

SENATE BILL

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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AN ACT

RELATING TO ANIMALS; CREATING THE COUNTY DOG AND CAT SPAY AND
NEUTER SUBACCOUNT IN THE ANIMAL WELFARE PROGRAM FUND; MAKING AN
APPROPRIATION.

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

SECTION 1. Section 77-1-21 NMSA 1978 (being Laws 2025,
Chapter 94, Section 1) is amended to read:

"77-1-21. ANIMAL WELFARE PROGRAM.--

A. The "animal welfare program" is created to
provide funding for projects that support the welfare of
domestic cats and dogs as provided in this section. Beginning
July 1, 2025, the department may award a grant to a
municipality or county or an Indian nation, tribe or pueblo, or
contract for services with an eligible entity, for a project to
repair, renovate or operate an animal shelter, provided that a

1 grant to repair or renovate shall only be for publicly owned
2 facilities, and to purchase equipment and supplies or provide
3 services for:

4 (1) controlling loose or stray cats and dogs
5 to mitigate threats to public safety, livestock or other
6 domestic animals;

7 (2) improving the enforcement of animal
8 cruelty laws, including investigation and response to reports
9 of animal cruelty;

10 (3) reducing animal shelter intake and
11 euthanasia rates or expanding animal shelter building facility
12 capacity;

13 (4) providing spay and neuter services,
14 including spay and neuter services for individual dog and cat
15 owners;

16 (5) providing shelter and care for cats and
17 dogs seized by law enforcement that are suspected of being
18 cruelly treated in violation of local, state or federal laws;
19 or

20 (6) developing, publishing or distributing
21 animal welfare education and outreach materials to the public.

22 B. To receive a grant or contract for services, an
23 applicant shall apply to the department on forms and in a
24 manner prescribed by the department. An application shall
25 include:

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- 1 (1) a description of the proposed project;
- 2 (2) a demonstration that the proposed project
- 3 will meet one or more of the purposes provided in Subsection A
- 4 of this section; and
- 5 (3) details and specifics as to the reasonable
- 6 expected costs and completion date of the proposed project.

7 C. The department shall determine, through a

8 competitive review process pursuant to rules promulgated by the

9 department, which proposed projects are approved to receive a

10 grant or contract for services. The department may adjust the

11 amount of money requested for a proposed project based on its

12 determination of the reasonable costs of the proposal. Once

13 the projects are approved, the department shall promptly offer

14 each applicant a grant or contract for services, as

15 appropriate. If a grantee or contractor accepts an offer, the

16 project may commence and the grantee or contractor shall report

17 to the department on the progress of the project on a periodic

18 basis, as determined by the department, including an accounting

19 of expenditures made for the project. Funds allocated to an

20 approved project shall be spent within two years of receiving a

21 grant or contract for services, and if any unexpended or

22 unencumbered balance remains at the end of the project period,

23 the applicant shall immediately return that balance to the

24 department. The department shall deposit returned amounts in

25 the animal welfare program fund.

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1 D. The department shall promulgate rules to
2 administer the animal welfare program. The rules shall include
3 provisions to:

4 (1) establish procedures for review,
5 evaluation and approval of proposed project applications;

6 (2) accord priority attention to areas with
7 the greatest need for animal welfare projects; and

8 (3) evaluate the ability and competence of an
9 applicant to provide efficiently and adequately for the
10 completion of a proposed project.

11 E. On October 1 of each year, the department shall
12 submit a report to the legislative finance committee on the
13 animal welfare program that shall include:

14 (1) for each funded project:

15 (a) a description of the project;

16 (b) the name of the grantee or
17 contractor;

18 (c) how much funding the project
19 received;

20 (d) the progress or completion of the
21 project; and

22 (e) how the project supports animal
23 welfare;

24 (2) the number and proposed costs of proposed
25 projects that were approved for but did not receive funding due

1 to the insufficiency of available funds for the animal welfare
2 program; and

3 (3) the total amount of administrative costs
4 incurred by the department to administer the program.

5 F. As used in this section:

6 (1) "department" means the department of
7 finance and administration;

8 (2) "eligible entity" means a nonprofit
9 organization whose primary purpose is to provide services that
10 support the welfare of domestic cats and dogs; and

11 (3) "equipment and supplies" means vehicles,
12 equipment and tools, computer hardware and software, training
13 materials and supplies that are necessary and directly related
14 to providing support for animal welfare."

15 SECTION 2. Section 77-1-22 NMSA 1978 (being Laws 2025,
16 Chapter 94, Section 2) is amended to read:

17 "77-1-22. ANIMAL WELFARE PROGRAM FUND.--

18 A. The "animal welfare program fund" is created as
19 a nonreverting fund in the state treasury. The fund consists
20 of appropriations, gifts, grants and donations. The department
21 of finance and administration shall administer the fund, and
22 money in the fund is appropriated to the department to
23 administer the animal welfare program. Expenditures from the
24 fund shall be by warrant of the secretary of finance and
25 administration pursuant to vouchers signed by the secretary of

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1 finance and administration or the secretary's authorized
2 representative.

3 B. The "county dog and cat spay and neuter
4 subaccount" is established in the animal welfare program fund.
5 Money in the subaccount shall only be used for counties to
6 contract with persons licensed as doctors of veterinary
7 medicine pursuant to the Veterinary Practice Act to provide dog
8 and cat spay and neuter services for individual dog and cat
9 owners in accordance with the animal welfare program."

10 **SECTION 3. APPROPRIATION.--**Two million dollars
11 (\$2,000,000) is appropriated from the general fund to the
12 county dog and cat spay and neuter subaccount in the animal
13 welfare program fund for expenditure in fiscal year 2027 and
14 subsequent fiscal years to carry out dog and cat spay and
15 neuter services for individual dog and cat owners in accordance
16 with the animal welfare program. Any unexpended balance
17 remaining at the end of a fiscal year shall not revert to the
18 general fund.