

1 AN ACT

2 RELATING TO LIVESTOCK; AMENDING A SECTION OF THE LIVESTOCK
3 CODE TO PROVIDE FOR ENFORCEMENT OF LIVESTOCK RUNNING AT LARGE
4 PROHIBITIONS; REPEALING SECTIONS 77-14-4 THROUGH 77-14-6,
5 77-14-8 THROUGH 77-14-24 and 77-14-35 NMSA 1978 (BEING
6 LAWS 1909, CHAPTER 146, SECTIONS 1 THROUGH 3, LAWS 1919,
7 CHAPTER 88, SECTIONS 1 THROUGH 5 AND 7 THROUGH 18 AND
8 LAWS 1901, CHAPTER 54, SECTION 1, AS AMENDED) OF THE
9 LIVESTOCK CODE TO ELIMINATE UNNECESSARY AND OUTDATED
10 PROVISIONS FROM TERRITORIAL LAW.

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

13 SECTION 1. Section 77-14-7 NMSA 1978 (being Laws 1909,
14 Chapter 146, Section 4, as amended) is amended to read:

15 "77-14-7. LIVESTOCK RUNNING AT LARGE--WHEN UNLAWFUL--
16 IMPOUNDING--SALE--SUIT FOR DAMAGES.--

17 A. It is unlawful for the owners of livestock to
18 willfully allow the livestock to run at large within the
19 town, conservancy district, irrigation district or military
20 reservation or enclave. An owner who willfully allows
21 livestock to run at large is guilty of a misdemeanor and upon
22 conviction shall be punished in accordance with the
23 provisions of Section 31-19-1 NMSA 1978 for each offense.

24 B. The sheriff or other peace officer or proper
25 military authority or the board shall impound livestock found

1 running at large and sell the livestock at public auction to
2 the highest bidder for cash after giving notice of the time
3 and place of sale in some newspaper published in the county
4 where the violation occurred three days prior to the day of
5 sale; provided that in the case of a military reservation or
6 enclave, the sale shall be conducted by the board pursuant to
7 the procedure set forth in Section 77-14-36 NMSA 1978. The
8 proceeds up to ten dollars (\$10.00) per day for each animal
9 shall be retained by the impounding authority to cover its
10 expense and fees. The balance, if any, shall be paid to the
11 general fund.

12 C. The owner of livestock impounded may redeem the
13 livestock at any time prior to sale by paying the impound
14 fees and costs incurred for each day or portion of a day that
15 the livestock has been in custody; provided that in the case
16 of a military reservation or enclave, redemption shall be
17 allowed pursuant to Section 77-14-36 NMSA 1978.

18 D. A person claiming damages for violation of the
19 order may file suit to recover damages as in other civil
20 cases; provided that such damages, in the case of a violation
21 involving a military reservation or enclave, shall include
22 direct, indirect, incidental and consequential damages."

23 SECTION 2. REPEAL.--Sections 77-14-4 through 77-14-6,
24 77-14-8 through 77-14-24 and 77-14-35 NMSA 1978 (being
25 Laws 1909, Chapter 146, Sections 1 through 3, Laws 1919,

1 Chapter 88, Sections 1 through 5 and 7 through 18 and
2 Laws 1901, Chapter 54, Section 1, as amended) are
3 repealed. _____

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