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HOUSE BILL 318

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

DELORES C. WRIGHT

AN ACT

RELATING TO ANIMALS; PROHIBITING CERTAIN ACTIONS IN CONNECTION WITH ANIMAL FIGHTING; PROVIDING PENALTIES.

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

Section 1. A new section of Chapter 30, Article 18 NMSA 1978 is enacted to read:

"NEW MATERIAL BIRD FIGHTING--PROHIBITED CONDUCT-- PENALTY. --

A. A person who causes, sponsors, promotes, arranges or holds a fight between birds for the purpose of pecuniary gain or entertainment is guilty of bird fighting. A person who participates in a fight between birds is guilty of bird fighting. As used in this section, "participates in a fight between birds" means:

- (1) being present at a fight between birds,

Underscored material = new
[bracketed material] = delete

1 knowing that it is held for the purpose of pecuniary gain or
2 entertainment, without attempting to interfere with or stop the
3 contest; or

4 (2) owning, controlling or equipping one of the
5 participating birds with knowledge that the contest is held for
6 the purpose of pecuniary gain or entertainment.

7 B. Whoever commits bird fighting is guilty of a
8 fourth degree felony. "

9 Section 2. Section 30-18-1 NMSA 1978 (being Laws 1963,
10 Chapter 303, Section 18-1) is amended to read:

11 "30-18-1. CRUELTY TO ANIMALS. --Cruelty to animals consists
12 of:

13 A. torturing, tormenting, depriving of necessary
14 sustenance, cruelly beating, mutilating, cruelly killing or
15 overdriving any animal;

16 B. intentionally causing one animal to fight with
17 another animal;

18 [~~B-~~] C. unnecessarily failing to provide any animal
19 with proper food or drink; or

20 [~~C-~~] D. cruelly driving or working any animal when
21 [~~such~~] the animal is unfit for labor.

22 Whoever commits cruelty to animals is guilty of a [~~petty~~]
23 misdemeanor. "