

2017 SESSION

17-0331

10/04

HOUSE BILL **428-FN**

AN ACT relative to crossbow hunting by persons 68 years of age and older.

SPONSORS: Rep. Crawford, Carr. 4; Rep. Brown, Graf. 16

COMMITTEE: Fish and Game and Marine Resources

ANALYSIS

This bill allows a person 68 years of age or older to hunt by crossbow and to acquire a perpetual crossbow permit to take any species permitted to be taken by bow and arrow.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to crossbow hunting by persons 68 years of age and older.

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

1 Fish and Game; Taking by Crossbow; Rulemaking. Amend RSA 208:7-a, I and II to read as follows:

I. The executive director of fish and game, with the consent of the commission, may adopt rules under RSA 541-A to allow for the taking of deer by crossbow during the regular firearms season and the regular muzzleloader season, for persons holding a valid firearms or muzzleloader deer tag, or as specified in RSA 206:23-c, ***and shall adopt rules under RSA 541-A for the taking of deer by crossbow by persons 68 years of age or older holding a bow and arrow license under RSA 208:5, a firearms tag, or a muzzleloader tag.***

II. The executive director of fish and game, with the consent of the commission, may adopt rules under RSA 541-A to allow for the taking by crossbow of any game bird or any game animal, other than deer, during the regular firearms season set for that species, ***and shall adopt rules for the taking of game birds or game animals by crossbow***

by persons 68 years of age or older holding a bow and arrow license under RSA 208:5, a firearms tag, or a muzzleloader tag.

2 Fish and Game; Crossbow Permits; Persons 68 Years of Age and Older Added. Amend RSA 207:10-c to read as follows:

207:10-c [~~Crossbows Permitted~~] ***Perpetual Crossbow Permits*** for Certain Persons [~~With a Disability~~].

I. Notwithstanding the provisions of RSA 207:10, a crossbow permit may be issued to **(a)** a person who has a permanent physical disability and as a result of that disability the person cannot operate a conventional longbow or compound bow safely, **or to (b) a person 68 years of age or older who cannot operate a conventional longbow or compound bow safely.** Such permit shall allow that person to take any species permitted to be taken by bow and arrow pursuant to RSA 208:5, provided that the bow and arrow license under RSA 208:5 and the necessary licenses under RSA 208, RSA 209, and RSA 214 have been acquired each year. The permit applicant ***who has a permanent physical disability*** may be required to appear before the executive director, the director's designee, or designated medical consultant or consultants to substantiate the presence of the disability and demonstrate the ability to safely use a crossbow. The applicant shall be responsible for submitting medical documentation ***or age documentation*** as required by the executive director. The executive director may require a second medical opinion from a medical consultant or physician designated by the executive director to verify the disability. Any costs associated with obtaining the medical documentation, re-evaluation of the information or a second medical opinion, upon recommendation of the medical consultant or consultants, are the responsibility of the applicant. The executive director shall determine the eligibility of the applicant, and the executive director's decision shall be final.

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

III. The medical documentation ***for a person who has a permanent physical disability*** requested under paragraph I shall consist of:

- (a) Signed application and statement of disability by the applicant; and
- (b) Signed medical section to be completed by the applicant's physician or advanced practice registered nurse providing applicant's medical history, physical examination findings and attesting to the disability and its permanence.

IV. The fee for taking deer shall be the same as provided in RSA 208:5, and the fee for taking bear, wild turkey, or carp shall be the appropriate fee established under RSA 214:9.

V. An administrative fee set by the executive director pursuant to RSA 206:10, I shall be charged once, upon application to the executive director for such permit.

~~[VI. Any person possessing a valid crossbow permit under this section on January 1, 1997, may apply on or before January 1, 1998, and shall be issued upon payment of a \$10 administrative fee a permanent crossbow permit.]~~

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

**HB 428-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to crossbow hunting by persons 68 years of age and older.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2018 through 2021.

AGENCIES CONTACTED:

New Hampshire Fish and Game Department