

HB 655-FN - AS INTRODUCED

2025 SESSION

25-0347

09/08

HOUSE BILL

655-FN

AN ACT relative to fish and game violations.

SPONSORS: Rep. Spillane, Rock. 2; Rep. Cole, Hills. 26; Rep. Darby, Hills. 11; Rep. Edwards, Rock. 31; Rep. Khan, Rock. 30; Rep. Love, Rock. 13; Rep. Popovici-Muller, Rock. 17; Rep. Ouellet, Coos 3; Sen. Gannon, Dist 23; Sen. Sullivan, Dist 18; Sen. Watters, Dist 4

COMMITTEE: Fish and Game and Marine Resources

ANALYSIS

This bill:

- I. Increases the restitution for the illegal taking or possession of certain animals, and make such restitution mandatory.
- II. Allows for an increased hunting license suspension for a third violation of a fish and game law or regulation.
- III. Establishes a class A misdemeanor penalty for a third-offense violation of fish and game offenses that carry a license suspension penalty.

This bill is at the request of the fish and game commission.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to fish and game violations.

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

1 1 Fish and Game; Restitution for Illegal Taking or Possessing. Amend RSA 207:55 to read as
2 follows:

3 207:55 Restitution for Illegal Taking or Possessing.

4 I. In addition to the penalties provided for violating any of the provisions of RSA title LXII
5 or title XVIII or any rule made under the authority thereof, any person convicted of the illegal taking
6 or illegal possession of game animals, game birds, or fur-bearing animals, resulting in the injury,
7 death, or destruction of the same, [may] **shall** be sentenced to make restitution to the state for the
8 value of each game animal, game bird, or fur-bearing animal so taken or possessed as follows:

9 (a) Marten, moose and bear: \$1,000 per animal illegally taken or illegally possessed.

10 (b) Deer: [\$250] **\$1,000** per animal illegally taken or illegally possessed.

11 (c) Wild rabbit, hare, muskrat and gray squirrel: [\$10] **\$50** per animal illegally taken or
12 illegally possessed.

13 (d) Wild turkey: [\$200] **\$500** per bird illegally taken or illegally possessed.

14 (e) Ruffed grouse, spruce grouse, pheasant, woodcock, ducks or geese: [\$15] **\$50** per bird
15 illegally taken or illegally possessed.

16 (f) Fisher, bobcat, otter, **and fox**: [\$200] **\$500** per animal illegally taken or illegally
17 possessed.

18 (g) ~~Fox: \$75 per animal illegally taken or illegally possessed.~~

19 (h) Beaver, ~~and~~ mink, **and raccoon**: [\$20] **\$250** per animal illegally taken or illegally
20 possessed.

21 [(i) ~~Raccoon: \$20 per animal illegally taken or illegally possessed.~~]

22 II. In every case of conviction involving the illegal taking or illegal possession of game
23 animals, game birds, or fur-bearing animals, the court [may] **shall** order the defendant to reimburse
24 the state in a sum or sums not to exceed the amount as established in paragraph I. Such
25 reimbursements shall be paid directly to the court. If 2 or more defendants are convicted of the
26 illegal taking or the illegal possession of the game animal, game bird or fur-bearing animal the
27 reimbursement above prescribed shall be declared against them jointly and severally.

28 III. Courts ordering such reimbursement damages shall remit such monies as prescribed in
29 RSA 206:34. Monies collected from such reimbursement damages shall be deposited in the fish and
30 game fund.

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1 IV. Any person failing to make a [damage assessment] **restitution** payment as ordered by
2 the court shall be guilty of contempt and such person shall not be eligible to purchase any license
3 issued by the fish and game department until all assessments are paid in full.

4 2 New Paragraph; Fish and Game; Revocation or Suspension for Conviction. Amend RSA
5 214:19 by inserting after paragraph II the following new paragraph:

6 II-a. The executive director shall revoke or suspend the license of any person who has been
7 found guilty in any court a third time within 7 years of the first finding of guilty of a violation of any
8 such law or regulation, for a period of not less than one year nor more than 7 years from the date of
9 such finding or conviction.

10 3 New Paragraph; Fish and Game; Penalties. Amend RSA 214:37 by inserting after paragraph
11 IV the following new paragraph:

12 V. Any person who has been found guilty, in any court, of 3 separate violations of any law
13 under Title XVIII that carries a license suspension penalty, within 7 years of the first finding of
14 guilty of any such violation, shall be deemed a habitual offender and shall be guilty of a Class A
15 misdemeanor.

16 4 Effective Date.

17 I. Sections 1 and 3 of this act shall take effect 60 days after its passage.

18 II. The remainder of this act shall take effect upon its passage.

LBA
25-0347
1/11/25

**HB 655-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to fish and game violations.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	Indeterminable			
<i>Revenue Fund</i>	Fish and Game Fund			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund, Fish and Game Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill *Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

The Office of Legislative Budget Assistant is unable to provide a complete fiscal note for this bill, as introduced, as it is awaiting information from the Fish and Game Department. The Department was originally contacted on 12/10/24 for a fiscal note worksheet. When completed, a revised fiscal note will be forwarded to the House Clerk's Office.

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

Any impact this bill may have on the Fish and Game Department is unknown at this time.

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, Fish and Game Department, New Hampshire Association of Counties, and New Hampshire Municipal Association