

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 113

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

AN ACT

RELATING TO ANIMALS; CREATING THE ANIMAL WELFARE PROGRAM TO
PROVIDE FUNDING FOR PROJECTS THAT SUPPORT THE WELFARE OF
DOMESTIC CATS AND DOGS; CREATING THE ANIMAL WELFARE PROGRAM
FUND.

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

SECTION 1. [NEW MATERIAL] ANIMAL WELFARE PROGRAM.--

A. The "animal welfare program" is created to
provide funding for projects that support the welfare of
domestic cats and dogs as provided in this section. Beginning
July 1, 2025, the department may award a grant to a
municipality or county or an Indian nation, tribe or pueblo, or
contract for services with an eligible entity, for a project to
repair, renovate or operate an animal shelter, provided that a
grant to repair or renovate shall only be for publicly owned

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1 facilities, and to purchase equipment and supplies or provide
2 services for:

3 (1) controlling loose or stray cats and dogs
4 to mitigate threats to public safety, livestock or other
5 domestic animals;

6 (2) improving the enforcement of animal
7 cruelty laws, including investigation and response to reports
8 of animal cruelty;

9 (3) reducing animal shelter intake and
10 euthanasia rates or expanding animal shelter building facility
11 capacity;

12 (4) providing spay and neuter services;

13 (5) providing shelter and care for cats and
14 dogs seized by law enforcement that are suspected of being
15 cruelly treated in violation of local, state or federal laws;
16 or

17 (6) developing, publishing or distributing
18 animal welfare education and outreach materials to the public.

19 B. To receive a grant or contract for services, an
20 applicant shall apply to the department on forms and in a
21 manner prescribed by the department. An application shall
22 include:

23 (1) a description of the proposed project;

24 (2) a demonstration that the proposed project
25 will meet one or more of the purposes provided in Subsection A

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1 of this section; and

2 (3) details and specifics as to the reasonable
3 expected costs and completion date of the proposed project.

4 C. The department shall determine, through a
5 competitive review process pursuant to rules promulgated by the
6 department, which proposed projects are approved to receive a
7 grant or contract for services. The department may adjust the
8 amount of money requested for a proposed project based on its
9 determination of the reasonable costs of the proposal. Once
10 the projects are approved, the department shall promptly offer
11 each applicant a grant or contract for services, as
12 appropriate. If a grantee or contractor accepts an offer, the
13 project may commence and the grantee or contractor shall report
14 to the department on the progress of the project on a periodic
15 basis, as determined by the department, including an accounting
16 of expenditures made for the project. Funds allocated to an
17 approved project shall be spent within two years of receiving a
18 grant or contract for services, and if any unexpended or
19 unencumbered balance remains at the end of the project period,
20 the applicant shall immediately return that balance to the
21 department. The department shall deposit returned amounts in
22 the animal welfare program fund.

23 D. The department shall promulgate rules to
24 administer the animal welfare program. The rules shall include
25 provisions to:

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1 (1) establish procedures for review,
2 evaluation and approval of proposed project applications;

3 (2) accord priority attention to areas with
4 the greatest need for animal welfare projects; and

5 (3) evaluate the ability and competence of an
6 applicant to provide efficiently and adequately for the
7 completion of a proposed project.

8 E. On October 1 of each year, the department shall
9 submit a report to the legislative finance committee on the
10 animal welfare program that shall include:

11 (1) for each funded project:

12 (a) a description of the project;

13 (b) the name of the grantee or
14 contractor;

15 (c) how much funding the project
16 received;

17 (d) the progress or completion of the
18 project; and

19 (e) how the project supports animal
20 welfare;

21 (2) the number and proposed costs of proposed
22 projects that were approved for but did not receive funding due
23 to the insufficiency of available funds for the animal welfare
24 program; and

25 (3) the total amount of administrative costs

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1 incurred by the department to administer the program.

2 F. As used in this section:

3 (1) "department" means the department of
4 finance and administration;

5 (2) "eligible entity" means a nonprofit
6 organization whose primary purpose is to provide services that
7 support the welfare of domestic cats and dogs; and

8 (3) "equipment and supplies" means vehicles,
9 equipment and tools, computer hardware and software, training
10 materials and supplies that are necessary and directly related
11 to providing support for animal welfare.

12 SECTION 2. [NEW MATERIAL] ANIMAL WELFARE PROGRAM FUND.--

13 The "animal welfare program fund" is created as a nonreverting
14 fund in the state treasury. The fund consists of
15 appropriations, gifts, grants and donations. The department of
16 finance and administration shall administer the fund, and money
17 in the fund is appropriated to the department to administer the
18 animal welfare program. Expenditures from the fund shall be by
19 warrant of the secretary of finance and administration pursuant
20 to vouchers signed by the secretary of finance and
21 administration or the secretary's authorized representative.