

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 147

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Brian K. Moore

AN ACT

RELATING TO TRESPASS; REQUIRING A PERSON TO HAVE WRITTEN
PERMISSION TO HUNT OR FISH ON PRIVATE PROPERTY THAT IS POSTED;
PROVIDING FOR CONFISCATION OF GAME.

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

Section 1. Section 17-2-7 NMSA 1978 (being Laws 1931,
Chapter 117, Section 8, as amended) is amended to read:

"17-2-7. UNLAWFUL HUNTING OR FISHING. --

A. Except as permitted by [~~regulations~~] rules
adopted by the state game commission or as otherwise allowed by
law, it is unlawful to:

(1) hunt, take, capture, kill or attempt to
take, capture or kill, at any time or in any manner, any game
animal, game bird or game fish in the state; [~~or~~]

(2) possess, offer for sale, sell, offer to

underscored material = new
[bracketed material] = delete

1 purchase or purchase in the state all or any part of any game
2 animal, game bird or game fish; or

3 (3) hunt, take, capture, kill or attempt to
4 take, capture or kill, at any time or in any manner, any game
5 animal, game bird or game fish in the state on private property
6 without written permission of the owner or person in control of
7 the property if the property has been posted pursuant to
8 Section 30-14-1 NMSA 1978. Any game animal, game bird or game
9 fish taken, captured or killed on posted private property
10 without written permission shall be confiscated. A person who
11 has in his possession a valid landowner permit is considered to
12 have written permission from the landowner.

13 B. Notwithstanding any other law, the owner of
14 domestic livestock in this state or his regular employee may
15 hunt, take, capture or kill any cougar or bear [~~which~~] that has
16 killed domestic livestock. The owner of livestock or his
17 regular employee who takes action under this provision [~~will~~]
18 shall report this action to the department of game and fish,
19 [~~who will~~] which shall verify the necessity of the action
20 taken.

21 C. Violation of this section is a misdemeanor and
22 shall be punished as provided in Section 17-2-10 NMSA 1978.

23 D. The provisions of this section shall not be
24 deemed to prohibit the possession of game animals, birds or
25 fish taken legally in any other jurisdiction. "

. 149152. 1