

HB 655-FN - AS AMENDED BY THE SENATE

13Mar2025... 0063h
04/17/2025 1586s

2025 SESSION

25-0347
09/08

HOUSE BILL ***655-FN***

AN ACT relative to fish and game violations, permits, and licenses.

SPONSORS: Rep. Spillane, Rock. 2; Rep. Cole, Hills. 26; Rep. Darby, Hills. 11; Rep. Edwards, Rock. 31; Rep. Khan, Rock. 30; Rep. Love, Rock. 13; Rep. Popovici-Muller, Rock. 17; Rep. Ouellet, Coos 3; Sen. Gannon, Dist 23; Sen. Sullivan, Dist 18; Sen. Watters, Dist 4

COMMITTEE: Fish and Game and Marine Resources

AMENDED ANALYSIS

This bill:

I. Increases the restitution for the illegal taking or possession of certain animals, and make such restitution mandatory.

II. Allows for an increased hunting license suspension for a third violation of a fish and game law or regulation.

III. Establishes a class A misdemeanor penalty for a third-offense violation of fish and game offenses that carry a license suspension penalty.

IV. Removes the requirement that a crossbow permit issued for certain persons with a disability be perpetual.

V. Adds Atlantic menhaden to the list of species that nonresidents may not take unless the state in which such person is a resident provides a reciprocal licensing privilege for residents of this state.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to fish and game violations, permits, and licenses.

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

1 1 Fish and Game; Restitution for Illegal Taking or Possessing. Amend RSA 207:55 to read as
2 follows:

3 207:55 Restitution for Illegal Taking or Possessing.

4 I. In addition to the penalties provided for violating any of the provisions of RSA title LXII
5 or title XVIII or any rule made under the authority thereof, any person convicted of the illegal taking
6 or illegal possession of game animals, game birds, or fur-bearing animals, resulting in the injury,
7 death, or destruction of the same, ~~may~~ **shall** be sentenced to make restitution to the state for the
8 value of each game animal, game bird, or fur-bearing animal so taken or possessed as follows:

9 (a) Marten, moose and bear: \$1,000 per animal illegally taken or illegally possessed.

10 (b) Deer: ~~[\$250]~~ **\$1,000** per animal illegally taken or illegally possessed.

11 (c) Wild rabbit, hare, muskrat and gray squirrel: ~~[\$10]~~ **\$50** per animal illegally taken or
12 illegally possessed.

13 (d) Wild turkey: ~~[\$200]~~ **\$500** per bird illegally taken or illegally possessed.

14 (e) Ruffed grouse, spruce grouse, pheasant, woodcock, ducks or geese: ~~[\$15]~~ **\$50** per bird
15 illegally taken or illegally possessed.

16 (f) Fisher, bobcat, otter, **and fox**: ~~[\$200]~~ **\$500** per animal illegally taken or illegally
17 possessed.

18 (g) ~~[Fox: \$75 per animal illegally taken or illegally possessed.]~~

19 ~~(h)~~ Beaver, ~~and~~ mink, **and raccoon**: ~~[\$20]~~ **\$250** per animal illegally taken or illegally
20 possessed.

21 ~~[(i) Raccoon: \$20 per animal illegally taken or illegally possessed.]~~

22 II. In every case of conviction involving the illegal taking or illegal possession of game
23 animals, game birds, or fur-bearing animals, the court ~~may~~ **shall** order the defendant to reimburse
24 the state in a sum or sums not to exceed the amount as established in paragraph I. Such
25 reimbursements shall be paid directly to the court. If 2 or more defendants are convicted of the
26 illegal taking or the illegal possession of the game animal, game bird or fur-bearing animal the
27 reimbursement above prescribed shall be declared against them jointly and severally.

28 III. Courts ordering such reimbursement damages shall remit such monies as prescribed in
29 RSA 206:34. Monies collected from such reimbursement damages shall be deposited in the fish and
30 game fund.

1 IV. Any person failing to make a ~~[damage assessment]~~ **restitution** payment as ordered by
2 the court shall be guilty of contempt and such person shall not be eligible to purchase any license
3 issued by the fish and game department until all assessments are paid in full.

4 2 New Paragraph; Fish and Game; Revocation or Suspension for Conviction. Amend RSA
5 214:19 by inserting after paragraph II the following new paragraph:

6 II-a. The executive director shall revoke or suspend the license of any person who has been
7 found guilty in any court a third time within 7 years of the first finding of guilty of a violation of any
8 such law or regulation, for a period of not less than one year nor more than 7 years from the date of
9 such finding or conviction.

10 3 New Paragraph; Fish and Game; Penalties. Amend RSA 214:37 by inserting after paragraph
11 IV the following new paragraph:

12 V. Any person who has been found guilty, in any court, of 3 separate violations of any law
13 under Title XVIII that carries a license suspension penalty, within 7 years of the first finding of
14 guilty of any such violation, shall be deemed a habitual offender and shall be guilty of a Class A
15 misdemeanor.

16 4 Crossbows Permitted for Certain Persons with a Disability. Amend RSA 207:10-c, II to read
17 as follows:

18 II. ~~[The crossbow permit shall be perpetual.]~~ The executive director shall retain the records
19 for such permits for a period not less than 7 years. Loss or destruction of the permit after 7 years
20 shall obligate the permittee to re-establish eligibility.

21 5 Nonresident Commercial Salt Water License. Amend RSA 211:49-a, I to read as follows:

22 I. Any person who does not qualify as a resident under RSA 207:1, who takes, possesses,
23 lands, or transports by any method, from or on the waters of this state, regardless of where the catch
24 was taken, any marine species by any method for the purpose of selling the same, shall first procure
25 a valid license from the executive director to do so. This license shall not include the taking,
26 possession, landing, or transport of northern shrimp (*Pandalus borealis*) which requires a license
27 under RSA 211:49-e, or the taking of lobsters and crabs, which requires a license under RSA 211:18.
28 A nonresident shall not take sea urchins, clam worms, river herring, ***Atlantic menhaden***, or
29 scallops unless the state in which such person is a resident provides a reciprocal licensing privilege
30 for residents of this state.

31 6 Effective Date.

32 I. Sections 1, 3, and 5 of this act shall take effect 60 days after its passage.

33 II. The remainder of this act shall take effect upon its passage.

**HB 655-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2025-1586s)**

AN ACT relative to fish and game violations, permits, and licenses.

FISCAL IMPACT:

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	Indeterminable		
Revenue Fund	Fish and Game Fund			
Expenditures*	Indeterminable			
Funding Source	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
Funding Source	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

The Fish and Game Department has not identified any costs to their Department as a result of this bill.

AGENCIES CONTACTED:

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