

Senate Energy and Natural Resources Committee

Max Taylor 271-1403

HB 87-FN, prohibiting the posting of land not owned by the poster.

Hearing Date: March 25, 2025

Time Opened: 9:00 a.m.

Time Closed: 9:21 a.m.

Members of the Committee Present: Senators Avard, Pearl, McConkey, Watters and Rosenwald

Members of the Committee Absent : None

Bill Analysis: This bill prohibits the posting of land not owned by the poster and creates a penalty therefor.

Sponsors:

Rep. Love

Who supports the bill: Representative David Love (Rockingham District 13), Representative Daniel Popovici-Muller (Rockingham District 17), Daniel Love, Jasen Stock (NH Timberland Owner Association), Colonel Kevin Jordan (New Hampshire Fish & Game), Kyle Baker (NH Wildlife Federation)

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative David Love

Prime Sponsor, Rockingham District 13

- Representative Love introduced HB 87-FN, which would make knowingly posting “no trespassing” or “no hunting” signs on land a person does not own or have a legal right to post on a Class B misdemeanor.
- He explained that apps such as HuntStand and OnX show property lines, and he has witnessed private property notices on land not actually owned by the person who posted them.
- Representative Love stated that false postings make it harder for hunters to find legal land to use, which could have a negative impact on hunting license sales.

- He noted HB 87-FN would balance existing law, which currently penalizes people who remove posted signs, by also penalizing those who put up signs illegally.
- Representative Love added that many signs are missing owner names and contact info, and false signs are sometimes posted by neighbors or animal rights activists.
- Senator Avard asked if private property signs are already required to include the landowner's name and contact information.
 - Representative Love stated there is a spot on the sign for that information. However, it is often left blank.
- Senator Rosenwald suggested a grammatical edit to clarify the bill's wording by replacing the word "to" on Line 7 with "for which".
 - Representative Love had no objection to the change.
- Senator Rosenwald asked whether the bill adds a criminal penalty, and how that compares to existing laws removing signs.
 - Representative Love explained the bill adds a Class B misdemeanor, which is less severe than the felony penalty for removing signs under current law. He stated that he believes a misdemeanor would be an appropriate penalty.
- Senator Avard emphasized that posting on land you do not own is a serious issue, as it usurps someone's property rights.

Daniel Love

- Mr. Love is the brother of Representative Love and described a personal incident from November 2023 in Derry, NH, where he was legally hunting with permission from the owner.
- He explained while he was in the woods, a neighbor put up new posted signs on that land and then called the local police to report him for trespassing.
- When Derry police arrived, he was able to prove the signs were brand new by pointing out there was no rust on the drywall screws used to attach them, even though it had rained all week, proving the signs were not there earlier.
- A police sergeant confirmed the signs had just been put up and were posted illegally by the neighbor, not the landowner.
- Even after proving his right to be there, the same neighbor continued calling the police when Mr. Love returned to hunt, causing confusion and police involvement.
- Mr. Love noted that only Fish and Game can enforce hunting laws, and that a neighbor cannot claim trespassing on land they do not own.

- Mr. Love highlighted that although the signs were proven to be hung by the neighbor, the illegal posted signs remain, because under current law only the landowner can remove them.
- He stated HB 87-FN is a needed fix to stop people from wrongly posting on other people's land and creating conflicts for lawful hunters.

Colonel Kevin Jordan
New Hampshire Fish & Game

- Colonel Jordan stated that illegal land posting is a real issue that frustrates both landowners and hunters.
- He explained that the only current law Fish & Game can use in these situations is the hunter harassment law, but it is difficult to prove and not always applicable.
- Colonel Jordan believes the bill could serve as a deterrent to people putting up fake "No Trespassing" signs, even if enforcement is difficult.
- He provided an example where only one false sign might be placed near a parking area to scare off hunters, but that alone is not enough to remove someone unless it's backed by real landowner authority.
- Senator Avard asked if landowners notify Fish & Game when they post their land.
 - Colonel Jordan stated landowners do not usually notify Fish & Game unless they're having problems. He explained Fish & Game officers try to talk to landowners when they see newly posted land to understand the reason and see if issues can be resolved without closing access.
- Senator Avard if there is a legal requirement for how frequently land must be posted.
 - Colonel Jordan stated the statute is RSA 635:4, which states signs must have at least 2-inch block letters and be no more than 100 yards apart. He explained that courts require that it must be clear to a "reasonable person" that the land is posted.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.