

Criminal Trespass

Licenses, applications, harvest reporting and general information: www.wildlife.state.nm.us

Knowing Makes All the Difference

It is trespassing if:

- A person enters private property that is legally posted and they don't have written permission to be there.
- A person enters private property even though they know that permission to be there has been denied or withdrawn. This applies whether the property is posted or not.
- A person remains on private property after they have been asked to leave by the landowner or person in control of the property.
- A person enters or stays on property owned or controlled by the State of New Mexico knowing that permission to do so has been denied.

It is not trespassing if:

- A person with a valid license enters private property whose owner has entered into an agreement with NMDGF to allow the public to lawfully hunt, trap or fish.
- A person with a valid license is hunting on private property with a private land license that was issued for that particular property.
- A person with a valid license is lawfully hunting, fishing or trapping on State Trust Land that is included in an easement between the New Mexico State Game Commission and the Commissioner of Public Lands.

Penalties:

- Criminal trespass under Chapter 30-14-1, NMSA 1978 is a misdemeanor.
- Fines up to \$1,000 and up to 364 days in jail.
- If a person is convicted of trespassing while involved in hunting, trapping or fishing activities she/he will have his/her hunting, trapping or fishing privileges revoked.
- If a person damages any private property while trespassing she/he will be civilly responsible to the owner for twice the value of the damage.
- If a person removes, damages or tampers with a "No Trespassing" sign she/he is guilty of a petty misdemeanor which could result in a fine of \$500 and six months in jail, unless the damage to the signs is more than \$1,000 whereupon she/he will be guilty of a misdemeanor which could result in a fine of \$1,000 and 364 days in jail.

Unlawful Taking of Game on Private Property

It is unlawful to hunt, capture, take, attempt to take or kill any game animal or furbearer on posted private property without written permission of the landowner or person in control of the land or if consent to remain on the property has been denied or withdrawn.

Unlawful Taking of Game on Unposted Private Property

It is unlawful to knowingly enter upon any private property to hunt, capture, take, attempt to take or kill any game animal or furbearer without written permission of the landowner or person in control of the land. Any game animals or furbearers taken in violation of the above shall be subject to seizure.