camera to locate, surveil, aid or assist in any attempt to locate or surveil any game animal or
12 fur-bearing animal, provided that no person shall take a game animal or fur-bearing animal within
13 the same calendar day of remotely viewing any image or video of that animal from a game camera in
14 that area.

15 II.(a) No person shall place a game camera that records or transmits images or data of any
16 kind while unattended outside on the private property of another without the consent of the property
17 owner or the property owner has posted signage on his or her property allowing the placement of
18 such camera as provided in this section. A game camera placed on state owned or managed lands, or
19 on municipally owned property, shall be exempt from requiring landowner permission.

20 (b) A property owner may permit the placement of a game camera by posting signs of
21 durable material with any words describing the physical activity permitted, such as "Game Cameras
22 Allowed", printed with block letters no less than 2 inches in height, and with the name and contact
23 information of the property owner. Such signs shall be posted at gates, bars and commonly used
24 entrances. This section shall not prevent any property owner adding to the language required by
25 this section.

26 (c) Any permission granted by a property owner under this section shall expire on
27 December 31st of each calendar year, unless revoked or extended by the property owner or his or her
28 designee.

29 III. A person who places a game camera on the private property of another, or on state
30 owned or state managed property, shall label the camera with the name and contact information of
31 the camera owner in a manner visible while mounted.

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1 IV. A property owner shall contact a local or state law enforcement officer or conservation
2 officer to remove and seize a game camera which was placed in violation of this section.

3 V. This section shall not prohibit:

4 (a) The lawful use of implanted or attached electronic devices by fish and game
5 department staff, or other persons holding a scientific permit from the executive director, to identify,
6 monitor, or track animals; or

7 (b) Any device placed or used in accordance with a warrant or in accordance with other
8 lawful actions of law enforcement officers or personnel of the fish and game department in the
9 performance of their official duties.

10 VI. Any person who violates this section shall be guilty of a violation and subject to a fine of
11 up to \$125 for each offense and, for a second or subsequent conviction under this section, may forfeit
12 the game camera and related fastening devices used during the violation of this section.

13 3 Effective Date. This act shall take effect January 1, 2024.

SB 14-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the use of game cameras.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General Game Fund <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Fish and			

METHODOLOGY:

This bill creates a violation level offense for certain improper uses of game cameras. It is not possible to estimate how many new cases may arise because of this change, if any, however the Judicial Branch estimates the potential cost of violation level cases to be \$119 in FY 2023 and \$122 in FY 2024. Additionally, violations of this statute carry a fine up to \$1,000, and therefore may increase revenue to the fish and game fund. It is assumed fiscal impacts, if any, would not occur until FY 2024.

AGENCIES CONTACTED:

Judicial Branch and Fish and Game Department