

Promoting the Humane Management of Free-Roaming Horses



What would this legislation do?

HB 284 improves the state's current wild horse law to fix gaps and irregularities in the law that prevent the humane relocation and management of free-roaming horse herds in New Mexico. While the state faces many challenges with implementing free-roaming horse management, this legislation presents a giant step forward in using feasible, science-based methods and humane action to stabilize populations and preserve lands where herds graze.

What is the problem with current law?

The current wild horse statute (77-18-5 NMSA 1978) passed in 2007 and subsequent litigation have created an untenable situation where most free-roaming horse herds are unmanaged, horses are vulnerable to suffering, and local communities have very limited tools to help residents and horses coexist. The law does not effectively facilitate practical use of humane methods, like fertility control, to actively control herd populations, and it creates impossible barriers to relocation where it is legitimately necessary to sustain the health of the horses and the land.

Under HB 284, who has jurisdiction over free-roaming horses?

HB 284 shifts the power of decision-making and management to the local governments that have free-roaming horses within their borders, allowing for solutions that are unique to those herds and communities. The bill also sets out strict requirements for humane treatment, strategies, and outcomes to protect free-roaming horses. The new law would remain in the Livestock Code as it is now, which is administered by the New Mexico Livestock Board (NMLB). The NM Court of Appeals has affirmed that the NMLB is the current agency of jurisdiction over the current wild horse statute and no agency is better fit to take on oversight of free-roaming horse issues. However, HB 284 removes pressure for the NMLB to directly manage free-roaming horses, instead simply making the NMLB responsible for approving the registration of free-roaming horse experts who would be authorized to work with local governments on humane management.

Who will assist with implementing free-roaming horse management?

HB 284 creates the registration framework for "free-roaming horse experts," who must meet qualifications set out in the bill and be registered with the NMLB. The qualifications include demonstrated proof of expertise in free-roaming horses and land analyses. There could be multiple free-roaming horse experts registered at the same time. Once approved, a free-roaming horse expert can work with local governments or state agencies on a set list of humane management strategies. For example, a current partnership is already underway in Sandoval County and has brought the local herd's reproduction rate down dramatically. If a free-roaming horse expert fails to comply with the bill's requirements for humane management, their registration will be revoked.

What management strategies can be used under HB 284?

HB 284 allows only the following humane management for free-roaming horses, which are the same options as in the current statute:

- fertility control through contraception like PZP vaccine for mares, or castration of stallions;
- relocation to an equine rescue or retirement facility for adoption or sanctuary;
- relocation to other land that has the capacity to sustain the horse or herd, with the landowner's permission;
- humane euthanasia, but only for horses determined by a veterinarian to be suffering from a condition that significantly impacts the horse's life and cannot be reasonably treated.

What other clarifications to the law are made by HB 284?

HB 284 adds a provision to require the identification of horses that are relocated to captivity through microchipping or freeze-branding, as well as language to ensure adoptions are facilitated by high-quality organizations. Additionally, HB 284 makes clear it is illegal to slaughter, allow to be slaughtered, or export for slaughter free-roaming horses, or to release them into the wild from captivity or an adoptive home, and imposes criminal penalties for each offense.

What gaps and irregularities would HB 284 fix?

HB 284 removes and replaces outdated, unfeasible provisions—including a DNA test requirement for Spanish colonial horses and a mandate that those horses be transferred to a breed-specific preserve that does not exist in New Mexico, and requiring range study and herd management duties to be conducted by an entity that does not actually conduct such activities (the UNM Museum of Southwestern Biology).

Frequently Asked Questions about Free-Roaming Horses

Why not round-up and remove horses as the primary management strategy?

Observational data and population modeling show that using roundup and removal as the primary management strategy for horses, without controlling the growth of the population with fertility control measures, is ineffective and wasteful (National Academy of Sciences). When humans remove a number of horses from the land, it often causes compensatory reproduction, meaning the horses who are left behind (or horses who move into the habitat) have increased rates of reproduction within a herd, resulting in an overall increase in horses on the landscape over time. Stabilizing population growth of free-roaming horses through safe, effective treatments like the PZP immunocontraceptive vaccine, as is already in use in some parts of New Mexico, is key to successfully managing many free-roaming horse herds, especially as the land suffers the impacts of long-term devastating drought and climate change.

Why do free-roaming horses need to be managed at all?

For hundreds of years, humans have dramatically altered the land, including developing and altering free-roaming horse habitat and water sources, hunting the horses' few natural predators, and adding domestic animals to wild landscapes. As a result, free-roaming horses have been negatively impacted, sometimes even facing death from dehydration, starvation, and vehicle collisions. To protect and preserve free-roaming horses and the land, some communities have found they must undertake responsible and active management of free-roaming horses.