

HB 585-FN-LOCAL - AS INTRODUCED

2021 SESSION

21-0569

08/11

HOUSE BILL

585-FN-LOCAL

AN ACT allowing the prepayment of dog licensing fees for the duration of a rabies vaccination and reducing fines related thereto.

SPONSORS: Rep. Layon, Rock. 6; Rep. Prudhomme-O'Brien, Rock. 6

COMMITTEE: Environment and Agriculture

ANALYSIS

 This bill allows dog owners to pay for a 3-year license that runs concurrently with the duration of a rabies vaccination.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT allowing the prepayment of dog licensing fees for the duration of a rabies vaccination and reducing fines related thereto.

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

1 1 Prepayment of Dog Licenses. Amend RSA 466:1 to read as follows:

2 466:1 Procuring License; Tag. Every owner or keeper of a dog 4 months old or over shall
3 ~~[annually,]~~ cause it to be registered, numbered, described, and licensed ~~[for one year]~~ in the office of
4 the clerk of the city or town in which the dog is kept, and shall cause it to wear around its neck a
5 collar to which shall be attached a metal tag with the following information thereon: the name of the
6 city or town, year **or years** of issue of license and its registered number. The tag and license shall be
7 furnished by the clerk at the expense of the city or town. ***The owner may register the dog for one***
8 ***year or 3 years.*** Regardless of when the license is obtained, ~~[the]~~ ***a one year*** license shall be
9 effective from May 1 of each year to April 30 of the subsequent year. ***Regardless of when the***
10 ***license is obtained, the 3 year license shall be effective from May 1 of the year it is obtained***
11 ***to April 30 of the third year.***

12 2 Disposal of License Fees. Amend RSA 466:5 to read as follows:

13 466:5 Disposal of Fees. All moneys arising from ***one year dog licenses and*** the licensing ~~[of~~
14 ~~dogs and]~~ ***of*** cats, if the municipality licenses cats, remaining in the treasury of any town or city at
15 the end of the town or city fiscal year, which is not due to holders of orders given for loss of or
16 damages to domestic animals by dogs, or which has not been paid to the department of agriculture,
17 markets, and food under RSA 466:9 or the state treasurer under RSA 466:4, I(c) shall be for the use
18 of the town or city. ***Moneys arising from the issuance of 3-year dog licenses less the amount***
19 ***of the year applicable, which is not due to holders of orders given for loss of or damages to***
20 ***domestic animals by dogs, or which has not been paid to the department of agriculture,***
21 ***markets, and foods under RSA 466:9 or the state treasurer under RSA 466:4, I(c) shall be***
22 ***for the use of the town or city. The remainder shall be held in escrow by the town clerk to***
23 ***be paid in the following years in which it may be applicable.***

24 3 Payment of Fees. Amend RSA 466:9 to read as follows:

25 I. Clerks of the towns and cities shall issue dog licenses, receive the money for the licenses,
26 and pay the same into the treasuries of their respective towns and cities on or before June 1 each
27 year, retaining to their own use \$1 for each ***one year*** license and submitting \$.50 for each license to
28 the department of agriculture, markets, and food for the purpose specified in paragraph II. ***The***
29 ***clerks shall retain to their own use \$3 for each 3-year license the year it is issued and***
30 ***submit \$1.50 for each license the year it is issued to the department of agriculture, markets,***

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1 **and food for the purposes specified in paragraph II.** The clerks shall return to their respective
2 town or city treasurer a sworn statement of the amount of moneys thus received and paid over by
3 them.

4 II. The \$.50 received by the department of agriculture, markets, and food for each **one year**
5 license **and the \$1.50 received by the department of agriculture, markets, and food for each**
6 **3-year license** issued pursuant to paragraph I shall be credited to a special nonlapsing fund to be
7 used exclusively for the operation of the veterinary diagnostic laboratory established under RSA
8 436:92, and are hereby continually appropriated for such purpose to be expended under the
9 supervision of the commissioner of agriculture, markets, and food.

10 4 Records; Rabies Vaccine Expiration Date Added. Amend RSA 466:11, I to read as follows:

11 I. Clerks of towns and cities shall keep a record of all licenses issued by them, with the
12 names of the keepers or owners of dogs licensed, and the names, **rabies vaccine expiration date,**
13 registered numbers and descriptions of all such dogs. Clerks of towns and cities shall furnish yearly
14 to the local governing body a list of those owners who have failed to renew their license for use in
15 preparing the warrant of unlicensed dogs.

16 5 Forfeiture; Fines Reduced. Amend RSA 466:13 to read as follows:

17 466:13 Forfeiture. Whoever is the owner or keeper of a dog and who fails to license or renew the
18 dog license pursuant to RSA 466:1 shall forfeit [~~\$25~~] **\$10** to the town or city clerk of the municipality
19 in which the dog is kept. If the forfeiture is not made to the town or city clerk within 15 calendar
20 days of the notice of forfeiture, the case may be disposed of in a district court as a violation with a
21 fine not to exceed [~~\$50~~] **\$20**, notwithstanding the provisions of RSA 651:2, IV. A forfeiture shall not
22 relieve the owner or keeper of the requirement of proper licensing of the dog as required by RSA
23 466:1. This section shall also apply to cats, if the municipality licenses cats. Any forfeitures
24 collected under this section may be retained by the city or town for the administration and
25 enforcement of this chapter.

26 6 Effective Date. This act shall take effect 60 days after its passage.

**HB 585-FN-LOCAL- FISCAL NOTE
AS INTRODUCED**

AN ACT allowing the prepayment of dog licensing fees for the duration of a rabies vaccination and reducing fines related thereto.

FISCAL IMPACT: ☒ **State** ☐ **County** ☒ **Local** ☐ **None**

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Veterinary Diagnostic Lab Fund (RSA 466:9, II) and Companion Animal Neutering Fund (RSA 437-A:4-a)			

LOCAL:

Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill creates an optional 3 year license and pre-payment for dog owners that spans the 3 year period for rabies vaccination. The bill modifies the associated municipal fee of \$1.00 per annual license to \$3.00 for the 3 year license. It modifies the associated annual fee of \$0.50 per license to \$1.50 for the 3 year license for the Department of Agriculture, Markets and Foods for deposit into the nonlapsing Veterinary Diagnostic Laboratory fund pursuant to RSA 466:9,II. There will be no net increase in the amount of fees to municipalities or to the Veterinary Diagnostic Laboratory but the annual revenue will fluctuate dependent on the number of licenses that are prepaid for 3 years. The Department estimates that between 50%-100% of licensees would opt for the 3 year license which would result in an increase in revenue from these license fees in the first year followed by decreased revenue in future years.

The bill will significantly reduce the total fee revenue to the Animal Population Control Program (RSA 437-A:4-a Companion Animal Neutering Fund). The Department of Agriculture, Markets and Food states that although the bill retains the funding mechanism to the Department for the Veterinary Diagnostic Laboratory per license year, it does not similarly modify the funding mechanism for the Animal Population Control Program, which is funded by a different statutory fee pursuant to RSA 437-A:4-a. This program currently receives \$2.00 per license and it receives

approximately \$400,000 per year from this allocation. The bill does not amend this provision from a per license basis or amend the license amount for the 3 year license period. The program would therefore only receive \$2 per license issued over a 3 year period and not \$6.00 as it would under current law. The Department states the program would likely collapse due to a lack of funding.

The New Hampshire Municipal Association states the annual expense for metal tags inventory would increase approximately 100 percent to accommodate either a one year or 3 year license and costs would vary based on the number of dogs licensed and whether multiple years of issue are required to be added to such tags. Animal licensing software would also need to be upgraded and such cost is indeterminable. There is no requirement that the rabies vaccination be current (unexpired) through the effective dates of the second and third year of the issued license, so no additional staff costs would be incurred to monitor these provisions. Municipal revenues from the license fee may fluctuate from year to year but total license revenue over a 3 year period should not change significantly. Municipal revenues from forfeiture fees for failing to license or renew a license would likely decrease by an indeterminable amount based on the reduction of such fee from \$25 to \$10. The subsequent district court fine assessment for individuals failing to license a dog would also decrease from \$50 to \$20.

It is assumed the bill will be effective July 1, 2021.

AGENCIES CONTACTED:

New Hampshire Department of Agriculture, Markets and Food and New Hampshire Municipal Association