

Amendment to HB 1606-FN

1 Amend the bill by replacing section 1 with the following:

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3 1 New Section; Fish and Game Commission; Cruelty to Wild Animals, Fish, or Wild Birds.

4 Amend RSA 206 by inserting after section 19-a the following new section:

5 206:19-b Cruelty to Wild Animals, Fish, or Wild Birds; Enhanced Penalty.

6 I.(a) Any person who purposely beats, cruelly whips, tortures or mutilates any wild animal,
7 fish or wild bird as defined in RSA 207:1, or purposely causes any wild animal, fish, or wild bird to
8 be beaten, cruelly whipped, tortured or mutilated shall be guilty of a class B felony.

9 (b) Any person who negligently beats, cruelly whips, tortures or mutilates any wild
10 animal, fish or wild bird as defined in RSA 207:1, or negligently causes any wild animal, fish or wild
11 bird to be beaten, cruelly whipped, tortured or mutilated shall be guilty of a misdemeanor.

12 II. It shall be an affirmative defense to prosecution and an actor shall be exempt from
13 enhanced penalties under this section for any manner of taking, open season time limits, permitted
14 scientific investigations or wildlife management practices lawful under title XVIII or administrative
15 rules adopted pursuant to RSA 541:A, whether or not the actor holds a current and valid license
16 issued by the department.