

HOUSE BILL 243

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO EQUINES; AMENDING PROVISIONS RELATING TO THE EQUINE
SHELTER RESCUE FUND; ESTABLISHING THE EQUINE WELFARE TRUST
FUND; MAKING A TRANSFER FROM THE GENERAL FUND TO THE EQUINE
WELFARE TRUST FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 77-2-32 NMSA 1978 (being Laws 2013,
Chapter 49, Section 1, as amended) is amended to read:

"77-2-32. EQUINE SHELTER RESCUE FUND--CREATED.--

A. The "equine shelter rescue fund" is created as a
nonreverting fund in the state treasury. The fund consists of
distributions, appropriations, gifts, grants, donations and
amounts designated pursuant to Section 7-2-30.7 NMSA 1978.

~~[The board shall administer the fund, and]~~ Money in the fund is
appropriated to the board of regents of New Mexico state

1 university for expenditure by the New Mexico department of
2 agriculture to carry out the intent of aiding equine [rescues]
3 rescue or retirement facilities and [homeless] equines that are
4 surrendered, transferred by the board or law enforcement or
5 otherwise acquired for purposes of rescue or sanctuary in the
6 state, including:

7 (1) providing shelter or placement based on
8 capacity;

9 (2) contracting with or employing equine
10 trainers;

11 (3) providing feed and pasture to maintain
12 equines;

13 (4) providing for basic and emergency
14 veterinary care or husbandry, including sterilization,
15 fertility control or hoof care;

16 (5) administering adoption programs and
17 services; and

18 (6) paying the costs of administering the fund
19 in an amount not to exceed five percent of the annual
20 distributions from the fund.

21 ~~[B. The board shall establish by rule the~~
22 ~~distribution of funds from the equine shelter rescue fund to~~
23 ~~equine rescue and retirement facilities registered by the board~~
24 ~~pursuant to Section 77-2-30 NMSA 1978, taking into~~
25 ~~consideration the number of equines being cared for in each~~

1 ~~facility and the need of each facility.]~~

2 B. The New Mexico department of agriculture shall
3 administer the fund, solicit applications for contracts from
4 eligible applicants for disbursements and make disbursements of
5 the available funds to eligible applicants that meet funding
6 criteria on an annual basis.

7 C. To receive a contract for services, an applicant
8 shall apply to the New Mexico department of agriculture on
9 forms and in a manner prescribed by the department. An
10 application shall include:

11 (1) a description of the proposed services or
12 project for which the applicant is seeking funds via a contract
13 agreement;

14 (2) a demonstration that the proposed services
15 or project will meet one or more of the purposes provided in
16 Subsection A of this section; and

17 (3) details and specifics as to the reasonable
18 expected costs and the time frame of the proposed project or
19 services.

20 D. To be eligible to receive funds from the fund,
21 an applicant shall:

22 (1) be a registered equine rescue or
23 retirement facility in accordance with Section 77-2-30 NMSA
24 1978;

25 (2) be in good standing with the board and in

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1 compliance with Section 77-2-31 NMSA 1978;

2 (3) if the applicant is a private
3 organization, be a tax-exempt organization pursuant to Section
4 501(c)(3) of the federal Internal Revenue Code of 1986;

5 (4) adhere to American association of equine
6 practitioners guidelines pursuant to rules promulgated by the
7 board; and

8 (5) not be intentionally breeding equines.

9 E. Beginning October 1, 2028 and each October 1
10 thereafter, the New Mexico department of agriculture shall
11 submit a report to the legislative finance committee that shall
12 include the following:

13 (1) the amount of each funded contract;

14 (2) a description of each contract;

15 (3) the name of each funded contractor;

16 (4) how much funding the contracting entity
17 has expended;

18 (5) the progress or completion of the
19 contract;

20 (6) how the contract supports equine welfare;

21 (7) an explanation for why any money remaining
22 in the fund was not disbursed to eligible entities;

23 (8) the number of proposed contracts, and
24 their costs, that were approved for but did not receive funding
25 due to the insufficiency of available funds in the fund; and

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1 (9) the total amount of administrative costs
2 incurred by the New Mexico department of agriculture to
3 administer the fund."

4 SECTION 2. [NEW MATERIAL] EQUINE WELFARE TRUST FUND.--

5 A. The "equine welfare trust fund" is created as a
6 nonreverting fund in the state treasury. The fund consists of
7 distributions, appropriations, gifts, grants and donations.
8 Income from investment of the fund shall be credited to the
9 fund. Money in the fund shall be expended only as provided in
10 this section.

11 B. The state investment officer, subject to the
12 approval of the state investment council, shall invest money in
13 the equine welfare trust fund:

14 (1) in accordance with the prudent investor
15 rule set forth in the Uniform Prudent Investor Act; and

16 (2) in consultation with the director of the
17 New Mexico department of agriculture.

18 C. The state investment officer shall report
19 quarterly to the legislative finance committee and the state
20 investment council on the investments made pursuant to this
21 section. Annually, a report shall be submitted no later than
22 October 1 each year to the legislative finance committee, the
23 revenue stabilization and tax policy committee and any other
24 appropriate interim committees.

25 D. On July 1, 2027 and each July 1 thereafter, a
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1 distribution shall be made from the equine welfare trust fund
2 to the equine shelter rescue fund in an amount equal to four
3 percent of the average of the year-end market values of the
4 trust fund for the immediately preceding three calendar years.
5 If, on July 1 of a year, the trust fund has been in effect for
6 less than three calendar years, the distribution shall be in an
7 amount equal to four percent of the average of the year-end
8 market values of the trust fund for the immediately preceding
9 number of calendar years that the trust fund has been in
10 effect.

11 SECTION 3. TRANSFER.--Five million dollars (\$5,000,000)
12 is transferred from the general fund to the equine welfare
13 trust fund.

14 SECTION 4. APPROPRIATION.--Five hundred thousand dollars
15 (\$500,000) is appropriated from the general fund to the equine
16 shelter rescue fund for expenditure in fiscal year 2027 and
17 subsequent fiscal years. Any unexpended balance remaining at
18 the end of a fiscal year shall not revert to the general fund.