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FISCAL IMPACT REPORT

SPONSOR: Stell DATE TYPED: 02/27/01 HB 284/aHJC
 SHORT TITLE: Livestock Crimes Jurisdiction SB _____
 ANALYST: Gilbert

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
		NFI			

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB 64

SOURCES OF INFORMATION

LFC Files
 New Mexico Livestock Board

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment to House Bill 284 clarifies the legal intent of this bill by striking the words “good reason” and replacing them with “probable cause” on page 5, line 8 as outlined below:

Livestock inspectors may arrest persons found in the act or whom they have **good reason probable cause** to believe to be guilty of driving, holding or slaughtering stolen livestock; of violating the inspection laws of the state; or of violating any provision of Chapter 30, Article 18 NMSA 1978 relating to livestock or other criminal law relating to livestock."

Synopsis of the Original Bill

House Bill 284 adds language to Chapter 30, Article 18 NMSA 1978 which clarifies that Livestock Board inspectors have jurisdiction over all criminal activity involving livestock.

Significant Issues

This bill would clearly grant livestock inspectors, who are certified peace officers, the power to enforce the provisions of Chapter 30, Article 18 NMSA 1978 and other criminal laws relating to livestock.

According to the New Mexico Livestock Board, livestock inspectors have been enforcing the Criminal Code pertaining to livestock for decades. In a recent court case involving cruelty to livestock, however, the court ruled that livestock inspectors' powers of enforcement were limited only to the Livestock Code. This bill will allow livestock inspectors to continue to enforce criminal laws relating to livestock, which include the laws prohibiting larceny of livestock, illegal branding, interstate transportation without an inspection, and the cruelty statutes in Chapter 30, Article 18 NMSA 1978.

FISCAL IMPLICATIONS

There is no appropriation or fiscal impact associated with this bill.

LG/ar