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SENATE BILL 388

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

L. Skip Vernon

AN ACT

RELATING TO LIVESTOCK; REQUIRING LIVESTOCK OWNERS TO FENCE
PROPERTY ADJACENT TO RESIDENTIAL AREAS; PROVIDING REMEDIES.

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

Section 1. Section 77-16-1 NMSA 1978 (being Laws 1909,
Chapter 70, Section 1, as amended) is amended to read:

"77-16-1. FENCES--WHEN REQUIRED--REMEDIES. -- [~~Section 1.~~]

A. Except as provided in Subsection B of this
section, every gardener, farmer, planter or other person
having lands or crops that would be injured by trespassing
animals shall make a sufficient fence about his land in
cultivation or other lands that may be so injured, the same to
correspond with the requirements of the laws of this state
prescribing and defining a legal fence.

B. A livestock owner shall fence his property on

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1 which livestock is pastured if the land is adjacent to a
2 residential area.

3 C. A residential property owner who has been
4 injured by a violation of Subsection B of this section may
5 bring an action for damages and such other equitable relief as
6 the court grants. The prevailing party may recover court
7 costs and attorney fees. "

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5 February 18, 1999

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7 Mr. President:

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9 Your CONSERVATION COMMITTEE, to whom has been referred

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11 SENATE BILL 388

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13 has had it under consideration and reports same with
14 recommendation that it DO PASS, and thence referred to the
15 JUDICIARY COMMITTEE.
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18 Respectfully submitted,

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24 Arthur H. Rodarte, Vice-Chairman

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1 Adopted _____ Not

2 Adopted _____

3 (Chief Clerk)

(Chief Clerk)

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6 Date _____

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9 The roll call vote was 6 For 0 Against

10 Yes: 6

11 No: None

12 Excused: Eisenstadt, Feldman, Sanchez, Macias

13 Absent: None

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1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3 SB 388/a

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5
6 March 8, 1999

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8 Mr. President:

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10 Your JUDICIARY COMMITTEE, to whom has been referred

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12 SENATE BILL 388

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14 has had it under consideration and reports same with
15 recommendation that it DO PASS, amended as follows:

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- 18 1. On page 1, line 12, after "TO" insert "ZONED".
 - 19 2. On page 2, line 1, after "a" insert "zoned".
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22 Respectfully submitted,

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FIRST SESSI ON, 1999

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Michael S. Sanchez, Chair man

Adopted _____ Not

Adopted _____

(Chi ef Clerk)

(Chi ef Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: None

Excused: Aragon, McSorley, Sanchez

Absent: None

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FORTY- FOURTH LEGISLATURE
FIRST SESSION, 1999

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