

Sen. Bradley, Dist 3
Sen. Feltes, Dist 15
May 23, 2019
2019-2258s
08/05

Floor Amendment to HB 459-FN

1 Amend RSA 644:8, IV(c) as inserted by section 10 of the bill by replacing it with the following:

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3 (c) If a person convicted of any offense of cruelty to animals appeals any part of the
4 conviction to the superior court or a higher court and any confiscated animal remains in the custody
5 of the arresting officer, the arresting officer's agency, or the arresting officer's agency's designee
6 pending disposition of the appeal, in order for the appellant to maintain a future interest in the
7 animal, the trial or appellate court, after consideration of the income of the animal's owner, may
8 require the appellant to post a bond or other security in an amount not exceeding \$2,000 for each
9 animal in custody for costs expected to be incurred for the board and care of the animal during the
10 appeal. Such bond or security shall be posted to the court within 30 days. If such bond or security
11 is not paid within 30 days after the court orders the bond or security to be posted, the animals shall
12 be forfeited to the arresting officer, the arresting officer's agency, or the arresting officer's agency's
13 designee. The court may, for good cause, extend the deadline by no more than 15 days. If the
14 conviction is affirmed on appeal, the costs incurred for the board and care of the animal, from the
15 date the animal or animals were originally confiscated, shall be paid to the custodian from the
16 posted security and the balance, if any, shall be returned to the person who posted it. A court shall
17 order the return of any bond or security upon a court approved agreement of the parties, a finding
18 of not guilty, or the reversal of a conviction, unless it is a reversal with remand for further
19 proceeding.