

SB 446-FN - AS AMENDED BY THE SENATE

02/19/2026 0685s

2026 SESSION

26-2013
08/09

SENATE BILL **446-FN**

AN ACT requiring animal care center operators to notify dog owners when a dog will be left unattended and to report injuries to animals or people which occur on the premises of the animal care center.

SPONSORS: Sen. Ward, Dist 8; Sen. Innis, Dist 7; Sen. Avard, Dist 12; Sen. Birdsell, Dist 19

COMMITTEE: Commerce

ANALYSIS

This bill:

I. Requires that animal care centers notify dog owners when a dog will be left unattended and if the center is not equipped with a functioning fire protection sprinkler system.

II. Requires that animal care centers report injuries that occur to people or animals on the animal care center's property.

III. Enables local law enforcement to annually inspect animal care centers and provides a penalty for not maintaining proper care of the animal care center.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring animal care center operators to notify dog owners when a dog will be left unattended and to report injuries to animals or people which occur on the premises of the animal care center.

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

1 1 New Subdivision; Animal Care Center Requirements. Amend RSA 437 by inserting after
2 section 22 the following new subdivision:

3 Animal Care Center Requirements

4 437:23 Definitions. In this subdivision:

5 I. "Animal care center" means a commercial dog care facility, including boarding kennels,
6 dog daycare facilities, board-and-train programs, and grooming facilities when dogs are kept under
7 the facility's supervision for a period of time. "Animal care center" shall not include a private
8 residence where 5 or fewer dogs, not owned by the resident, are cared for at a time in exchange for a
9 fee, licensed veterinary establishments, humane societies, animal shelters, municipal impound
10 facilities, or licensed pet vendors regulated under other provisions of law.

11 II. "Fire protection sprinkler system" means an assembly of underground or overhead piping
12 or conduits that conveys water with or without other agents to dispersal openings or devices to
13 extinguish, control, or contain fire and to provide protection from exposure to fire or the products of
14 combustion.

15 III. "Proper care" means an animal care center that:

- 16 (a) Is structurally sound;
- 17 (b) Is maintained in good repair to:
 - 18 (1) Protect the animals from injury;
 - 19 (2) Contain the animals; and
 - 20 (3) Prohibit the entrance of other animals;
- 21 (c) Has reliable and adequate electric power and potable water;
- 22 (d) Has supplies of food and bedding stored in facilities that adequately protect such
23 supplies against infestation or contamination by vermin, with refrigeration provided for supplies of
24 perishable food; and
- 25 (e) Disposes of waste according to the following:
 - 26 (1) Any waste that would be considered infectious waste shall be stored, treated,
27 transported, and properly disposed of;
 - 28 (2) Provisions shall be made for the removal and disposal of:
 - 29 (A) Animal and food wastes;

- 1 (B) Bedding;
- 2 (C) Dead animals; and
- 3 (D) Debris;
- 4 (3) Disposal facilities shall be constructed to prevent and minimize:
- 5 (A) Vermin infestation;
- 6 (B) Odors; and
- 7 (C) Disease hazards; and
- 8 (4) Waste shall be removed as often as necessary, but no less than once daily, unless
- 9 otherwise specified in the written animal health program.

10 437:24 Informed Consent Required.

11 I. An animal care center owner or operator who is boarding or providing services to 6 or

12 more dogs at the center shall not leave the dogs unattended without an employee present unless:

13 (a) The animal care center owner or operator provides to the owner of the dog written

14 notice that:

15 (1) The dog will be left unattended at the animal care center without an employee

16 present during the hours specified in the notice; and

17 (2) If the animal care center is not equipped with a functioning fire protection

18 sprinkler system, notice that the animal care center does not have a fire protection system; and

19 (b) The owner of the dog provides to the animal care center owner or operator a signed

20 document consenting to the dog being left unattended as provided in the notice.

21 II. An animal care center owner or operator who is boarding or providing services to 6 or

22 more dogs at the center shall provide to the owner of the dog written notice that he or she does not

23 carry liability insurance.

24 437:25 Required; Report of Injuries; Inspection.

25 I. Animal care centers shall report to local law enforcement any injury to an animal or

26 person that requires veterinary or medical treatment, results in death, or involves suspected cruelty

27 or neglect, and such reports shall be investigated by local law enforcement. Minor injuries not

28 requiring veterinary care shall require notification to the animal's owner only and shall not require

29 reporting to law enforcement. In consultation with the New Hampshire police association and the

30 New Hampshire association of chiefs of police, a form shall be developed for such reporting and a

31 time frame for submitting a report after an injury. The form shall be available for animal care

32 center operators to report qualifying injuries. Animal care centers shall also notify local law

33 enforcement and the owner of a dog when such dog has gone missing and if or when such dog is

34 found. Public reporting shall be limited to allegations of cruelty, neglect, or injuries requiring

35 veterinary or medical care.

1 II. The law enforcement of the municipality in which the animal care center is located shall
2 make investigative reports of injuries publicly available on its website if the investigation results in
3 the department bringing enforcement action against the animal care center.

4 III. An inspector employed by or authorized by the department of agriculture, markets, and
5 food shall conduct an inspection every 2 years to ensure compliance with this chapter. Local law
6 enforcement or authorized inspector may assist the department in cases involving emergency
7 conditions, cruelty, or criminal violations, but shall not conduct routine regulatory inspections. An
8 authorized inspector may include, but shall not be limited to, an animal control officer, the mayor of
9 a city, the select board of a town, the town manager of a town, the chief of police, or another
10 designated town or city official. Inspections shall be conducted using standardized inspection
11 criteria according to rules defined by the department of agriculture, markets, and food, and animal
12 care centers shall be provided a reasonable cure period for non-critical deficiencies prior to
13 enforcement action. The animal care center owner or operator shall be present during the
14 inspection. Only the areas of the residence that are used for animal care purposes or for the
15 maintenance of animal care center records shall be required to be available for inspection.

16 IV. If, in the judgment of the local law enforcement officer or an authorized inspector, an
17 animal care center is not being maintained in a sanitary and safe manner, the local law enforcement
18 officer or authorized inspector may, depending on the severity of the offense, issue a written citation.
19 If a facility is determined to be noncompliant, the department of agriculture, markets, and food may
20 order corrective action or temporary closure only after consideration of animal safety and continuity
21 of care. Facilities shall maintain an emergency animal care and continuity plan to ensure animals
22 are properly cared for or transferred in the event of a closure.

23 437:26 Animal Care Center Certification. No person shall operate an animal care center in the
24 state without first obtaining a certification from the commissioner of the department of agriculture,
25 markets, and food. Certification shall be valid for a period of 2 years from the date of issuance and
26 shall be renewed biennially. The cost for certification shall be a non-refundable \$200 fee, payable to
27 the department of agriculture, markets, and food at the time of application or renewal. The
28 commissioner shall issue certification upon determination that the applicant meets the requirements
29 established under this chapter and any rules adopted pursuant thereto. Certification issued under
30 this section may only be revoked or suspended upon a finding that the certificate holder has violated
31 the provisions of RSA 437:25, IV. The commissioner may adopt rules, pursuant to RSA 541-A,
32 relative to the application process, renewal procedures, and standards for certification under this
33 subdivision.

34 437:27 Penalty. An animal care center owner or operator who violates this subdivision shall be
35 subject to a fine equal to \$500 for each animal subject to the violation and for each day the violation
36 continues.

SB 446-FN - AS AMENDED BY THE SENATE

- Page 4 -

1 2 Sale of Pets and Disposition of Unclaimed Animals; Transfer of Animals and Birds;
2 Requirements. Amend the introductory paragraph of RSA 437:3 to read as follows:

3 No pet vendor shall transfer animals or birds without a license. A pet vendor shall apply to the
4 commissioner for a license, giving such information as the commissioner shall require. A pet vendor
5 that transfers more than ~~[50]~~ **30** or more dogs, ~~[50]~~ **30** or more cats, ~~[50]~~ **30** or more ferrets, or 50 or
6 more birds shall include proof that the zoning enforcement official of the municipality wherein any
7 facility is to be maintained has certified that the facility conforms to the municipal zoning
8 regulations in his or her application. The application shall be accompanied by a non-refundable
9 \$200 fee. All licenses shall expire ~~[on June 30 of each year]~~ **every 2 years** and be subject to renewal
10 upon submission of a new application. No licenses shall be transferable. A pet vendor licensed
11 under this subdivision shall:

12 3 Effective Date.

13 I. RSA 437:25, III and IV, RSA 437:26, and RSA 437:27, as inserted by section 1 of this act,
14 shall take effect January 1, 2028.

15 II. The remainder of this act shall take effect January 1, 2027.

SB 446-FN- FISCAL NOTE
 AS INTRODUCED

AN ACT requiring animal care center operators to notify dog owners when a dog will be left unattended and to report injuries to animals or people which occur on the premises of the animal care center.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$28,500	\$28,693	\$28,836
<i>Revenue Fund(s)</i>	General Fund			
Expenditures*	\$0	\$237,000	\$258,000	\$261,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	\$0	\$0	\$0
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill requires animal care centers to notify dog owners when dogs will be left unattended, report injuries to animals or people occurring on their premises, and make investigative reports available if enforcement action results. The bill also requires annual unannounced inspections by local law enforcement or authorized inspectors and establishes a biennial certification requirement for animal care centers, issued by the Department of Agriculture, Markets, and Food. Certification must be renewed every two years and requires a \$100 fee.

The Department of Agriculture, Markets, and Food (DAMF) states that the definition of “animal care center” is assumed to remain unchanged. Certification will involve a level of work similar to the current pet vendor licensing program. The number of facilities requiring certification is based on online data available as of November 18, 2025, which identified 571 facilities, including

shelters, veterinary hospitals, groomers, kennels, dog daycares, and pet stores that handle more than five dogs. Based on the \$100 certification fee, the Department assumes state revenue of \$57,100 from certification fees. Because this \$100 certificate shall be valid for a period of 2 years. The Department assumes the following revenue based on when certificates will be issued: \$28,500 for FY 2027, \$28,693 for FY 2029 and \$28,836 for FY 2029

The Department states that it will require a two-year implementation period to manage workload and equipment deployment consistent with the biennial certification cycle. To administer the program, DAMF assumes it will require three new Agricultural Technician positions (19-4010 AGRI TECHS-1 SOC19-04) beginning January 1, 2027. These positions would perform scheduling, drive time, on-site assessments, communication with law enforcement and facilities, report writing, and follow-up, including additional visits when needed. The Department notes that certifications typically require an average of two full days of staff time based on existing experience with pet vending inspections. The Department also assumes that neither the state veterinarian nor DAMF's existing staff can shift or reduce other program responsibilities to absorb this workload. The estimated cost for the three new technicians, including operating costs and a vehicle for each position, is \$237,000 in FY 2027 (partial year due to the January 1 start date), \$258,000 in FY 2028, and \$261,000 in FY 2029.

The New Hampshire Municipal Association (NHMA) states this bill will result in increased municipal administrative and enforcement costs. Annual unannounced inspections must be performed by local law enforcement or other authorized inspectors. Municipalities must also investigate all injury reports submitted by animal care centers and must publish investigative reports online when enforcement action results. NHMA indicates these requirements will increase local government workload and legal exposure, with costs dependent on the number of animal care centers in each municipality and the volume of injury reports.

NHMA estimates that smaller municipalities may experience added costs of less than \$10,000 per year, while larger municipalities with more animal care centers may see annual costs between \$10,000 and \$100,000. These impacts are indeterminable because the number of facilities and volume of investigations varies by municipality. Some municipalities that already conduct optional inspections may experience lower increases.

AGENCIES CONTACTED:

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