

1 HOUSE BILL 261

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Kristina Ortez and D. Wonda Johnson

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10 AN ACT

11 RELATING TO WILDLIFE; EXPANDING THE UNLAWFUL TAKING OF BIG GAME
12 TO INCLUDE JAVELINAS, BEARS AND COUGARS; MAKING CONFORMING
13 CHANGES.

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

16 SECTION 1. Section 17-2-8 NMSA 1978 (being Laws 1977,
17 Chapter 70, Section 1, as amended) is amended to read:

18 "17-2-8. UNLAWFUL TAKING OF BIG GAME AND WASTE OF GAME.--

19 A. It is unlawful for any person:

20 (1) who hunts or fishes and takes any game
21 mammal designated in ~~[Paragraphs]~~ Paragraph (1), (2), (3), ~~[or]~~
22 (4), (9) or (10) of Subsection A of Section 17-2-3 NMSA 1978,
23 any game bird or any game fish to fail to transport the edible
24 portions of the meat obtained to the person's home for human
25 consumption or to provide for the human consumption thereof

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underscored material = new
[bracketed material] = delete

underscoring material = new
~~[bracketed material] = delete~~

1 under any commission [~~regulations~~] rules pertaining to
2 exportation, transportation and donation of game;

3 (2) who wounds or may have wounded any game
4 mammal designated in [~~Paragraphs~~] Paragraph (1), (2), (3), [or]
5 (4), (9) or (10) of Subsection A of Section 17-2-3 NMSA 1978 to
6 fail to go to the place where the mammal sustained or may have
7 sustained the wound and make a reasonable attempt to track the
8 mammal and reduce it to possession; or

9 (3) to take or kill a bighorn sheep, ibex,
10 oryx, Barbary sheep, elk, deer, javelina, bear, cougar or
11 pronghorn antelope outside of the legal season or without a
12 valid license, which taking or killing results in waste of the
13 animal. Waste of the animal consists of removing from the
14 animal only the head, antlers or horns of a bighorn sheep,
15 ibex, oryx, Barbary sheep, elk, deer, pronghorn antelope or
16 javelina, the pelt or head of a bear or cougar or abandoning
17 any of the four quarters, backstraps or tenderloins of the
18 carcass. A violation of the provisions of this paragraph is
19 intended to be separate from and cumulative to any other
20 violation of Chapter 17 NMSA 1978.

21 B. Violation of Paragraph (3) of Subsection A of
22 this section is a fourth degree felony pursuant to Section
23 31-18-15 NMSA 1978, and violation of Paragraph (1) or (2) of
24 Subsection A of this section is a misdemeanor pursuant to
25 Section 17-2-10 NMSA 1978."

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