HB 490 - AS AMENDED BY THE HOUSE

6Jan2022... 2140h

2021 SESSION

21-0807
04/10

HOUSE BILL ***490***

AN ACT relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.

SPONSORS: Rep. Roy, Rock. 32; Rep. Spillane, Rock. 2; Sen. Reagan, Dist 17

COMMITTEE: Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill adds definitions of "game camera" and "hunting day" and permits the use of a game camera to take or attempt to take a game animal or fur-bearing animal.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the definitions of "game camera" and "hunting day" and relative to the use of game cameras.

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

1 New Paragraph; General Provisions as to Fish and Game; Game Camera. Amend RSA 207:1 by inserting after paragraph XI the following new paragraph:

XI-a. Game Camera: Any device capable of recording and transmitting photographic or video data wirelessly to a remote device, such as a computer or smartphone, as well as a device that merely records photographic or video data and stores such data for later use.

2 New Paragraph; General Provisions as to Fish and Game; Hunting Day. Amend RSA 207:1 by inserting after paragraph XIII-a the following new paragraph:

XIII-b. Hunting Day: The period of time during the calendar day when the lawful taking of a game animal or fur-bearing animal is allowed.

3 New Section; General Provisions as to Fish and Game; Use of Game Cameras. Amend RSA 207 by inserting after section 62 the following new section:

207:63 Use of Game Cameras.

I. Any person taking or attempting to take a game animal or fur-bearing animal may use a game camera to locate, surveil, aid, or assist in any attempt to locate or surveil any game animal or fur-bearing animal, provided that no person shall take a game animal or fur-bearing animal within 10 hours of remotely viewing any image or video of that animal from a game camera in that area.

II.(a) No person shall place a game camera that records or transmits images or data of any kind while unattended outside on the private property of another without the written consent of the property owner, or the property owner has posted signage on his or her property allowing the placement of such camera as provided in this section.

(b) A person may permit the placement of a game camera by posting signs of durable material with any words describing the physical activity permitted, such as "Game Cameras Allowed," printed with block letters no less than 2 inches in height, and with the name and address of the owner or lessee of such property. Such signs shall posted at gates, bars, and commonly used entrances. This section shall not prevent any property owner from adding to the language required by this section.

(c) Any written permission granted by a property owner under this section shall expire on December 31 of each calendar year, unless earlier rescinded by the property owner or his or her designee.

III. A person who places a game camera on the private property of another shall label the camera with that person's name and contact information.

IV. A property owner may contact a local or state law enforcement officer or a conservation officer to remove a game camera which was placed in violation of this section.

V. This section shall not prohibit:

(a) The use of a game camera to deter theft or vandalism of a motor vehicle when the motor vehicle is temporarily parked; or

(b) The lawful use of implanted or attached electronic devices by fish and game department staff or other persons holding a scientific permit from the executive director to identify, monitor, and track animals; or

(c) Any device placed or used in accordance with a warrant or in accordance with other lawful actions of law enforcement officers and personnel of the fish and game department in the performance of their official duties.

VI. Any person who violates this section shall be guilty of violation and subject to a fine of up to $1,000 for each offense and, for a second or subsequent conviction under this section, forfeiture of the placed equipment.

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