

Senate Energy and Natural Resources Committee

Max Taylor 271-1403

HB 250, enabling local governing bodies to regulate the muzzling of dogs.

Hearing Date: April 10, 2025

Time Opened: 9:00 a.m.

Time Closed: 9:16 a.m.

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

Members of the Committee Absent : Senator Avard

Bill Analysis: This bill enables local governing bodies to regulate the muzzling of dogs.

Sponsors:

Rep. Newell

Rep. N. Germana

Rep. Jacobs

Rep. O'Rourke

Rep. Jones

Who supports the bill: Representative Jodi Newell (Cheshire County District 4), Representative Peter Bixby (Strafford County District 13)

Who opposes the bill:

Who is neutral on the bill:

Summary of testimony presented in support:

Representative Jodi Newell

Prime Sponsor, Cheshire County District 4

- Representative Newell introduced HB 250, which allows local governing bodies to mandate muzzling requirements for dogs deemed dangerous, as defined by RSA 466:31.
- She explained that New Hampshire's adherence to Dillon's Rule means municipalities need to express authority from the legislature to implement such rules.
- The bill was prompted by an incident in Keene where the city council tried to require muzzles for know aggressive dogs after a serious attack, but found they lacked the legal authority to do so.

- Representative Newell emphasized the bill is not breed-specific and only applies to dogs exhibiting demonstrably harmful behavior as defined in statute, specifically dogs labeled “vicious” or “malicious.”
- She stated the bill excludes “nuisance” dogs and aims to prevent repeat incidents by allowing humane, preventative measures such as the use of modern, comfortable muzzles.
- She noted the House committee amended the bill to narrow its scope and ensure its application is strictly behavior-based.
- Senator Pearl asked if Representative Newell would be open to further narrowing the language of the bill.
 - Representative Newell responded that she was not opposed and welcomed refinement.
- Senator McConkey shared his experience training protection dogs and referenced practices in France where muzzling is a standard response when someone is uncomfortable. He asked Representative Newell to clarify what constitutes a “vicious dog” under the bill.
 - Representative Newell responded by referencing statutory definitions, stating that vicious dogs are that have physically harmed people or animals. Malicious or menacing behavior is defined as exhibiting threatening actions such as chasing children. Nuisance dogs, such as barking dogs, would not be included in the bill.
 - She stressed it is strictly focused on behavior, not breed.
- Representative Newell concluded by explaining the bill is a targeted public safety measure that empowers municipalities to require muzzling for dogs proven to be dangerous. Senators expressed support but suggested the language could be narrowed further to ensure clarity and precision.

Representative Peter Bixby

Strafford County District 13

- Representative Bixby provided background on the House amendment HB 250, clarifying that the amendment limits local authority to only apply to “vicious dogs” as defined in RSA 466:31.
- He explained the initial bill raised concerns from sportsmen, working dog owners, and the American Kennel Club, who feared the legislation could lead to arbitrary or breed-specific muzzling requirements.
- To avoid misuse, the committee narrowed the bill’s scope by adopting the existing statutory definition of “vicious dogs,” rather than creating new definitions or modifying RSA 466:31 directly.

- Representative Bixby emphasized the bill does not mandate muzzling but simply grants municipalities the authority to adopt such policies, should they choose.
- He noted that Keene’s city attorney was concerned the city could not legally implement a muzzling ordinance without state authorization, due to existing state laws that only require muzzling for unvaccinated dogs.
- Representative Bixby acknowledged that the structure of RSA 466:31 is unclear and lacks consistent labeling of gradations such as “nuisance,” “menacing,” and “vicious,” which complicated interpretation.
- He stated that while the House committee chose not to revise the statute itself to avoid unintended consequences, they would not oppose a future overhaul of the section.
- Senator Pearl asked if Representative Bixby would support narrowing the bill’s scope to only apply to RSA 466:31,2(g), which lists specific aggressive behaviors such as biting or chasing.
 - Representative Bixby stated he does not have an objection to that amendment.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

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Date Hearing Report completed: April 11, 2025