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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Matthews/Chavez, E.</u>	<b>LAST UPDATED</b> _____
	<b>ORIGINAL DATE</b> <u>2/1/2025</u>
<b>SHORT TITLE</b> <u>Search for Missing Qualified Service Animal</u>	<b>BILL NUMBER</b> <u>House Bill 111</u>
	<b>ANALYST</b> <u>Hanika-Ortiz</u>

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT\* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DPS	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal		Recurring	General Fund
Counties	No fiscal impact	Indeterminate but minimal	Indeterminate but minimal		Recurring	County General Funds

Parentheses ( ) indicate expenditure decreases.  
 \*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

Agency Analysis Received From  
 Governor’s Commission on Disability (Commission)  
 Regulation and Licensing Department (RLD)

## SUMMARY

### Synopsis of House Bill 111

House Bill 111 (HB111) amends Section 28-11-2/3 NMSA 1978, the Animal Services Act, to make a reasonable effort to search for a qualified service animal during an emergency.

In the definitions section, the bill describes a “first responder” as a law enforcement officer, firefighter, or emergency medical services provider. The bill says the first responder shall only need to make a reasonable effort to search for the animal, prioritizing human safety and security.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

## FISCAL IMPLICATIONS

Although the New Mexico State Police coordinates search and rescue efforts in an emergency, local law enforcement and fire agencies would likely be the boots on the ground. Therefore, the additional estimated operating budget for the state and counties is scored in the table as minimal.

## **SIGNIFICANT ISSUES**

This bill would support a local response during the early days of an emergency, when there is the best chance to locate and reunite a qualified service animal with its owner. However, it is unusual for a qualified service animal to abandon its owner under any circumstances.

According to the American Veterinary Medical Association, in 2006, the president signed H.R. 3858 into law, the Pets Evacuation and Transportation Standards Act (PETS). The expectation is that the state will help first during an emergency when local resources are overwhelmed. In large emergencies, however, under the PETS Act, the Federal Emergency Management Association provides pet and service animal evacuations and sheltering. States without disaster plans that include consideration for service animals may see their federal disaster relief funding affected.

If a service animal goes missing in an emergency, locating it would be easier if the animal wore a global positioning system collar, although power and a network connection would be needed.

## **ADMINISTRATIVE IMPLICATIONS**

The Governor’s Commission on Disability should be consulted on creating any training needed to help first responders learn how to best reunite a qualified service animal with its owner.

## **TECHNICAL ISSUES**

The term “emergency situation” may need to be defined with examples to provide clarity.

## **OTHER SUBSTANTIVE ISSUES**

The Americans with Disability Act (ADA) states that qualified service animals are not pets but trained to perform tasks that provide independence to individuals with a disability. The training is costly and can take two years based on the needs of the owner, according to the commission. The ADA states a service animal needs to go where the owner goes, and if the owner is separated from the animal in an emergency, it makes it harder for the owner to be independent at a hospital or shelter.