

HB 338 - AS INTRODUCED

2025 SESSION

25-0595

08/06

HOUSE BILL **338**

AN ACT relative to the authority of fish and game officers.

SPONSORS: Rep. Popovici-Muller, Rock. 17; Rep. Lynn, Rock. 17; Rep. Read, Rock. 10; Sen. Murphy, Dist 16

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

 This bill allows fish and game officers to conduct warrantless searches if they have probable cause.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to the authority of fish and game officers.

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

1 1 Conservation Officers; Powers. Amend RSA 206:26, VI to read as follows:

2 VI. To stop and to search ~~[without a warrant]~~ and to examine in the field, in the highway, at
3 an airbase or on the stream, any person, or any boat, conveyance, aircraft, vehicle, gamebag, game
4 coat, creel, crate, box, locker or other receptacle, in the presence of the owner if reasonably possible,
5 or any so-called fish house or bob-house, in the presence of the occupant, for all wildlife, when ~~[there~~
6 ~~is reasonable and articulable suspicion]~~ **the conservation officer has probable cause** to believe
7 that any wildlife, or any illegal apparatus subject to forfeiture, is concealed thereon or therein;

8 2 Marine Species; Search and Seizure. Amend RSA 211:75, I to read as follows:

9 I. To search ~~[without a warrant]~~ and examine any person or any boat, conveyance, vehicle,
10 box, bag, locker, traps, crate or other receptacle or container for marine species, when the
11 conservation officer has ~~[reasonable and articulable suspicion]~~ **probable cause** to believe that
12 marine species taken contrary to the provisions of this chapter are concealed thereon or therein.

13 3 Marine Species; Search and Seizure. Amend RSA 211:75, V to read as follows:

14 V. To board any boat which is on public waters under the jurisdiction of this state ~~[with or~~
15 ~~without a warrant]~~, if the conservation officer has ~~[reasonable and articulable suspicion]~~ **probable**
16 **cause** to believe that any provisions of the statutes, rules and regulations relating to the taking of
17 marine species as defined in RSA 207:1 or 211:62 are being or have been violated thereon, for the
18 purpose of enforcing such statutes, rules and regulations.

19 4 Effective Date. This act shall take effect 60 days after its passage.