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SENATE BILL 291

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

Crystal Brantley

AN ACT

RELATING TO ENFORCEMENT OF LAWS; PROVIDING THAT LAW ENFORCEMENT OFFICERS EMPLOYED BY THE STATE PARKS DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT SHALL ENFORCE GAME AND FISH LAWS; PROVIDING CONSERVATION OFFICERS WITH THE AUTHORITY TO ENFORCE PROVISIONS OF THE CRIMINAL CODE, THE MOTOR VEHICLE CODE AND THE BOAT ACT.

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

SECTION 1. Section 17-2-19 NMSA 1978 (being Laws 1912, Chapter 85, Section 57, as amended) is amended to read:

"17-2-19. ENFORCEMENT OF GAME LAWS--POWERS OF CONSERVATION OFFICERS.--

A. The director of the department of game and fish, each conservation officer, each sheriff in ~~[his]~~ the sheriff's respective county, ~~[and]~~ each member of the New Mexico state

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1 police and each law enforcement officer employed by the state  
2 parcs division of the energy, minerals and natural resources  
3 department shall enforce Chapter 17 NMSA 1978 and shall:

4 (1) seize any game or fish held in violation  
5 of that chapter;

6 (2) with or without warrant, arrest any person  
7 whom ~~[he]~~ the director, conservation officer, sheriff, state  
8 police officer or law enforcement officer knows to be guilty of  
9 a violation of that chapter; and

10 (3) open, enter and examine all camps, wagons,  
11 cars, tents, packs, boxes, barrels and packages where ~~[he has]~~  
12 there is reason to believe any game or fish taken or held in  
13 violation of that chapter is to be found, and seize it.

14 B. Any warrant for the arrest of a person shall be  
15 issued upon sworn complaint, the same as in other criminal  
16 cases, and any search warrant shall issue upon a written  
17 showing of probable cause, supported by oath or affirmation,  
18 describing the places to be searched or the persons or things  
19 to be seized.

20 C. Conservation officers may, under the direction  
21 of the state game commission and the director of the department  
22 of game and fish:

23 (1) establish from time to time, as needed for  
24 the proper functioning of the department of game and fish,  
25 ~~[research and management division]~~ checking stations at points

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1 along established roads, or roadblocks, for the purpose of  
2 detecting and apprehending persons violating the game and fish  
3 laws and the regulations referred to in Section 17-2-10 NMSA  
4 1978; and

5 (2) [~~under emergency circumstances and~~] while  
6 on official duty, [~~only~~] enforce the provisions of the Criminal  
7 Code and the Motor Vehicle Code [~~and~~

8 (3) ~~while on official duty only, enforce the~~  
9 ~~provisions of:~~

10 (a) ~~Sections 30-14-1 and 30-14-1.1 NMSA~~  
11 ~~1978 pertaining to criminal trespass;~~

12 (b) ~~Section 30-7-4 NMSA 1978 pertaining~~  
13 ~~to negligent use of a deadly weapon;~~

14 (c) ~~Section 30-15-1 NMSA 1978 pertaining~~  
15 ~~to criminal damage to property;~~

16 (d) ~~Section 30-22-1 NMSA 1978 pertaining~~  
17 ~~to resisting, evading or obstructing an officer; and~~

18 (e) ~~Section 72-1-8 NMSA 1978 pertaining~~  
19 ~~to camping next to a manmade water hole]."~~

20 SECTION 2. Section 66-12-22 NMSA 1978 (being Laws 1959,  
21 Chapter 338, Section 21, as amended) is amended to read:

22 "66-12-22. ENFORCEMENT.--The director, park custodians  
23 and other employees of the division designated in writing by  
24 the director, every sheriff in [~~his~~] the sheriff's respective  
25 county, [~~and~~] every member of the New Mexico state police,

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1 ~~[has]~~ the director of the department of game and fish and every  
2 conservation officer employed by that department have full  
3 authority of [~~a~~] ~~peace~~ [~~officer~~] officers to enforce the  
4 provisions of the Boat Act and the regulations issued pursuant  
5 [~~thereto~~] to that act and, in [~~its~~] their exercise, may stop  
6 and board any vessel subject to the Boat Act."

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