

CHAPTER 225
SB 368-FN - FINAL VERSION

03/24/2022 1108s
4May2022... 1780h

2022 SESSION

22-2887
08/11

SENATE BILL ***368-FN***

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

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Sherman, Dist 24; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Sen. Avar, Dist 12; Sen. Gannon, Dist 23; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Rep. Bixby, Straf. 17

COMMITTEE: Energy and Natural Resources

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.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

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

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

1 225:1 New Section; Revolving Fund for Agricultural Hearings Officers. Amend RSA 425 by inserting
2 after section 11 the following new section:

3 425:11-a Revolving Fund for Agricultural Hearings Officers.

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10 withdrawn from the fund shall not exceed \$75,000 in total each year.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

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

15 225:2 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12: II(b)
16 by inserting after subparagraph (383) the following new subparagraph:

17 (384) Moneys deposited in the revolving fund for agricultural hearings officers under RSA
18 425:11-a.

19 225:3 Transfer of Birds and Animals; Penalty. Amend RSA 437:10, I to read as follows:

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

25 225:4 Effective Date. This act shall take effect January 1, 2023.

Approved: June 17, 2022
Effective Date: January 01, 2023

