Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the NM Legislature. The LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

Current and previously issued FIRs are available on the NM Legislative Website (<a href="www.nmlegis.gov">www.nmlegis.gov</a>) and may also be obtained from the LFC in Suite 101 of the State Capitol Building North.

# FISCAL IMPACT REPORT

SPONSOR Steinborn/Moores		nborn/Moores	LAST UPDATED 3/6/17		НВ		
SHORT TITLE		Prohibit Coyote Killing Contests			SB	268/aSCONC/aSJC	
				LYST	Armstrong		

# ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		See narrative			Recurring	AOC

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to SB267

#### SOURCES OF INFORMATION

LFC Files

Responses Received From
Office of the Attorney General (OAG)
Department of Game and Fish (DGF)
Administrative Office of the Courts (AOC)

#### **SUMMARY**

# Synopsis of SJC Amendment

The Senate Judiciary Committee struck the Senate Conservation Committee amendment and added other language to clarify that the bill does not prohibit DGF from carrying out its statutory duties "in a non-coyote-killing contest setting."

## Synopsis of SCONC Amendment

The Senate Conservation Committee amended the bill as requested by DGF to clarify that the bill does not prohibit the agency from carrying out its statutory duties.

# Synopsis of Bill

Senate Bill 268 (SB268) makes it illegal for a person to organize, cause, sponsor, arrange, hold, or participate in a coyote killing contest. It defines a coyote killing contest as a competition with the objective of killing coyotes for prizes or entertainment. One must knowingly be participating in a contest to be convicted and the bill provides an exception for killing a coyote to protect persons or property. The bill would make violation of the law a misdemeanor for those organizing, sponsoring, or arranging the contest, and a petty misdemeanor for those participating.

### Senate Bill 268/aSCONC/aSJC - Page 2

### FISCAL IMPLICATIONS

Any fiscal impact on the judiciary would be proportional to the enforcement of this law and commenced prosecutions. As a proposed new criminal provision, SB268 would require the courts to afford persons charged under this law all relevant constitutional protections. In most instances this will mean multiple court dates and numerous court filings, both of which take significant financial and human resources to process. In the event of a conviction, the possibility of appeals at both the Court of Appeals and the Supreme Court will demand even greater resources over a longer period of time.

## **SIGNIFICANT ISSUES**

According to AOC analysis:

SB 268 has been introduced in response to an uptick in coyote killings in New Mexico. In 2015, 566 coyotes were intentionally killed with firearms in New Mexico, and 69,000 were killed nationally.

OAG analysis notes there appears to be no legal or constitutional barriers to enacting SB268.

### RELATIONSHIP

Senate Bill 267 adds coyotes to the list of fur-bearing animals required to be managed by DGF.

JA/jle/al/jle