

Amendment to HB 1253

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

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3 AN ACT exempting dogs guarding livestock or crops from nuisance dog statutes when engaged
4 in such work.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Guardian Dogs; Livestock; Crops. Amend RSA 466:30-a, I to read as follows:

9 I. Notwithstanding any other provisions of this chapter, it shall be unlawful for any dog to
10 run at large, except when accompanied by the owner or custodian, and when used for hunting, for
11 guarding , working, **guarding crops, guarding livestock**, or herding livestock, as defined in RSA
12 21:34-a, II(a)(4), for supervised competition and exhibition, or for training for such. For the purpose
13 of this section, "accompanied" means that the owner or custodian must be able to see or hear, or
14 both, or have reasonable knowledge of where the dog is hunting, where training is being conducted,
15 where trials are being held, or where the dog is guarding, working, **guarding crops, guarding**
16 **livestock**, or herding livestock. Nothing herein provided shall mean that the dog must be within
17 sight at all times.

18 2 New Sections; Guardian Dogs. Amend RSA 466 by inserting after section 30-b the following
19 new sections:

20 466:30-c Livestock Guardian Dogs.

21 I. Notwithstanding any other provision of law, a dog may run at large while it is actively
22 engaged in the protection, herding or management of livestock, provided that such dog:

23 (a) Is actively used for guarding livestock and works primarily with the livestock herd or
24 flock in a pasture, range, field, yard, or similar open agricultural environment, rather than primarily
25 in a residential home, yard, or urban/suburban setting;

26 (b) Exhibits behaviors consistent with its working role and is not exhibiting persistent
27 nuisance barking unrelated to guarding.

28 II. Any person who knowingly and willfully falsely claims livestock guardian dog status in
29 response to a nuisance complaint, enforcement action, or otherwise to evade application of nuisance
30 or at-large laws shall be guilty of a violation. Upon verified complaint, the local animal control
31 authority or law enforcement agency may issue:

32 (a) A written warning for a first violation.

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1 (b) A civil penalty of \$150 for a second violation and the implementation of bark
2 mitigation measures.

3 (c) A civil penalty of \$500 or more for a third violation and subsequent violations.
4 466:30-d Crop Guardian Dogs.

5 I. Notwithstanding any other provision of law, a dog may run at large while it is actively
6 engaged in the protection of farm crops, provided that such dog is:

7 (a) Is actively used for guarding crops in a pasture, range, field, yard, or similar open
8 agricultural environment, rather than primarily in a residential home, yard, or urban/suburban
9 setting;

10 (b) Exhibits behaviors consistent with its working role and is not exhibiting persistent
11 nuisance barking unrelated to guarding.

12 II. A crop guardian dog shall not be deemed to be at large for the purposes of RSA 466:28,
13 provided that the crop guardian dog remains within the boundaries of property owned or operated by
14 the dog owner and does not trespass onto neighboring properties or public ways.

15 III. Any person who knowingly and willfully falsely claims crop guardian dog status in
16 response to a nuisance complaint, enforcement action, or otherwise to evade application of nuisance
17 or at-large laws shall be guilty of a violation. Upon verified complaint, the local animal control
18 authority or law enforcement agency may issue:

19 (a) A written warning for a first violation.

20 (b) A civil penalty of \$150 for a second violation and the implementation of bark
21 mitigation measures.

22 (c) A civil penalty of \$500 or more for a third violation and subsequent violations.

23 3 Crop Guardian Dogs; Livestock Guardian Dogs. Amend RSA 466:31, II(g) to read as follows:

24 (g) If, whether alone or in a pack with other dogs, it bites, attacks, or preys on game
25 animals, domestic animals, fowl, or human beings *when not on the owner's property*.

26 4 Effective Date. This act shall take effect January 1, 2027.

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AMENDED ANALYSIS

This bill exempts dogs engaged in guarding livestock or crops from nuisance statutes when engaged in such work.