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HOUSE BILL 63

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Yvette Herrell

AN ACT

RELATING TO DOGS; PROHIBITING MUNICIPALITIES AND COUNTIES FROM ENACTING BREED-SPECIFIC REGULATIONS.

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

SECTION 1. Section 77-1-10 NMSA 1978 (being Laws 1901, Chapter 105, Section 3, as amended) is amended to read:

"77-1-10. VICIOUS ANIMALS--RABID OR UNVACCINATED DOGS AND CATS--FAILURE TO DESTROY.--

A. It is unlawful for any person to keep any animal known to be vicious and liable to attack or injure human beings unless such animal is securely kept to prevent injury to any person.

B. It is unlawful to keep any unvaccinated dog or cat or any animal with any symptom of rabies.

C. It is unlawful to fail or to refuse to destroy

underscoring material = new  
~~[bracketed material] = delete~~

1 vicious animals or unvaccinated dogs or cats with symptoms of  
2 rabies as prescribed by regulation of the [~~health and~~  
3 ~~environment~~] department of health for the protection of public  
4 health and safety.

5 D. Municipalities, including home rule  
6 municipalities, and counties shall not regulate by ordinance or  
7 rule or in any other manner regulate dangerous dogs in a manner  
8 that is specific to breed."

9 SECTION 2. A new Section 77-1-12.1 NMSA 1978 is enacted  
10 to read:

11 "77-1-12.1. [NEW MATERIAL] PROHIBITION AGAINST BREED-  
12 SPECIFIC REGULATIONS.--Municipalities, including home rule  
13 municipalities, and counties shall not regulate by ordinance or  
14 rule or in any other manner regulate dogs in a manner that is  
15 specific as to the breed of dog."

16 SECTION 3. EFFECTIVE DATE.--The effective date of the  
17 provisions of this act is July 1, 2013.