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HOUSE BILL 928

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Brian K. Moore

AN ACT

RELATING TO TRESPASS; REQUIRING A PERSON TO HAVE WRITTEN  
PERMISSION TO HUNT OR FISH ON PRIVATE PROPERTY THAT IS POSTED;  
PROVIDING FOR CONFISCATION OF GAME.

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

Section 1. Section 17-2-7 NMSA 1978 (being Laws 1931,  
Chapter 117, Section 8, as amended) is amended to read:

"17-2-7. UNLAWFUL HUNTING OR FISHING. --

A. Except as permitted by ~~regulations~~ rules  
adopted by the state game commission or as otherwise allowed by  
law, it is unlawful to:

(1) hunt, take, capture, kill or attempt to  
take, capture or kill, at any time or in any manner, any game  
animal, game bird or game fish in the state; ~~or~~

(2) possess, offer for sale, sell, offer to

underscored material = new  
[bracketed material] = delete

1 purchase or purchase in the state all or any part of any game  
2 animal, game bird or game fish; or

3 (3) hunt, take, capture, kill or attempt to  
4 take, capture or kill, at any time or in any manner, any game  
5 animal, game bird or game fish in the state on private property  
6 without written permission of the owner or person in control of  
7 the property if the property has been posted pursuant to  
8 Section 30-14-1 NMSA 1978. Any game animal, game bird or game  
9 fish taken, captured or killed on posted private property  
10 without written permission shall be confiscated by the  
11 department of game and fish. A person who has in his  
12 possession a valid landowner permit is considered to have  
13 written permission from the landowner.

14 B. Notwithstanding any other law, the owner of  
15 domestic livestock in this state or his regular employee may  
16 hunt, take, capture or kill any cougar or bear [~~which~~] that has  
17 killed domestic livestock. The owner of livestock or his  
18 regular employee who takes action under this provision [~~will~~]  
19 shall report this action to the department of game and fish,  
20 [~~who will~~] which shall verify the necessity of the action  
21 taken.

22 C. Violation of this section is a misdemeanor and  
23 shall be punished as provided in Section 17-2-10 NMSA 1978.

24 D. The provisions of this section shall not be  
25 deemed to prohibit the possession of game animals, birds or

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fish taken legally in any other jurisdiction. "

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