

HOUSE BUSINESS AND INDUSTRY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 1043

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

AN ACT

RELATING TO HORSES; PROVIDING FOR THE REGISTRATION OF AND
SETTING STANDARDS FOR 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

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1 unless registered by the board.

2 C. The board shall:

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

5 (2) annually consult with representatives from
6 the equine industry, equine rescue organizations and
7 veterinarians on facility standards; and

8 (3) after consideration of recommendations by
9 national organizations for the care of unwanted horses and
10 equine rescue and retirement facilities, promulgate rules for
11 facilities, including:

12 (a) health and sanitary requirements;

13 (b) standards for barns, paddocks,
14 pastures and ranges;

15 (c) qualifications of the facility
16 staff;

17 (d) provision of veterinary care;

18 (e) feeding and watering requirements;

19 (f) transportation; and

20 (g) other requirements necessary to
21 ensure the humane care of horses.

22 D. The board may charge the following fees:

23 (1) an initial inspection and registration fee
24 of not more than five hundred dollars (\$500);

25 (2) an annual inspection and registration fee

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1 of not more than one hundred dollars (\$100); and

2 (3) reinspection fees of not more than one
3 hundred dollars (\$100).

4 E. Fees collected pursuant to this section shall be
5 deposited in the New Mexico livestock board general fund and
6 may be used to carry out the provisions of Sections 1 and 2 of
7 this act."

8 Section 2. A new section of The Livestock Code is enacted
9 to read:

10 "[NEW MATERIAL] HORSE RESCUE OR RETIREMENT FACILITIES--
11 INSPECTIONS--REINSPECTION.--

12 A. Prior to annual registration, each facility
13 shall be inspected in accordance with board rules.

14 B. The board or its agents may enter the premises
15 of a facility to conduct unannounced inspections.

16 C. If, following an inspection, the board
17 determines that the facility does not meet the board's minimum
18 facility requirements, it shall give the registrant written
19 notice of the deficiencies and schedule a reinspection,
20 allowing a reasonable time for the registrant to correct the
21 deficiencies.

22 D. The registrant shall remedy the deficiencies and
23 submit evidence to the board demonstrating compliance with
24 board rules for the facility.

25 E. If on reinspection the board determines that the
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1 facility is still deficient in those areas for which it has
2 been given written notice, the horses may be impounded in
3 accordance with the provisions of Section 77-18-2 NMSA 1978 and
4 the board shall hold a hearing as provided in the Uniform
5 Licensing Act to determine if the registration should be
6 suspended or revoked.

7 F. If a facility's registration is suspended or
8 revoked, the board shall place the horses in another facility."

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