

<b>LFC Requester:</b>	
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**AGENCY BILL ANALYSIS  
2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**AgencyAnalysis.nmlegis.gov**

*{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}*

*Check all that apply:*

**Original**     **Amendment**      
**Correction**     **Substitute**   

**Date** February 6, 2026  
**Bill No:** SB 227-280

**Sponsor:** Gabriel Ramos and  
Luis M. Terrazas and  
Jenifer Jones  
**Short Title:** Cruelty to Animals Registry

**Agency Name and Code**    LOPD-280  
**Number:** \_\_\_\_\_  
**Person Writing**    Luz C. Valverde  
**Phone:** 505-835-2217    **Email** Luz.valverde@lopdnm

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: Under current law, Section 30-18-1 punishes as a **misdemeanor**, conduct including negligent mistreatment or abandonment of an animal and as a **fourth-degree felony** conduct of maliciously torturing or killing an animal.

The bill proposes to add a new section to the criminal code, requiring county sheriffs and the state Department of Public Safety (DPS) to maintain a registry of those persons convicted of animal cruelty offenses under NMSA 1978, Section 30-18-1.

Specifically, the proposed law would require persons convicted of cruelty to animals to provide name, current address and phone number, social security number, any professional license, and photograph. The proposed law would mandate district courts to provide written notice of a person’s duty to register after conviction. The bill would mandate registrants to update registration within five business days of moving to a new residence. It would require both county sheriffs *and* the DPS to maintain a public registry of such persons. The DPS registry would be publicly available on its website and would identify offenders by their names, conviction details, and photographs.

**FISCAL IMPLICATIONS**

There are relatively few felony prosecutions for animal cruelty, but collateral consequences like registration can make a person more likely to go to trial, rather than entering a plea agreement. Additionally, although the proposed law does not specify that *failure to register* is separately punishable as a crime (as it is for sex offender registration), but such failure would in most cases form the basis of a probation violation petition, or be considered at sentencing for similar conduct in the future.

Accordingly, a moderate impact on LOPD workload is envisioned, bringing an attendant increase in need for resources to maintain compliance with constitutional mandates. Additionally, courts, DAs, the NMDOJ, and NMCD could anticipate increased costs if prosecutions increase under the proposed law.

## **SIGNIFICANT ISSUES**

The proposed law raises the potential for constitutional challenges based on privacy and overbreadth. Section 30-18-1 has been held to not be overly vague *as applied* to a defendant where she housed eight dogs without access to clean water, and each of which manifested obvious and apparent signs of physical illness and distress. *State v. Duttie*, 2017-NMCA-001, 387 P.3d 885. Therefore, even though the statute covered negligent conduct, defendant was on notice that the conduct she was charged with rose to the level of “intentional and malicious” or extreme cruelty.

The proposed law may face similar constitutional challenge. For instance, based on the broad conduct covered under Section 30-18-1, defendants could be required to register for negligence or abandonment. Negligent conduct could easily be based on circumstances based on poverty, thus including statistically great numbers of New Mexicans. The proposed law should be narrowed to include only felony (not misdemeanor) or repeat-offender conduct.

The proposed law also raises constitutional issues regarding privacy and disproportionate stigma, including potential impact on livelihood, for misdemeanor or low-level felony conduct. The proposed registration requirement imposes burdensome affirmative obligations and a public stigma on everyone subject to them, presumably under threat of prosecution for non-compliance. The proposed law could expose registrants to harassment while precluding access to housing and employment. *See State v. Granville*, 2006-NMCA-098, ¶ 19, 140 N.M. 345, 142 P.3d 933 (“Article II, Section 10[] provides greater protections for privacy.”)

While the goal of protecting animals is a laudable one, it is unclear to this analyst to what extent that goal is currently being met, or whether that goal might better be met in the future, via civil sanctions, prohibition from animal adoption through local animal welfare organizations, or more narrowly tailored criminal sanction.

## **PERFORMANCE IMPLICATIONS**

## **ADMINISTRATIVE IMPLICATIONS**

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

## **TECHNICAL ISSUES**

Analyst is unaware whether this legislation is germane under Art. IV, Section 5. It is not a budget bill and analyst is unaware that it has been drawn pursuant to a special message of the Governor.

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Prosecution for animal cruelty remains available under existing law, including the discretion of judges to order counseling for any defendant or psychological assessment for minors.

## **AMENDMENTS**