

SENATE CONSERVATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 358

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

AN ACT

RELATING TO EQUINES; AMENDING PROVISIONS RELATING TO THE EQUINE
SHELTER RESCUE FUND; ESTABLISHING THE EQUINE WELFARE TRUST
FUND.

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

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

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

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

~~[The board shall administer the fund, and]~~ Money in the fund is
appropriated to the board of regents of New Mexico state
university for expenditure by the New Mexico department of

1 agriculture to carry out the intent of aiding equine [~~rescues~~]
2 rescue or retirement facilities and [~~homeless~~] equines that are
3 surrendered, transferred by the board or law enforcement or
4 otherwise acquired for purposes of rescue or sanctuary in the
5 state, including:

6 (1) providing shelter or placement based on
7 capacity;

8 (2) contracting with or employing equine
9 trainers;

10 (3) providing feed and pasture to maintain
11 equines;

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

15 (5) administering adoption programs and
16 services; and

17 (6) paying the costs of administering the
18 equine shelter rescue fund in an amount not to exceed five
19 percent of the annual distribution from the fund.

20 ~~[B. The board shall establish by rule the~~
21 ~~distribution of funds from the equine shelter rescue fund to~~
22 ~~equine rescue and retirement facilities registered by the board~~
23 ~~pursuant to Section 77-2-30 NMSA 1978, taking into~~
24 ~~consideration the number of equines being cared for in each~~
25 ~~facility and the need of each facility.]~~

1 B. The New Mexico department of agriculture shall
2 administer the fund, solicit applications for contracts from
3 eligible applicants for disbursements and make disbursements of
4 the available funds to eligible applicants that meet funding
5 criteria on an annual basis.

6 C. To receive a contract for services, an applicant
7 shall apply to the New Mexico department of agriculture on
8 forms and in a manner prescribed by the department. An
9 application shall include:

10 (1) a description of the proposed services or
11 project for which the applicant is seeking funds via a contract
12 agreement;

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

16 (3) details and specifics as to the reasonable
17 expected costs and the time frame of the proposed project or
18 services.

19 D. To be eligible to receive funds from the equine
20 shelter rescue fund, an applicant shall:

21 (1) be a registered equine rescue or
22 retirement facility in accordance with Section 77-2-30 NMSA
23 1978;

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

.231381.2

1 (3) if the applicant is a private
2 organization, be a tax-exempt organization pursuant to Section
3 501(c)(3) of the federal Internal Revenue Code of 1986
4 compliant with the state department of justice;

5 (4) adhere to American association of equine
6 practitioners guidelines pursuant to rules promulgated by the
7 board; and

8 (5) not be intentionally breeding equines.

9 E. Beginning October 1, 2028 and each October 1
10 thereafter, the New Mexico department of agriculture shall
11 submit a report to the legislative finance committee that shall
12 include the following:

13 (1) the amount of each funded contract;

14 (2) a description of each contract;

15 (3) the name of each funded contractor;

16 (4) how much funding the contracting entity
17 has expended;

18 (5) the progress or completion of the
19 contract;

20 (6) how the contract supports equine welfare;

21 (7) an explanation for why any funds remaining
22 in the equine shelter rescue fund were not distributed to
23 eligible entities;

24 (8) the number of proposed contracts, and
25 their costs, that were approved for but did not receive funding

1 due to the insufficiency of available funds in the equine
2 shelter rescue fund; and

3 (9) the total amount of administrative costs
4 incurred by the New Mexico department of agriculture to
5 administer the equine shelter rescue fund."

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

7 A. The "equine welfare trust fund" is created as a
8 nonreverting fund in the state treasury. The fund consists of
9 appropriations, gifts, grants, donations and any other money
10 distributed or otherwise allocated to the fund. Money in the
11 fund shall be invested by the state investment officer in
12 accordance with law. Income from investment of the fund shall
13 be credited to the fund.

14 B. In fiscal year 2027, and each fiscal year
15 thereafter, a distribution shall be made from the equine
16 welfare trust fund to the equine shelter rescue fund in an
17 amount equal to four percent of the average of the year-end
18 market values of the fund for the immediately preceding three
19 calendar years.

underscoring material = new
[bracketed material] = delete