

AN ACT  
RELATING TO PUBLIC SAFETY; PROHIBITING INTERFERENCE WITH OR  
INJURY TO ASSISTANCE DOGS; PROVIDING PENALTIES.

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

Section 1. FINDINGS AND PURPOSE--INTERFERENCE WITH  
ASSISTANCE DOG PROHIBITED--CRIMINAL AND CIVIL PENALTIES.--

A. The legislature finds that unrestrained dogs constitute a danger to assistance dogs and public safety. The purpose of this section is to protect persons with disabilities and assistance dogs from attack by unrestrained dogs.

B. As used in this section, "assistance dog" means a dog that has been or is being trained for persons with a hearing, sight or other physical disability or impairment.

C. It is unlawful for any person, with no legal justification, to:

(1) intentionally interfere with the use of a service dog by harassing or obstructing the service dog user or the service dog; or

(2) intentionally fail or refuse to control his animal, and the animal interferes with or obstructs the service dog user or the service dog.

D. The provisions of this section shall not apply to animals on private property not open to the public.

E. A person who violates the provisions of this section is guilty of a misdemeanor and upon conviction shall be punished pursuant to Section 31-19-1 NMSA 1978. A person convicted under this section may be ordered to pay

