

§10657-A. Civil trespass with hunting dog

1. Definitions. For the purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Dog handler" means a person involved in releasing a dog to pursue a wild animal, including but not limited to the owner of the dog and any person involved in transporting, loading, unloading, catching, restraining, releasing or tracking the dog. [PL 2021, c. 580, §2 (NEW).]

B. "Turn a hunting dog loose" means to release or to be involved as a dog handler in the release of a dog to pursue a wild animal for the purposes of hunting the wild animal or in order to train the dog in hunting wild animals and includes but is not limited to the release of the dog to join other dogs already in pursuit of the wild animal. [PL 2021, c. 580, §2 (NEW).]
[PL 2021, c. 580, §2 (NEW).]

2. Prohibition. While engaging in any activity regulated under this Part, a person may not turn a hunting dog loose in pursuit of a bear, coyote, bobcat, fox or raccoon:

A. Onto the property of another if:

(1) The landowner or the landowner's agent has personally communicated to a dog handler of the dog that the landowner does not want a hunting dog released onto that property; or

(2) The property is posted in accordance with Title 17-A, section 402, subsection 4 or in a manner reasonably likely to come to the attention of a person, unless a dog handler of the dog has express permission from the landowner or the landowner's agent to turn a hunting dog loose onto that property; or [PL 2021, c. 580, §2 (NEW).]

B. In a manner that results in the hunting dog entering the property of another, if a hunting dog has been previously found on that property and any dog handler of the hunting dog has been notified in writing by a law enforcement officer within the previous 365 days that the landowner does not permit hunting dogs on that property. [PL 2021, c. 580, §2 (NEW).]
[PL 2021, c. 580, §2 (NEW).]

3. Civil penalties. The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$250 and not more than \$500 may be adjudged. [PL 2021, c. 580, §2 (NEW).]

B. A person who violates this section after having been adjudicated of violating this section in the prior 365 days commits a civil violation for which a fine of not less than \$500 and not more than \$1,000 may be adjudged. [PL 2021, c. 580, §2 (NEW).]
[PL 2021, c. 580, §2 (NEW).]

SECTION HISTORY

PL 2021, c. 580, §2 (NEW).

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