

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS – 2026 SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO
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(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 05FEB26 *Check all that apply:*
Bill Number: HB315 Original Correction
 Amendment Substitute

Sponsor: Rep. Matthew McQueen **Agency Name and Code:** 790 – Department of Public Safety
Short Title: Livestock Code Changes & Horses **Person Writing:** Matthew Broom, Deputy Chief
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S SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
NFI	NFI	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: 2025 HB 284 as HJC substituted
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

House Bill 315 (HB 315) amends the Livestock Code to provide for registration of facilities and qualified free-roaming horse experts by the Livestock Board; provides for state, county or municipal governments to contract for their services and for control and humane management of free-roaming horse herd populations, including fertility management, except where preempted by federal or tribal authority; provides for rulemaking; prohibits slaughter or export for slaughter of free-roaming horses; removes provision for “wild horses” and “Spanish colonial horses” from the code; establishes fines and penalties.

FISCAL IMPLICATIONS

No Fiscal Impact to DPS. HB 315 does not contain an appropriation. The bill’s registration fees, civil fines, and rulemaking authority are vested in the New Mexico Livestock Board (NMLB), not DPS. Any costs associated with registering equine rescue or retirement facilities or free-roaming horse experts are borne by the NMLB and its applicants.

SIGNIFICANT ISSUES

No Significant Issues to DPS. HB 315 creates a new misdemeanor offense under proposed Section 77-18-5(F) NMSA 1978 for knowingly slaughtering, selling for slaughter, transporting for slaughter, or releasing a free-roaming horse from an equine facility or adoptive home into the wild. Penalties are imposed pursuant to Section 31-19-1 NMSA 1978 (misdemeanor sentencing), with each horse constituting a separate offense. However, primary enforcement authority over the Livestock Code rests with the NMLB and its livestock inspectors, not DPS or the New Mexico State Police (NMSP). See NMSA 1978, § 77-2-7 (powers of the board); § 77-2-1.1(U) (defining “livestock inspector” with full law enforcement powers for Livestock Code enforcement).

While NMSP officers retain general law enforcement authority and could encounter free-roaming horse violations incidentally, the bill does not assign any new duties, responsibilities, or enforcement obligations to DPS. The NMSP Mounted Patrol Unit uses domesticated horses that are agency property and are not affected by this bill’s provisions governing unclaimed free-roaming horses.

PERFORMANCE IMPLICATIONS

No Performance Implications from DPS. The bill does not establish performance measures, reporting requirements, or benchmarks applicable to DPS or any of its divisions.

ADMINISTRATIVE IMPLICATIONS

No Administrative Implications from DPS. All rulemaking, registration, inspection, and enforcement responsibilities created by the bill are assigned to the NMLB. The bill does not require DPS to promulgate rules, modify existing procedures, or devote personnel to implementation. No Law Enforcement Academy Board (LEAB) training requirements or certifications are implicated.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS. The bill relates to 2025 HB 284 (as HJC substituted), which addressed similar free-roaming horse management provisions in the prior session. No conflict, duplication, companionship, or relationship to DPS-administered statutes or programs.

TECHNICAL ISSUES

No Technical Issues from DPS. The bill's technical provisions, including definitions of "free-roaming horse," "free-roaming horse expert," "carrying capacity," and "humane capture," are within the NMLB's regulatory domain and do not implicate DPS operations or statutory authority.

OTHER SUBSTANTIVE ISSUES

No Other Substantive Issues to DPS. The bill's prohibition on use of aircraft or motorized vehicles for capture (proposed § 77-18-5(G)(3)) and the requirement for landowner or lessee permission before entering private or state land (proposed § 77-18-5(C)) do not create obligations for DPS or NMSP.

ALTERNATIVES

None at this time from DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain. Free-roaming horse populations on non-federal land would continue to lack a comprehensive state management framework, and the NMLB would not gain authority to register free-roaming horse experts or impose the slaughter prohibition. No consequence to DPS operations.

AMENDMENTS

None at this time.