

HB 1045 - AS INTRODUCED

2026 SESSION

26-2404
08/06

HOUSE BILL **1045**

AN ACT relative to hunting with lights at night.

SPONSORS: Rep. McFarlane, Graf. 18; Rep. Spillane, Rock. 2; Rep. J. Smith, Carr. 5; Rep. Farrington, Straf. 8; Rep. DeVito, Rock. 8; Rep. Sabourin dit Choinière, Rock. 30; Rep. Wherry, Hills. 13; Rep. Popovici-Muller, Rock. 17; Rep. Granger, Straf. 2; Sen. Innis, Dist 7

COMMITTEE: Fish and Game and Marine Resources

ANALYSIS

This bill clarifies when lights may be used while hunting or engaging in other outdoor activities.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to hunting with lights at night.

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

1 1 Illegal Night Hunting. Amend RSA 208:8 to read as follows:

2 208:8 Illegal Night Hunting.

3 I. A person is guilty of a misdemeanor if the person:

4 (a) Knowingly takes wild birds or wild animals between 1/2 hour after sunset and 1/2
5 hour before sunrise, ***except as specifically authorized by New Hampshire fish and game***
6 ***rules, including but not limited to rules adopted in accordance with RSA 208:1-e.***

7 (b) Knowingly uses an artificial light between 1/2 hour after sunset and 1/2 hour before
8 sunrise to illuminate, locate, or attempt to locate wild birds or wild animals while possessing on the
9 person or in a motor vehicle, OHRV, snowmobile, boat, aircraft, or other craft propelled by
10 mechanical power, a bow and arrow, crossbow and bolt, rifle, pistol, revolver, shotgun, or muzzle-
11 loading firearm with live ammunition to fit the weapon, whether loaded or unloaded. ***The mere***
12 ***operation of a motor vehicle on a public or private roadway using fixed forward-facing***
13 ***lights, including headlights, fog lights, or auxiliary driving lights, in a manner consistent***
14 ***with normal driving behavior, shall not be considered a violation of this paragraph. Nor***
15 ***shall incidental use of alley lights, reversing lights, scene lights, or other similar lights as***
16 ***part of a reasonably typical vehicular maneuver be considered a violation of this***
17 ***paragraph.***

18 II. Any person convicted of illegal night hunting shall forfeit such firearms, lights, or any
19 other equipment used or usable in the illegal night hunting at the time of such offense.

20 III. ~~The knowledge or belief required for paragraph I is presumed in the case of a person~~
21 ~~who:~~

22 ~~(a) Uses or is found in the possession of a bow and arrow, crossbow and bolt, a muzzle-~~
23 ~~loading firearm with live ammunition components to fit, or a rifle, revolver, or pistol larger than .22~~
24 ~~caliber long rifle; or~~

25 ~~(b) Uses shotgun shells carrying shot larger than number 4 birdshot.~~

26 ~~IV.] Nothing contained in this section shall be construed to prohibit the use of lights for~~
27 ~~checking traps as permitted in RSA 210:13.~~

28 ***IV. Subparagraph I(b) shall not apply to persons:***

29 ***(a) Engaged in legitimate agricultural activity, including the protection of***
30 ***livestock or crops;***

1 ***(b) Conducting utility, forestry, or land management work, or responding to***
2 ***service outages, emergencies, or maintenance needs;***

3 ***(c) Lawfully present on their own property or the property of another with***
4 ***express or implied permission, provided no hunting activity or wildlife harassment occurs;***
5 ***or***

6 ***(d) Using hand-held or fixed lights solely for navigation, work, or property***
7 ***inspection, and not for the purpose of locating, illuminating, harassing, or attempting to***
8 ***take wildlife.***

9 2 Effective Date. This act shall take effect January 1, 2027.