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States' Right-To-Farm Statutes

State of New Hampshire

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States' Right-to-Farm Statutes

STATE OF NEW HAMPSHIRE

N.H. Rev. Stat. Ann. §§ 432:32 to 432:35

Updated with laws currently effective May 24, 2010 through Chapter 55 of the 2010 Reg. Sess., not including changes and corrections made by the State of New Hampshire, Office of Legislative Services

432:32 Agricultural Operation.

"Agricultural operation" when used in this subdivision includes any farm, agricultural or farming activity as defined in RSA 21:34-a.

432:33 Immunity from Suit.

No agricultural operation shall be found a public or private nuisance as a result of changed conditions in or around the locality of the agricultural operation, if such agricultural operation has been in operation for one year or more and if it was not a nuisance at the time it began operation. This section shall not apply when any aspect of the agricultural operation is determined to be injurious to public health or safety under RSA 147:1 or RSA 147:2.

432:34 Negligent or Improper Operations.

The provisions of this subdivision shall not apply if a nuisance results from the negligent or improper operation of an agricultural operation. Agricultural operations shall not be found to be negligent or improper when they conform to federal, state and local laws, rules and regulations.

432:35 Limits.

Nothing contained in this subdivision shall be construed to modify or limit the duties and authority conferred upon the department of environmental services under RSA 485 or RSA 485-A or the commissioner of agriculture, markets, and food under any of the chapters in this title.