

HB 416-FN - AS AMENDED BY THE HOUSE

26Mar2025... 0191h

2025 SESSION

25-0181

08/05

HOUSE BILL

416-FN

AN ACT prohibiting the intentional disposal of yard waste into the surface waters of the state.

SPONSORS: Rep. Rung, Hills. 12; Rep. R. Brown, Carr. 3; Rep. Crawford, Carr. 3; Rep. Ebel, Merr. 7; Rep. J. MacDonald, Carr. 6; Rep. N. Murphy, Hills. 12; Sen. Watters, Dist 4

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill prohibits the intentional disposal of yard waste into the surface waters of the state and provides a penalty therefor.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT prohibiting the intentional disposal of yard waste into the surface waters of the state.

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

1 1 Penalties; Inappropriate Disposal of Yard Waste. Amend RSA 485-A:15 to read as follows:
2 485-A:15 Penalties.

3 I. It shall be unlawful for any person to put or place, or cause to be put or placed into a
4 surface water of the state or on the ice over such waters, or on the banks of such waters, any solid
5 waste as defined in RSA 149-M or hazardous waste as defined in RSA 147-A, including but not
6 limited to bottles, glass, crockery, cans, scrap metal, junk, paper, garbage, tires, old automobiles or
7 parts thereof, **yard waste**, trees or parts thereof, or similar litter.

8 II. For any violation of this section any authorized member or agent of the department of
9 environmental services ~~[shall]~~ **may** order the immediate removal of material involved in the
10 violation, by the person responsible for the material in question. ***The authority to enforce this***
11 ***section shall extend to all peace officers in the state of New Hampshire.***

12 III. If the person or persons responsible for a violation of paragraph I refuse or fail to obey
13 the order of any **peace officer or** authorized member or agent of the department of environmental
14 services, the department of environmental services or authorized member or agency may contract for
15 the removal of the material in question and the cost of the removal shall be recoverable by the state
16 in an action of debt brought by the attorney general in the name of the state.

17 ***III-a. For a first offense, any person who purposely or recklessly violates paragraph***
18 ***I shall be guilty of a violation.***

19 IV. ~~[Any]~~ ***For any second or subsequent offense, any*** person who ***purposely or*** recklessly
20 violates paragraph I shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any
21 other person.

22 V. Any person who ~~[purposely or]~~ knowingly violates paragraph I shall be guilty of a class B
23 felony.

24 2 Effective Date. This act shall take effect January 1, 2026.

**HB 416-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2025-0191h)**

AN ACT prohibiting the intentional disposal of yard waste into the surface waters of the state.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association