

**HB 1603-FN - AS AMENDED BY THE SENATE**  
2026 SESSION

19Feb2026...0518h  
04/09/2026 1305s

26-3192  
08/06

HOUSE BILL                    ***1603-FN***

AN ACT                    requiring the executive director of the department of fish and game to adopt rules relative to procedures for verifying accuracy of records collected relative to threatened and endangered wildlife and ensuring landowner permission is granted for the gathering of such record.

SPONSORS:                Rep. DeVito, Rock. 8; Rep. Beaulier, Graf. 1; Rep. Litchfield, Rock. 32; Rep. Tom Mannion, Hills. 1; Rep. Mazur, Hills. 44; Rep. McGrath, Rock. 40; Rep. Sabourin dit Choiniere, Rock. 30; Rep. Harvey-Bolia, Belk. 3; Rep. DeRoy, Straf. 3; Rep. Mary Murphy, Hills. 27; Sen. Murphy, Dist 16

COMMITTEE:                Resources, Recreation and Development

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AMENDED ANALYSIS

This bill requires the executive director of the department of fish and game to adopt rules relative to procedures for verifying accuracy of records collected relative to threatened and endangered wildlife and ensures landowner permission is granted for the gathering of such record.

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   Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT requiring the executive director of the department of fish and game to adopt rules relative to procedures for verifying accuracy of records collected relative to threatened and endangered wildlife and ensuring landowner permission is granted for the gathering of such record.

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

1 1 Endangered Species Conservation Act; Conservation Program. RSA 212-A:9, III is repealed  
2 and reenacted to read as follows:

3 III.(a) All other state departments and agencies, to the extent possible, consistent with their  
4 authorities and responsibilities, shall take such action as is reasonable and prudent to ensure that  
5 actions authorized, funded, or carried out by them do not appreciably jeopardize the continued  
6 existence of such species or result in the destruction or modification of habitat of such species which  
7 is determined by the executive director to be critical, by requiring that all such action is designed to  
8 avoid, minimize, and mitigate harm to such species and habitat designated as critical. Other  
9 departments and agencies may consult with the executive director or hire their own internal wildlife  
10 biologists to carry out the requirements of this paragraph. The executive director shall assist other  
11 departments and agencies in carrying out this paragraph.

12 (b) The executive director shall adopt rules pursuant to RSA 541-A, not later than one  
13 year after the effective date of this paragraph and not to exceed one year after passage, to establish  
14 procedures requiring all records added to the database after the effective date of this paragraph to  
15 verify the accuracy of records for threatened and endangered wildlife records under this paragraph,  
16 as well as:

17 (1) Requiring data to be reviewed and approved by the fish and game department;  
18 and

19 (2) Notifying landowners a new record was added to the database.

20 (c) The executive director shall adopt rules pursuant to RSA 541-A not later than one  
21 year after the effective date of this paragraph, to establish procedures to obtain landowner  
22 permission for entry onto private property for the purposes of gathering by the fish and game  
23 department of site-specific species location data.

24 (d) For the purpose of this statute, "appreciably jeopardize the continued existence of  
25 such species" shall be defined in rules adopted by the executive director pursuant to RSA 541-A.  
26 The provisions of RSA 212-A or any rule promulgated under this chapter shall not be applicable to a  
27 state department or agency when that state department or agency, in the process of undertaking an

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1 action, is required by federal law or regulation to address the environmental impact on wildlife or  
2 wildlife habitat, of that action.

3       2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1603-FN- FISCAL NOTE**  
AS AMENDED BY THE SENATE (AMENDMENT #2026-1305s)

AN ACT requiring the executive director of the department of fish and game to adopt rules relative to procedures for verifying accuracy of records collected relative to threatened and endangered wildlife and ensuring landowner permission is granted for the gathering of such record.

**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
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	Indeterminable Increase, anticipated to be less than \$100,000 annually		
<i>Funding Source(s)</i>	Fish and Game Fund			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill requires state agencies, when possible, to avoid or minimize harm to endangered and threatened species and their critical habitats in projects they authorize, fund, or carry out. It also requires the Fish and Game Department to adopt rules for verifying species data, notifying landowners when records are added, obtaining permission before entering private property to collect data, and defining key standards under the law, while exempting agencies already subject to federal wildlife review requirements.

The Department states the bill would create new administrative and technology costs associated with notifying landowners, obtaining permission to access private property, and maintaining records related to endangered species data. Overall, the Department states the fiscal impact is indeterminable, however estimates costs are likely to be less than \$100,000 per year:

- Annual mailing and notification costs are estimated at approximately \$25,000 to \$45,000, depending on the notification method used, including the potential use of certified mail.
- The Department estimates an initial database upgrade would cost approximately \$15,000 to \$25,000, with ongoing secure data storage, IT support, and maintenance costs of approximately \$15,000 to \$30,000 annually.

- The Department estimates the workload would require at least one-half of a full-time position, which would need to be absorbed by existing staff, and could impact current operations. The bill does not provide authorization or funding for additional staffing.

**AGENCIES CONTACTED:**

Fish and Game Department