

1 SENATE BILL 358

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Carrie Hamblen

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10 AN ACT

11 RELATING TO EQUINES; AMENDING PROVISIONS RELATING TO THE EQUINE
12 SHELTER RESCUE FUND; ESTABLISHING THE EQUINE WELFARE TRUST
13 FUND; MAKING AN APPROPRIATION.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 77-2-32 NMSA 1978 (being Laws 2013,
17 Chapter 49, Section 1, as amended) is amended to read:

18 "77-2-32. EQUINE SHELTER RESCUE FUND--CREATED.--

19 A. The "equine shelter rescue fund" is created as a
20 nonreverting fund in the state treasury. The fund consists of
21 distributions, appropriations, gifts, grants, donations and
22 amounts designated pursuant to Section 7-2-30.7 NMSA 1978.

23 [~~The board shall administer the fund, and~~] Money in the fund is
24 appropriated to the board to carry out the intent of aiding
25 equine [~~rescues~~] rescue or retirement facilities and [~~homeless~~]

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1 equines that are surrendered, transferred by the board or law
2 enforcement or otherwise acquired for purposes of rescue or
3 sanctuary in the state, including:

4 (1) providing shelter or placement based on
5 capacity;

6 (2) improving infrastructure and facilities;

7 (3) contracting with or employing equine
8 trainers;

9 (4) providing feed and pasture to maintain
10 equines;

11 (5) providing for basic and emergency
12 veterinary care or husbandry, including sterilization,
13 fertility control or hoof care; and

14 (6) administering adoption programs and
15 services.

16 B. The board shall administer the fund, solicit
17 applications for contracts from eligible applicants for
18 disbursements and make disbursements of the available funds to
19 eligible applicants that meet funding criteria on an annual
20 basis.

21 C. To receive a contract for services, an applicant
22 shall apply to the board on forms and in a manner prescribed by
23 the board. An application shall include:

24 (1) a description of the proposed services or
25 project for which the applicant is seeking funds via a contract

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1 agreement;

2 (2) a demonstration that the proposed services
3 or project will meet one or more of the purposes provided in
4 Subsection A of this section; and

5 (3) details and specifics as to the reasonable
6 expected costs and the time frame of the proposed project or
7 services.

8 ~~[B.]~~ D. The board shall establish ~~[by rule]~~ rules
9 for the distribution of funds from the equine shelter rescue
10 fund to equine rescue and retirement facilities registered by
11 the board pursuant to Section 77-2-30 NMSA 1978, taking into
12 consideration the number of equines being cared for in each
13 facility and the need of each facility. The board shall
14 provide that funds remaining unspent pursuant to a contract for
15 services after a specified length of time shall be refunded to
16 the equine shelter rescue fund.

17 E. To be eligible to receive funds from the equine
18 shelter rescue fund, an applicant shall:

19 (1) be a registered equine rescue or
20 retirement facility in accordance with Section 77-2-30 NMSA
21 1978;

22 (2) be in good standing with the board and in
23 compliance with Section 77-2-31 NMSA 1978;

24 (3) be a tax-exempt organization pursuant to
25 Section 501(c)(3) of the Internal Revenue Code of 1986 in good

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1 standing with the state department of justice;

2 (4) adhere to American association of equine
3 practitioners guidelines; and

4 (5) not be intentionally breeding equines.

5 F. The board shall appoint an advisory committee
6 consisting of eight members to make recommendations to the
7 board for approval of applications for contracts pursuant to
8 this section. The committee shall include:

9 (1) three representatives from equine rescue
10 or retirement facilities registered with the board, each from a
11 different facility, serving in an advisory but nonvoting
12 capacity;

13 (2) two representatives from an animal welfare
14 organization with tax-exempt status pursuant to Section
15 501(c)(3) of the Internal Revenue Code of 1986 in good standing
16 with the state department of justice and with demonstrated
17 knowledge of equine welfare;

18 (3) the state veterinarian or the state
19 veterinarian's designee who is a veterinarian licensed to
20 practice in New Mexico;

21 (4) the executive director of the board or the
22 executive director's designee; and

23 (5) one public member deemed by the board to
24 have knowledge relevant to equine welfare or the administration
25 of the fund.

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1 G. Beginning October 1, 2028 and each October 1
2 thereafter, the board shall submit a report to the legislative
3 finance committee that shall include the following:

- 4 (1) the amount of each funded contract;
- 5 (2) a description of each contract;
- 6 (3) the name of each funded contractor;
- 7 (4) how much funding the contracting entity
8 has expended;
- 9 (5) the progress or completion of the
10 contract;
- 11 (6) how the contract supports equine welfare;
- 12 (7) an explanation for why any funds remaining
13 in the equine shelter rescue fund were not distributed to
14 eligible entities;
- 15 (8) the number of proposed contracts, and
16 their costs, that were approved for but did not receive funding
17 due to the insufficiency of available funds in the equine
18 shelter rescue fund; and
- 19 (9) the total amount of administrative costs
20 incurred by the board to administer the equine shelter rescue
21 fund."

22 SECTION 2. [NEW MATERIAL] EQUINE WELFARE TRUST FUND.--

23 A. The "equine welfare trust fund" is created as a
24 nonreverting fund in the state treasury. The fund consists of
25 appropriations, gifts, grants, donations and any other money

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1 distributed or otherwise allocated to the fund. Money in the
2 fund shall be invested by the state investment officer in
3 accordance with law. Income from investment of the fund shall
4 be credited to the fund.

5 B. On July 1, 2026, a distribution shall be made
6 from the equine welfare trust fund to the equine shelter rescue
7 fund in an amount equal to two percent of the year-end market
8 value of the equine welfare trust fund for the immediately
9 preceding fiscal year. On July 1, 2027, and each July 1
10 thereafter, a distribution shall be made from the equine
11 welfare trust fund to the equine shelter rescue fund in an
12 amount equal to four percent of the year-end market value of
13 the equine welfare trust fund for the immediately preceding
14 fiscal year. Two percent of the distribution pursuant to this
15 subsection is appropriated to the New Mexico livestock board
16 for the cost of administering the equine shelter rescue fund.

17 **SECTION 3. APPROPRIATION.**--Twenty million dollars
18 (\$20,000,000) is appropriated from the general fund to the
19 equine welfare trust fund for expenditure in fiscal year 2026
20 and subsequent fiscal years to aid equine rescues and homeless
21 equines in New Mexico through the equine shelter rescue fund.
22 Any unexpended or unencumbered balance remaining at the end of
23 a fiscal year shall not revert to the general fund.