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HOUSE BILL 58

**53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

INTRODUCED BY

Joanne J. Ferrary

AN ACT

RELATING TO ANIMAL SHELTERING; DIRECTING THE BOARD OF  
VETERINARY MEDICINE TO ADOPT AND ENFORCE STANDARDS OF CARE FOR  
ANIMAL SHELTERS AND EUTHANASIA AGENCIES; MAKING AN  
APPROPRIATION.

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

SECTION 1. Section 77-1B-5 NMSA 1978 (being Laws 2007,  
Chapter 60, Section 5, as amended) is amended to read:

"77-1B-5. BOARD POWERS AND DUTIES.--The board shall:

A. adopt and enforce infrastructure and operating  
standards [~~and may enforce those standards with consideration  
of the recommendations by the animal sheltering committee~~] for  
animal shelters and euthanasia agencies. The infrastructure  
and operating standards shall be consistent with the  
association of shelter veterinarians' guidelines for standards

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1 of care in animal shelters;

2 B. provide for inspections of animal shelters and  
3 euthanasia agencies;

4 C. provide for oversight, including oversight of  
5 licensing requirements, regulations and discipline, of  
6 veterinarians employed by local government animal shelters;

7 D. adopt methods and procedures acceptable for  
8 conducting emergency field euthanasia;

9 E. adopt, promulgate and revise rules necessary to  
10 carry out the provisions of the Animal Sheltering Act;

11 F. have authority to issue licenses and  
12 certificates pursuant to the Animal Sheltering Act;

13 G. establish the types of licenses and certificates  
14 that may be issued pursuant to the Animal Sheltering Act and  
15 establish criteria for issuing the licenses and certificates;

16 H. prescribe standards and approve curricula for  
17 educational programs that will be used to train and prepare  
18 persons for licensure or certification pursuant to the Animal  
19 Sheltering Act;

20 I. implement continuing education requirements for  
21 licensees and certificate holders pursuant to the Animal  
22 Sheltering Act;

23 J. conduct administrative hearings upon charges  
24 relating to violations of provisions of the Animal Sheltering  
25 Act or rules adopted pursuant to that act in accordance with

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1 the Uniform Licensing Act;

2 K. provide for all examinations and for issuance  
3 and renewal of licenses and certificates;

4 L. establish fees not to exceed one hundred fifty  
5 dollars (\$150) for licenses and certificates pursuant to the  
6 Animal Sheltering Act;

7 M. establish committees as the board deems  
8 necessary to effect the provisions of the Animal Sheltering  
9 Act;

10 N. apply for injunctive relief to enforce the  
11 provisions of the Animal Sheltering Act;

12 O. conduct national criminal background checks on  
13 applicants seeking licensure or certification under the Animal  
14 Sheltering Act;

15 P. keep a record of all proceedings;

16 Q. make an annual report to the legislature;

17 R. provide for the inspection of animal shelters  
18 and euthanasia agencies;

19 S. develop mechanisms to address complaints of  
20 misconduct at animal shelters and euthanasia agencies and  
21 noncompliance with the provisions of the Animal Sheltering Act  
22 or rules adopted pursuant to that act;

23 T. develop mechanisms to address complaints of  
24 licensee and certificate holder misconduct and noncompliance;

25 and

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U. adopt standards for maintaining records concerning health care and disposition of animals [~~and~~

~~V. refer to the published national association of shelter veterinarians standards in determining its regulations for animal shelters and euthanasia agencies]."~~

SECTION 2. APPROPRIATION.--One hundred thousand dollars (\$100,000) is appropriated from the general fund to the board of veterinary medicine for expenditure in fiscal year 2019 to monitor and enforce compliance with infrastructure and operating standards applicable to animal shelters and euthanasia agencies. Any unexpended or unencumbered balance remaining at the end of fiscal year 2019 shall revert to the general fund.