HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE SUBSTITUTE FOR
HOUSE BILL 509

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

AN ACT

RELATING TO STATE AGENCIES; CREATING EXCEPTIONS TO THE

PROHIBITION ON SPOTLIGHTING LAND WHERE BIG GAME OR DOMESTIC

LIVESTOCK RESIDE.

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

Section 1. Section 17-2-31 NMSA 1978 (being Laws 1951,

Chapter 171, Section 1) is amended to read:

"17-2-31. <u>USE OF ARTIFICIAL LIGHT WHILE HUNTING</u>

<u>PROHIBITED</u>.--It [shall be] <u>is</u> unlawful for [any] <u>a</u> person or

[one or more of] a group of persons together <u>in possession or</u>

<u>control of a firearm or other implement</u> to throw or cast the

rays of a spotlight or other artificial light into any field,

pasture, woodland, forest or prairie [wherein] <u>where</u> big game

or domestic livestock may be, or [may be] <u>are</u> reasonably

expected to be, [while having in his possession or their

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possession or under control a firearm or other implement]
whereby any big game animal or domestic animal could be killed
by aid of an artificial light [provided, however, that all
officers]. However, the following shall be exempt from the
provisions of this section:

A. an officer authorized to enforce the game and
livestock laws of the state [of New Mexico and all landowners
or lessees, while on their own lands in connection with their
legitimate activities, and employees of such landowners and
lessees shall be exempt from the provisions of this Act];

B. a government employee acting in an official
capacity;

C. a landowner or lessee or employee of such
landowner or lessee, while on the land owned or leased in
connection with legitimate activities; or

D. a person who has received a permit or
authorization from the department of game and fish to conduct
such activities."

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underscored material = new
[bracketed material] = delete

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