

Senate Commerce Committee

Aaron Jones 271-2609

SB 446-FN, 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.

Hearing Date: January 20, 2026

Time Opened: 11:15 a.m.

Time Closed: 11:33 a.m.

Members of the Committee Present: Senators Innis, Ricciardi, Fenton and Reardon

Members of the Committee Absent : Senators Murphy and McGough

Bill 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.

Sponsors:

Sen. Ward
Sen. Birdsell

Sen. Innis

Sen. Avarad

Who supports the bill: 73 individuals were in support. Full sign in sheets are available upon request by contacting the Legislative Aide, Aaron Jones (aaron.jones@gc.nh.gov).

Who opposes the bill: 24 individuals were in opposition. Full sign in sheets are available upon request by contacting the Legislative Aide, Aaron Jones (aaron.jones@gc.nh.gov).

Who is neutral on the bill: Patricia Morris

Summary of testimony presented in support:

Senator Ruth Ward

- This bill was a result of SB 50, which established a committee to study the regulation of private animal boarding facilities.
- Prior to the study committee, Senator Ward said many others and herself had heard of egregious instances where boarding facilities lost or caused the death or illness of dogs in their care.
- Boarding facilities, which are referred to as animal care centers in statute, are not licensed and they do not have reporting requirements.
- Senator Ward said this bill sought to take a balanced approach by establishing a regulatory framework that was not overly burdensome for business owners or government entities.
- Section 1 would establish definitions, and it clarified that individuals who are providing services in their private residence for 5 or fewer dogs at a time do not constitute “animal care centers.”
- Section 2 would require written informed consent be provided to consumers if dogs are left unattended without an employee present, if the facility does not have a functioning fire protection sprinkler system, and if the owner or operator does not carry liability insurance.
- Section 3 would require centers to report injuries to other animals or people that occur on their property to local law enforcement. These reports shall be made publicly available, but only if enforcement action is taken against a center. In addition, an annual unannounced inspection would be conducted by a police officer or an inspector authorized by local law enforcement or select board. If there are any issues, a local law enforcement officer could issue a citation. For continued non-compliance, however, a center would be closed.
- Section 4 would require centers to obtain certification from the Department of Agriculture prior to being able to operate within the state. Certification would cost \$100 and it would be valid for two years. If actions are taken by local law enforcement or an authorized inspector, certification could be revoked or suspended.
- Since the study committee report was filed, Senator Ward said a lot of things in the existing bill have been contested and she recognized there was work that needed to be done. Some organizations already have a license, so they did not need a separate one. Senator Ward said she understood the Department of Agriculture did not want to oversee inspections of these facilities.

James Brace, Chief of Police, New Boston Police Department and New Hampshire Chiefs of Police

- At a baseline, Chief Brace said this bill would provide accountability, create awareness for municipalities so they know which facilities exist in their communities, allow inspections, establish standards that facilities must comply

with, provide notice to owners of what facilities must abide by, and mandate reporting which helps to create a record for the consumer.

- Chief Brace said most individuals have done their research before entering into an agreement. Without any record or knowledge of whether facilities are complying, however, law enforcement is unable to do anything.

Summary of testimony presented in opposition:

Shawn Jasper, Commissioner, New Hampshire Department of Agriculture, Markets and Food

- Commissioner Jasper opposed this bill as it is currently written, but he did not take a position on the underlying issue.
- The number of entities requiring inspections is unknown, but they estimated it could be equal to the number of pet vendors.
- Commissioner Jasper said they did not have enough staff to conduct inspections.
- While the Department is no longer in triage mode with the help of the Legislature, he said pet vending was the “bane of their existence.” Their Animal Industry Division has four inspectors, two veterinarians, and a staff member. Maine, in contrast, has 18 employees solely focused on pet vending.
- Due to ongoing issues, Commissioner Jasper said he issued a directive that cut back inspections on pet vending unless there are complaints or known problems. While he would like every pet vendor to be inspected a couple times per year, he said they cannot.
- This bill would require two additional employees if it were passed, but it would not provide funding.
- The primary concern of the Department is ensuring diseased animals do not come into the state as well as ensuring they come in with proper vaccinations.
- When the Department performed organic certification, Commissioner Jasper said they ignored many other things. Once they finished, they moved on to seed inspections. In about a year and a half, the Department collected over \$250,000 in fines for expired seeds, even after giving warnings. While this is a different division, Commissioner Jasper said there are things they are doing at the expense of others.

Angela Ferrari, Dog Owners of the Granite State

- While Ms. Ferrari opposed this bill on paper, she supported the intent. If changes were made, she would support it.
- It is important that entities are licensed and inspected; however, there are some unintended consequences.
- The definition of animal care centers is overly broad. It should be limited to boarding facilities, in-home training, and groomers, while excluding veterinarians and shelters that are already licensed or inspected in other methods.

- This bill required all injuries to be reported to law enforcement without defining what was considered an injury. In any multi-dog environment, injuries like abrasions, broken nails, and “happy tail,” are common. Ms. Ferrari said minor injuries should be reported to owners for tracking and awareness whereas anything requiring veterinarian or medical care should be a reportable injury beyond the owner.
- Ms. Ferrari said she understood the Department of Agriculture was busy, but she felt these types of inspections should be conducted by them. They have the experience and expertise to understand the requirements for animal care facilities, what needs to be addressed, and what areas need to be worked on or done right now.
- This bill has a \$100 fee with an inspection every two years. In contrast, pet vendors have an annual \$200 fee and inspection. Ms. Ferrari said these should be comparable because while pet vendors are breeding and selling animals, centers are caring for someone’s property.
- To accommodate the ability of the Department to conduct inspections, Ms. Ferrari said pet vendors and animal care centers could be inspected biannually. Animal care facilities could be inspected in the first year, and pet vendors could be inspected in the second year.

Neutral Information Presented:

Patricia Morris

- Since Attorney Morris last testified, their office has had over 40 clients who have had animals that have disappeared, died, or been severely injured in the care of boarding facilities.
- Under RSA 437, the Department of Agriculture sets standards for the regulation of animal health within the state. While Attorney Morris understood the issue of resources, the Department already focuses on conditions that pose a threat to public health and if regulatory intervention is required.
- Last year, Massachusetts passed a similar bill known as Ollie’s Law.
- Attorney Morris said she supported this bill overall, but she was glad there were amendments being worked on. She said some of the definitions needed to be looked at because it regulated some individuals that are already regulated.
- While there is a definition for “proper care,” the Department of Agriculture 1704 rules state how indoor and outdoor facilities must be maintained, how they are tested, and what is considered proper care and sustenance. Licensees and pet vendors are held to these rules, and Attorney Morris would like centers held to them as well.
- **Senator Reardon** asked for the citation of the regulation.
 - **Attorney Morris** said it was in the administrative rules, Agr 1704.