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HOUSE BILL 105

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Paul C. Bandy

AN ACT

RELATING TO LIVESTOCK; AMENDING AND REPEALING SECTIONS OF THE
LIVESTOCK CODE TO CLARIFY THE DEFINITION OF "LIVESTOCK".

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

SECTION 1. Section 77-2-1.1 NMSA 1978 (being Laws 1993,
Chapter 248, Section 2, as amended by Laws 2001, Chapter 8,
Section 2 and also by Laws 2001, Chapter 341, Section 2) is
amended to read:

"77-2-1.1. DEFINITIONS.--As used in The Livestock Code:

A. "animals" or "livestock" means all domestic or
domesticated animals that are used or raised on a farm or
ranch, including the carcasses thereof, and exotic animals in
captivity and includes horses, asses, mules, cattle, sheep,
goats, swine, bison, poultry, ostriches, emus, rheas, camelids
and farmed cervidae upon any land in New Mexico ~~[provided that~~

.198611.1

underscored material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 ~~for the purposes of Chapter 77, Article 9 NMSA 1978, "animals"~~
2 ~~or "livestock" have the meaning defined in that article].~~

3 "Animals" or "livestock" does not include canine or feline
4 animals [~~For the purpose of the rules governing meat~~
5 ~~inspection, wild animals, poultry and birds used for human~~
6 ~~consumption shall also be included within the meaning of~~
7 ~~"animals" or "livestock"];~~

8 B. "bill of sale" means an instrument in
9 substantially the form specified in The Livestock Code by which
10 the owner or [~~his~~] the owner's authorized agent transfers to
11 the buyer the title to animals described in the bill of sale;

12 C. "bison" or "buffalo" means a bovine animal of
13 the species bison;

14 D. "board" means the New Mexico livestock board;

15 E. "bond" means cash or an insurance agreement from
16 a New Mexico licensed surety or insurance corporation pledging
17 surety for financial loss caused to another, including
18 certificate of deposit, letter of credit or other surety as may
19 be approved by the grain inspection, packers and stockyards
20 administration of the United States department of agriculture
21 [~~packers and stockyards administration~~] or the board;

22 F. "brand" means a symbol or device in a form
23 approved by and recorded with the board as may be sufficient to
24 readily distinguish livestock should they become intermixed
25 with other livestock;

.198611.1

1 G. "brand inspector" means an inspector who is not
2 certified as a peace officer;

3 H. "carcasses" means dead or dressed bodies of
4 livestock or parts thereof;

5 I. "cattle" means animals of the genus bos,
6 including dairy cattle, and does not include any other kind of
7 livestock;

8 J. "dairy cattle" means animals of the genus bos
9 raised not for consumption but for dairy products and
10 distinguished from meat breed cattle;

11 K. "director" means the executive director of the
12 board;

13 L. "disease" means a communicable, infectious or
14 contagious disease;

15 M. "district" means a livestock inspection
16 district;

17 N. "estrays" means livestock found running at large
18 upon public or private lands, either fenced or unfenced, whose
19 owner is unknown, or that is branded with a brand that is not
20 on record in the office of the board or is a freshly branded or
21 marked offspring not with its branded or marked mother, unless
22 other proof of ownership is produced;

23 O. "inspector" means a livestock or brand
24 inspector;

25 P. "livestock inspector" means a certified

underscoring material = new
~~[bracketed material] = delete~~

1 inspector who is granted full law enforcement powers for
2 enforcement of The Livestock Code and other criminal laws
3 relating to livestock;

4 Q. "mark" means an ear tag or ownership mark that
5 is not a brand;

6 R. "meat" means the edible flesh of poultry, birds
7 or animals sold for human consumption and includes livestock,
8 poultry and livestock and poultry products;

9 S. "mule" means a hybrid resulting from the cross
10 of a horse and an ass; and

11 T. "person" means an individual, firm, partnership,
12 association, corporation or similar legal entity."

13 SECTION 2. REPEAL.--Section 77-9-1.1 NMSA 1978 (being
14 Laws 1999, Chapter 282, Section 46) is repealed.