

Floor Amendment to HB 221

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to the acquisition of agricultural land development rights and relative to the
4 use of game cameras.
5

6 Amend the bill by inserting after section 5 the following and renumbering the original sections 6 to
7 read as 9:

8 7 New Paragraph; General Provisions as to Fish and Game; Game Camera. Amend RSA 207:1
9 by inserting after paragraph XI the following new paragraph:

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

14 8 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA
15 207 by inserting after section 62 the following new section:

16 207:63 Game Cameras.

17 I. Any person taking or attempting to take a game animal or fur-bearing animal may use a
18 game camera to locate, surveil, aid or assist in any attempt to locate or surveil any game animal or
19 fur-bearing animal, provided that no person shall take a game animal or fur-bearing animal within
20 24 hours of remotely viewing any image or video of that animal from a game camera in that area.

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

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

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

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

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

9 V. This section shall not prohibit:

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

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

16 VI. Any person who violates this section shall be guilty of a violation and subject to a fine of
17 up to \$1,000 for each offense and, for a second or subsequent conviction under this section, may
18 forfeit the game camera and related fastening devices used during the violation of this section.

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AMENDED ANALYSIS

This bill requires that agricultural land development rights purchased by the department of agriculture, markets and food shall be held in the name of the state of New Hampshire or the deed shall stipulate that the state has the right to enforce the terms of the deed. It also adds one voting member from the New Hampshire Land Trust Coalition to the agricultural lands preservation committee.

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.