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HOUSE BILL 1043

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Patricia A. Lundstrom

AN ACT

RELATING TO HORSES; PROVIDING FOR THE REGISTRATION OF HORSE  
RESCUE AND RETIREMENT FACILITIES; MAKING AN APPROPRIATION.

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

Section 1. A new section of The Livestock Code is enacted  
to read:

"~~[NEW MATERIAL]~~ HORSE RESCUE OR RETIREMENT FACILITY--  
REGISTRATION--BOARD POWERS AND DUTIES--FEES.--"

A. As used in this section, "facility" means a  
horse rescue or retirement facility, including a reserve or  
preserve, that provides lifelong care or finds new owners for  
horses that are unwanted or have been neglected or abused or  
captured wild horses that cannot be returned to their range.

B. A facility shall not operate in New Mexico  
unless registered by the board.

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1 C. The board shall:

2 (1) register facilities that meet the  
3 requirements of this section; and

4 (2) promulgate rules for facilities,  
5 including:

6 (a) health and sanitary requirements;

7 (b) standards for barns, paddocks,  
8 pastures and ranges;

9 (c) qualifications of the facility  
10 staff;

11 (d) provision of veterinary care;

12 (e) feeding and watering requirements;

13 (f) transportation; and

14 (g) other requirements necessary to  
15 ensure the humane care of horses.

16 D. The board may charge the following fees:

17 (1) an annual inspection and registration fee  
18 of not more than seventy-five dollars (\$75.00); and

19 (2) a reinspection fee of not more than  
20 twenty-five dollars (\$25.00).

21 E. Fees collected pursuant to this section shall be  
22 deposited in the New Mexico livestock board general fund and  
23 may be used to carry out the provisions of Sections 1 and 2 of  
24 this act."

25 Section 2. A new section of The Livestock Code is enacted

.152748.2

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1 to read:

2 "[NEW MATERIAL] HORSE RESCUE OR RETIREMENT FACILITIES--  
3 INSPECTIONS--REINSPECTION.--

4 A. Prior to annual registration, each facility  
5 shall be inspected.

6 B. The board may enter the premises of a facility  
7 to conduct unannounced inspections.

8 C. If, following an inspection, the board  
9 determines that the facility does not meet the board's minimum  
10 facility requirements, it shall give the registrant written  
11 notice of the deficiencies and schedule a reinspection,  
12 allowing a reasonable time for the registrant to correct the  
13 deficiencies.

14 D. The registrant shall remedy the deficiencies and  
15 submit evidence to the board demonstrating compliance with  
16 board rules for the facility.

17 E. If on reinspection the board determines that the  
18 facility is still deficient in those areas for which it has  
19 been given written notice, the same action as provided in  
20 Subsections C and D of this section shall be taken. If  
21 following a third inspection the board again determines the  
22 facility is deficient, the board shall hold a hearing as  
23 provided in the Uniform Licensing Act to determine if the  
24 registration should be suspended or revoked.

25 F. If a facility's registration is suspended or

.152748.2

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revoked, the board shall place the horses in another facility."

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