

AN ACT

RELATING TO LAW ENFORCEMENT; PROVIDING CERTAIN POWERS TO
CONSERVATION OFFICERS.

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

Section 1. Section 17-2-19 NMSA 1978 (being Laws 1912,
Chapter 85, Section 57, as amended) is amended to read:

"17-2-19. ENFORCEMENT OF GAME LAWS--POWERS OF
CONSERVATION OFFICERS. --

A. The director of the department of game and
fish, each conservation officer, each sheriff in his
respective county and each member of the New Mexico state
police shall enforce Chapter 17 NMSA 1978 and shall:

(1) seize any game or fish held in
violation of that chapter;

(2) with or without warrant, arrest any
person whom he knows to be guilty of a violation of that
chapter; and

(3) open, enter and examine all camps,
wagons, cars, tents, packs, boxes, barrels and packages
where he has reason to believe any game or fish taken or
held in violation of that chapter is to be found, and seize
it.

B. Any warrant for the arrest of a person shall
be issued upon sworn complaint, the same as in other
criminal cases, and any search warrant shall issue upon a

written showing of probable cause, supported by oath or affirmation, describing the places to be searched or the persons or things to be seized.

C. Conservation officers may, under the direction of the state game commission and the director of the department of game and fish:

(1) establish from time to time, as needed for the proper functioning of the game and fish research and management division, checking stations at points along established roads, or roadblocks, for the purpose of detecting and apprehending persons violating the game and fish laws and the regulations referred to in Section 17-2-10 NMSA 1978;

(2) under emergency circumstances and while on official duty only enforce the provisions of the Criminal Code and the Motor Vehicle Code; and

(3) while on official duty only, enforce the provisions of:

(a) Sections 30-14-1 and 30-14-1.1 NMSA 1978 pertaining to criminal trespass;

(b) Section 30-7-4 NMSA 1978 pertaining to negligent use of a deadly weapon;

(c) Section 30-15-1 NMSA 1978 pertaining to criminal damage to property;

(d) Section 30-22-1 NMSA 1978 pertaining to resisting, evading or obstructing an officer;

and

(e) Section 72-1-8 NMSA 1978

pertaining to camping next to a manmade water hole."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2001. _____

SB 526
Page 3