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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/17/13  
 LAST UPDATED 02/25/13      HB \_\_\_\_\_

SPONSOR Pirtle

SHORT TITLE Livestock Operation Interference Act      SB 552

ANALYST Martinez

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Department of Agriculture (NMDA)

New Mexico Livestock Board (NMLB)

### SUMMARY

#### Synopsis of Bill

Senate Bill 552 (SB 552) is the Livestock Operation Interference Act (Act) and provides for penalties.

For purposes of the Act, livestock means all domestic or domesticated animals that are used or raised on a farm or ranch, including carcasses thereof, and exotic animals in captivity. Livestock includes horses, asses, mules, cattle, sheep, goats, swine, bison, poultry, ostriches, emus, rheas, camelids, and farmed cervidae upon any land in New Mexico. A livestock operation means any property used for the production of livestock or livestock products.

A person is guilty of livestock operation interference:

- if the person, without consent from the owner of a livestock operation, or the owner's agent, knowingly or intentionally records an image of, or sound from the livestock operation by leaving a recording device on the livestock operation;
- obtains access to a livestock operation under false pretenses; applies for employment at a livestock operation with the intent to record an image of, or sound from, the livestock operation;

- knows, at the time that the person accepts employment at a livestock operation, that the owner of the operation prohibits the employee from recording an image of, or a sound from, the livestock operation and while present on the livestock operation and records an image of or sound from the livestock operation;
- or without consent of the owner of a livestock operation or the owner's agent, knowingly or intentionally records an image of, or sound from, a livestock operation while the person is committing criminal trespass, as described in Section 30-14-1 NMSA 1978, on the livestock operation.

A person who commits livestock interference as described above is guilty of a misdemeanor and shall be sentenced in accordance with Section 31-19-1 NMSA 1978.

### **FISCAL IMPLICATIONS**

No Fiscal Impact

### **SIGNIFICANT ISSUES**

The NMLB comments interference of livestock operations has become an issue, and action is needed to prevent overzealous and subversive individuals and organizations from interfering with Livestock production and causing untoward damage to legitimate enterprises.

Concern has been expressed the bill may limit reporting of warnings of safety issues, poor working conditions, and animal cruelty.

RM/blm:svb