



New Mexico Horse Breeders'  
Association

**By-Laws  
and  
Rules of Conduct**

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Suite B  
Albuquerque, NM 87109

(505) 262-0224

**BY-LAWS OF THE  
NEW MEXICO HORSE BREEDERS' ASSOCIATION  
(A New Mexico Non-profit Corporation)**

**ARTICLE I - OFFICES**

The offices of the Association in the State of New Mexico shall be designated by the Board of Trustees and said designation may be changed from time to time as deemed necessary by the Board of Trustees, with the exception of changing the location to any city, town or hamlet outside of the Albuquerque area, to be approved by the membership.

**ARTICLE II - DEFINITION**

A foal will be eligible for registration AS A NEW MEXICO BRED if **all** of the following requirements are met:

1. The foal's sire was registered and listed as active in the NMHBA STALLION registry at the time the foal was conceived.
2. The foal's dam was registered in the BROODMARE registry no later than September 1 of the year the foal was conceived.
3. The breeding that resulted in this foal must have followed the current rules and regulations of the respective national breed organization (i.e. Jockey Club or AQHA).
4. The mare of the foal and any recipient mare used in the breeding process must reside in New Mexico at the time of the breeding.
5. If the foal was conceived using transported cooled semen, the additional requirements below for transported cooled semen apply.
6. If the foal was conceived using frozen semen, the additional requirements below for frozen semen apply.
7. If the foal was conceived using the transfer of an embryo or oocyte or any other assisted reproduction technique, the additional requirements below for embryo transfer and other assisted reproduction techniques apply.
8. If the mare of the foal and/or any recipient mare used in the breeding did not reside in the state during the entire pregnancy, the additional requirements for a mare leaving the state apply.

The following requirements must be met for use of transported cooled semen:

1. The semen must have been collected in the state of New Mexico.
2. The entire process for conception must have occurred within the state of New Mexico.

The following requirements must be met for use of frozen semen:

1. The semen must have been collected and prepared in the state of New Mexico.
2. The semen must have been stored for the entire duration in the state of New Mexico.
3. The use of the frozen semen must comply with the AQHA rules in place at the time.
4. The entire process for conception must have occurred within the state of New Mexico.
5. If the stallion is no longer breeding, New Mexico must have been the last state in which the stallion stood for service in the Northern Hemisphere.

Requirements for use of embryo transfer and other assisted reproduction techniques:

1. All assisted reproduction techniques including but not limited to the transfer of embryos or oocytes must be performed within the State of New Mexico unless the service is not readily available in the state. OOCYTES may be done in other states if the out-of-state ICSI requirements are followed. The mare would be required to be enrolled in the Export Broodmare Program by October 1<sup>st</sup> of the year she was taken out of New Mexico.

Requirements for mare to leave the state during pregnancy:

1. A foal's donor or recipient mare is permitted to leave the state during pregnancy under any of the following conditions:
  - a) For veterinary procedure outside of the state with submission and approval of "permission to leave" form;
  - b) To attend a sale outside of the state with submission and approval of "permission to leave" form;
  - c) If the "Request for Broodmare to Leave the State" form was submitted and approved, and a \$500 fee was paid.

**NEW RULES STARTING IN 2025 FOR MARES  
HAVING ICSI DONE AND/ OR PARTICIPATING IN  
THE EXPORT BROODMARE PROGRAM**

(Rules can be found at [nmhorsebreeders.com](http://nmhorsebreeders.com) or call 505-262-0224)

Prior to the registration of a foal, the NMHBA may require documents such as health certificates, brand inspections, etc. in order to verify compliance with these rules.

Article II – Amended January 25, 2024 to allow broodmares to go out of state to have ICSI performed.

Article II – Amended January 27, 2022 to use the terms donor and recipient mare and to eliminate the Export Broodmare Return Form.

Article II- Amended January 24, 2019- to clarify the definition and to include rules on frozen semen, transported semen, & the export broodmare program.

~~Article II amended January 27, 2017 the following sentences continue to apply to those mares residing in New Mexico: "The foal's dam must remain in New Mexico for the duration of pregnancy and foaling and may only leave the State temporarily for emergency veterinary care, competitive events or other similar reasons expressly approved in writing by the Board of Trustees. During pregnancy, the dam's owner must give prior notice to the Association whenever the dam leaves the State and must state the reason for the absence except that prior notice shall not be required for emergency veterinary treatment. The mare must be bred in New Mexico to an active stallion in the New Mexico Stallion Registry. Exception: the breeding may take place outside of New Mexico for ICSI if not available in New Mexico. If a pregnant mare, donor mare, or recipient mare goes out of state (other than for emergency veterinary care or has permission to leave New Mexico to participate in a sale) there is a \$500 Export Broodmare fee due by October 1<sup>st</sup> (this fee doubles if submitted after October 10<sup>th</sup>) and if a pregnant mare does not come back to New Mexico to foal, there is an additional fee of \$500 due at time of registration. This goes into effect with foals born in 2025.~~

The Association may require affidavits as it deems necessary to verify compliance with the above definition. Failure (by owner) to submit affidavits upon request of the Association shall result in the disqualification of such foal to be a New Mexico Bred horse.

AMENDED January 25, 1982 to read as follows:

Notwithstanding Article XIII of these By-Laws, the Board of Trustees may, without approval of the general membership, enlarge the time requirement stated herein, for registration of either the sire or dam and shall have the authority to set fees for such late registrations after September 2, 1982. Any change in these fees from the proposed fees shall be brought before the membership for approval.

This amendment shall be retroactive to December 31, 1978

## **ARTICLE III - MEMBERSHIP**

### **Section 1 - Voting Membership**

Any person, including a corporation or syndicate, actively engaged in horse breeding operations, horse racing, or other

business related to racing and breeding racehorses within the State of New Mexico may apply for membership. Notwithstanding the previous sentence, determination of whether an applicant may be a member shall be made by the Board of Trustees whose decision is final. (Article III amended 1-31-07 to remove A & B.)

## **Section 2 - Membership Application**

Applications for membership shall be made in writing to the Executive Director. The applicant shall state: (a) applicant's name and place of residence; (b) be signed and dated by the applicant. The applicant shall submit payment of the annual dues with the application. The Executive Director shall retain the applications for all applicants for the purpose of record and shall keep a roll of members in good standing, together with their addresses. Such a roll of members shall be subject to the inspection of any member at any reasonable time following request in writing made to the Executive Director of the Association.

## **Section 3 - Removal of Member**

Any member shall be subject to removal for cause. Cause shall include, but not be limited to: (a) a violation of the bylaws; (b) a violation of any rule or regulation of the Association; (c) conduct prejudicial to the best interests of the Association. Removal proceedings against a member shall be presented in writing to the Executive Director stating the grounds for removal of the member. At the next meeting of the Board of Trustees, the Executive Director shall present the written complaint to the Board of Trustees. The Board of Trustees may elect to consider the complaint or convene a special three-member committee to consider the complaint. Each member against whom such action is taken by the Board of Trustees shall be entitled to ten days written notice in advance as to the time, date, and place where his case will be considered and shall have the right to be heard at the hearing of his case. In the event the Board of Trustees seeks to convene a special committee to hear the case, the member against whom the action is taken shall be entitled to submit a list of three voting members in good standing from which the Board of Trustees shall select one person, along with two other voting members in good standing to be designated by the Board of Trustees, to serve on the Special Committee. The Special Committee shall make recommendations in writing of its findings and conclusions to the Board of Trustees. The Board may adopt or reject such findings and conclusions. All petitions for readmission as a member shall be filed with the Executive Director. No member shall be readmitted except by the affirmative vote of a majority of the Board of Trustees taken at any regular or special meeting.

#### **Section 4 - Members Liability of Fees**

Any member who either resigns or is removed shall remain liable for past due and accrued dues, assessments or other charges owing and unpaid by that member. All delinquent charges must be paid prior to readmission.

#### **Section 5 - Membership Non-transferable**

Membership in this Association is non-transferable and nonassignable.

### **ARTICLE IV - MEETINGS OF MEMBERS**

#### **Section 1 - Annual Meeting**

The annual meeting of the members of the association shall be held each year for the purpose of electing Trustees for the ensuing year and for the transaction of such other business as may come before the meeting. The date and the place of the annual meeting shall be determined by the Board of Trustees each year.

#### **Section 2 - Special Meetings**

Special meetings of the members may be called by the President of the Board of Trustees or by the Board of Trustees. Special meetings shall also be called by the President of the Board of Trustees at the written request of not less than ten percent of the members of the Association.

#### **Section 3 - Place of Meetings**

The Board of Trustees may designate the place for all annual and special meetings. If no designation is made, the place of meeting shall be the principal office of the corporation in the State of New Mexico.

#### **Section 4 - Notice of Meetings**

Written notice stating the place, day, and hour of any annual or special meeting shall be by mail or served personally not less than five (5) days nor more than thirty (30) days prior to the meeting by or at the direction of the President, or the Executive Director, or the officer or other persons calling the meeting to each member entitled to vote at such meetings. Attendance at any meeting by a member shall constitute a waiver of notice of such meeting, except where a member attends the meeting for the express purpose of objecting to the transaction of any meeting because the meeting was not properly called or convened.

#### **Section 5 - Voting Records**

The Executive Director of the Association shall certify to the Board of Trustees members in good standing entitled to vote at any regular or special meeting of the members of the Association. The Executive Director of the Association shall certify to the Board of Trustees that notice of any general or special meeting

was mailed to each voting member entitled to vote at any general or special meeting.

### **Section 6 - Election**

The election of the Trustees will not be considered valid unless ten percent of the members qualified to vote shall cast ballots, either in person or by mail in ballot.

In order to conduct any other business of the Association at any regular or special meeting of the members of the Association, a quorum shall consist of ten percent (10%) of the members of the Association qualified to vote, represented in person or by mail in ballot.

### **Section 7 – Mail In Ballots**

Members shall be entitled to vote at all regular or special meetings in person or by mail in ballot in connection with all elections. Any member seeking to vote by mail in ballot must do so in writing and must clearly print and sign their name on said ballot. The original mail in ballot must be received at the designated address no later than the date specified on said ballot or it will not be counted. Ballots will not be accepted by fax or email. If more than one ballot is received from a member, all ballots from that member will be voided.

### **Section 8 - Voting of Members**

Each member in good standing entitled to vote shall be entitled to one vote upon each matter submitted to a vote at any regular or special meeting of the members of the Association.

Firms and / or corporations holding voting membership shall only be entitled to one vote and such firms and/or corporations, when elected to membership, shall be required to notify the Executive Director in writing of the designation of a member of the partnership or officer of the corporation who shall represent such firm or corporation and be entitled to cast its vote at any meeting of the members. No voting member who is in arrears to the Association shall be entitled to vote at any meeting. For any voting membership, dues must be received prior to the start of the Annual Meeting.

**Section 9 - Voting Through Association Magazine** From time to time, at the discretion of the Board Of Trustees, members may vote on matters which may be submitted in ballot form by being published in the official Association magazine. In such event, the ballot form will be printed in the magazine and will permit voting by the members on such questions submitted to them by mailing the approved ballot form to whomever will be designated by the Trustees for the tally of the ballot. Balloting by mail shall in no way conflict with any other provision in the bylaws as with regard to notice or ARTICLE XIII of the bylaws. Such voting by

ballots printed in the magazine shall be effective any time when received as specified at the designated point of tally. Ballots may be delivered in person as specified to the designated point of tally.

### **Section 10 - Membership Fees**

All renewal membership fees shall be due and payable on or before the first (1st) day of January of the current year. Membership fees may be changed from time to time, as deemed necessary by the Board of Trustees, by a majority vote of the membership.

## **ARTICLE V - BOARD OF TRUSTEES**

### **Section 1 - General Powers**

The business and affairs of the Association shall be managed by its Board of Trustees. The number of Trustees of the Association shall be twelve (12) \*active horse breeders composed of six (6) thoroughbred breeders and six (6) quarter horse breeders. ~~\*Each Trustee shall hold office for a term of two (2) years.~~ A trustee term will expire after the second annual membership meeting that takes place after the year they are elected. A Trustee must be a voting member. The President of the Board of Trustees shall be retained as a non-voting member of the Board of Trustees for the succeeding year after his or her term as President has expired. The President of the Board of Trustees shall not be entitled to vote with the Board of Trustees except to break a tie vote. A nominee for Trustee must declare to the Board of Trustees whether he or she is an active horse breeder of thoroughbreds or an active horse breeder of quarter horses upon his or her nomination. A nominee for Trustee must have been a member in good standing during the twelve (12) months preceding his or her nomination. A Trustee must remain a member in good standing during his or her term as Trustee. Any Trustee who ceases to be a member or an active horse breeder in good standing shall be deemed to have resigned as Trustee. The terms of the Trustee shall be staggered, three (3) quarter horse and three (3) thoroughbred breeders being elected each year.

\* An active horse breeder for the purpose of qualifying to be a NMHBA Trustee is defined as a person who registers Thoroughbred or Quarter Horse foals 1 out of the last 3 consecutive years.

\* Article 5 Amended 01-27-22 to require a Trustee to be an active breeder and to include the words or she where there is the word he.

\*Article 5 Amended 1-25-06 to remove sentence reading "The chair shall rotate annually on this division."



**Section 2 - Regular Meetings of the Board of Trustees** A regular meeting of the Board of Trustees shall be held immediately after and at the same place as the annual meeting of members. The Board of Trustees may provide, by resolution, the time and place for the holding of additional regular meetings.

### **Section 3 - Special Meetings**

Special meetings of the Trustees may be called by the request of the Executive Director or any four (4) Trustees. The person or persons calling such special meetings of the Board of Trustees may fix the time and place for holding any special meeting of the Board of Trustees called by them.

Members of the Board of Trustees who cannot be present in person shall have the right to participate in regular and special meetings by means of a reliable electronic communications system provided by the association of which all persons participating in the meeting can hear and see each other at the same time and participation by such means shall constitute presence in person at a meeting.

### **Section 4 - Notice**

Notice of any regular or special meeting of the Trustees shall be given in the same manner as that required for meetings of members in ARTICLE IV, Section 4, herein.

### **Section 5- Quorum**

Seven (7) Trustees shall constitute a quorum for the transaction of business of any meeting of the Board of Trustees.

### **Section 6 - Manner of Acting**

Unless otherwise provided, the act of the majority of the Trustees present at a meeting at which a quorum is present shall be the act of the Board of Trustees.

### **Section 7 - Removal**

Any Trustee may be removed by a majority vote at any properly convened regular or special meeting of the members. Amended 1-31-77: Any elected Trustee who fails to attend three (3) meetings per year or violates the code of conduct or ethics of the association's by-laws, may be removed and a replacement appointment made by majority vote of the Board of Trustees.

\*Amended 01-27-22 to add the words per year or violates the code of conduct or ethics of the association's by-laws.

### **Section 8 - Vacancies**

Any vacancy occurring in the Board of Trustees may be filled by the affirmative vote of seven (7) or more of the remaining Trustees. A Trustee elected to fill vacancies shall be elected for

the unexpired term of his predecessor in office. Any Trusteeship to be filled by reason of an increase in the number of Trustees shall be filled by an election at an annual meeting, or at a special meeting of members called for that purpose, providing however, that if no special meeting of the members is called for that purpose, the appropriate number of Trusteeships may be filled through a majority vote of the existing Board of Trustees, such newly elected Trustees to serve until the next annual meeting of the members.

### **Section 9 - Compensation**

By resolution of the Board of Trustees, the Trustees may authorize the use of corporate funds to cover the actual expenses, if any, incurred on behalf of the Trustees in performing their duties as such. No salary shall be paid to any Trustee. Any expense so compensated must first be claimed in writing by the person incurring the expense, stating the reason for the expense, and be certified by the Executive Director to the Board of Trustees.

### **Section 10 - Presumption of Assent**

A Trustee of the Association who is present at a meeting of the Board of Trustees at which action on any Association matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes of the meeting, or unless he shall file his written dissent to such action with the person acting as Secretary of the meeting before the adjournment thereof. Such right to dissent shall not apply to a Trustee who voted in favor of such action.

## **ARTICLE VI - OFFICERS**

### **Section 1 - Officers**

The officers of the Association shall be a President (who shall be a member of the Board of Trustees), one or more Vice Presidents, and such other officers and assistant officers as may be created by the Board of Trustees. The Association shall employ an Executive Director, who shall perform the duties of Secretary and the duties of Treasurer in addition to any other duties authorized by the Board of Trustees. Any two offices may be combined, and any one person may hold more than one office, except that the offices of President and Executive Director shall not be combined.

### **Section 2 - Election and Term of Office**

The officers of the Association to be elected by the Board of Trustees shall be elected annually by the Board of Trustees at the first meeting of the Board of Trustees held after each annual meeting of the members. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be done.

### **Section 3 - Removal**

Any person elected by the membership or appointed by the Board of Trustees may be removed by the Board of Trustees whenever the majority of the Board of Trustees, in its judgement, is in the best interests of the Association would be served.

\*Amended 01-27-22 to include the words “by the membership” and “the majority of the Board of Trustees”.

### **Section 4 - Vacancies**

A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Trustees for the unexpired portion of the term.

### **Section 5 - President**

The President shall preside at all meetings of the Board of Trustees and shall preside at all meetings of the members. In addition, he shall do and perform all acts which are incident to the office of President or authorized or required by law.

### **Section 6 - Vice-President**

The Vice-Presidents shall be vested with all powers and perform all the duties of the President in his absence. The Vice Presidents will also serve as the New Mexico Horse Breeders Association By-Laws & Rules Advisor and make sure the Association operates as intended and its By-Laws & Rules of Conduct are kept up to date.

\*Article VI - Officers - Amended 1-29-15 to remove sentence reading “or of any Vice President in their respective absences and shall have such other powers and shall perform such other duties as may be assigned to them by the Board of Trustees.” And to add sentence reading “The Vice-Presidents will also serve as the New Mexico Horse Breeders Association By-Laws & Rules Advisor and make sure the Association operates as intended and its By-Laws & Rules of Conduct are kept up to date.”

### **Section 7 - Duties of Executive Director**

The Executive Director shall act as the Secretary and Treasurer of the Association and shall be charged with the responsibilities attended therewith, including but not limited to: (a) custodian of the By-Laws and Minutes of the Association; (b) maintaining a roster of all members in good standing with the Association; (c) perform all duties incident to the office and such other duties assigned by the Board of Trustees; (d) custody of all funds received; (e) maintain accurate books of accounts of the Association; (f) shall make a report at the Annual Board of Trustees' meeting and also at the Annual Membership meeting; and (g) at all times act only by authority conferred on him/her by

these By-Laws or by the authority conferred on him/her by the Board of Trustees.

### **Section 8 - Executive Director Qualification and Salary**

The Executive Director need not be a member of the Association. The salary, if any, of the Executive Director may be fixed from time to time by the Board of Trustees. The Executive Director shall be employed by the Association.

### **Section 9 - Salaries of Other Officers**

No compensation shall be paid to any other officer of the Association.

## **ARTICLE VII - CONTRACTS, LOANS, CHECKS, AND DEPOSITS AND CONVEYANCES**

### **Section 1 - Contracts**

The Board of Trustees may by resolution authorize any Trustee or Trustees, officer or officers, agent or agents, attorney in fact or attorneys-in-fact, to enter into any contract, or execute and deliver any instrument in the name of and on behalf of the Association, and such authority may be general or confined to specific instances.

### **Section 2 - Loans**

No loan shall be contracted on behalf of the Association and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Trustees. Such authority may be general or specific.

### **Section 3 - Checks, Drafts, Etc.**

All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Association, shall be signed by such officers, agent or agents, of the Association, and in such manner as shall from time to time be determined by resolution by the Board of Trustees.

### **Section 4 - Deposits**

All funds of the Association not otherwise employed shall be deposited from time to time to the credit of the Association in such banks, trust companies, or other depositories as the Board of Trustees may select.

### **Section 5 - Conveyances**

All conveyances of real or personal property belonging to the Association, or the giving of mortgages on such property owned by the Association, shall be made in such manner as is authorized by a resolution of the Board of Trustees.

## **ARTICLE VIII - FISCAL YEAR**

The fiscal year of the Association shall begin on the first day of January and shall end on the last day of December in each year.

## **ARTICLE IX - SEAL**

The Board of Trustees shall provide a corporate seal which shall be circular in form and shall have inscribed thereon the name of the corporation and the State of Incorporation and the words "SEAL" and "NON-PROFIT".

## **ARTICLE X - NOTICE**

Unless otherwise provided by law, whenever any notice is required to be given to any member or Trustee of the Association under the provisions of these By-Laws, or under the provisions of the Articles of Incorporation, a waiver of notice thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

## **ARTICLE XI - COMMITTEES**

The President or Board of Trustees shall appoint committees as may be deemed desirable and define their duties, unless otherwise provided, it shall be the function of the committees to investigate and make recommendations to the Board of Trustees, through written reports made in writing to the President. No standing or special committees shall represent the Association in any matter without the written confirmation of the Board of Trustees, and the delegation of authority thereto shall not operate to relieve the Board of Trustees, or any individual Trustee, of any responsibility imposed by law.

## **ARTICLE XII - LIQUIDATION**

If for any reason it becomes necessary to dissolve the Association:

1. Assets held by it in trust for specified purposes will be applied so far as is feasible in accordance with the terms of the trust;
2. The remaining assets not held in trust shall be applied so far as is feasible toward carrying out the purposes stated in the Articles of Incorporation of this Association;
3. In the event and to the extent that, in the judgment of the Trustees it is not feasible to apply the assets as provided in paragraphs 1 and 2 above, the assets shall be applied to and for the use of such organizations qualifying for tax exemption under the Internal Revenue Laws of the United States as may be directed by any district court of the County in the State in which the principal office of the corporation is located, in an action brought for that purpose by the corporation or by the Trustees.

### **ARTICLE XIII - AMENDMENT TO THE BY-LAWS**

These By-Laws may be amended at any annual or special meeting of the Board of Trustees of the Association. In the event of amendment at a meeting of the Board of Trustees such amendment shall not become effective until approved by the membership at an annual or special meeting called for said purpose, and the notice of such meeting must include the complete proposed amendment.

# **PURPOSELY LEFT BLANK**

## **RULES OF CONDUCT OF THE NEW MEXICO HORSE BREEDERS ASSOCIATION**

### **A. REQUIRED CONDUCT**

1. Cooperation and Assistance. A member shall, on reasonable request, assist the Association, its officers, committees or agents in locating, identifying and inspecting horses relative to the affairs of the Association and shall answer promptly and truthfully any inquiry concerning an animal or an ancestor thereof in his or her ownership or control which has been registered or listed or for which application to register or list has been made.
2. Return of Registration. Upon request of Association, a member shall return to the Association a registration

certificate, either before, after, or pending hearing to determine registration or participation privileges in Association-approved events.

3. Courtesy. A member shall treat all Association representatives, while they are acting in their official capacities or in carrying out official duties, with courtesy, cooperation and respect, and no member shall direct abusive or threatening language or conduct toward them.
4. Payment of Monetary Obligations. A member shall make timely payment of all his or her monetary obligations to the Association, including, but not limited to, all membership dues, fees and assessments, fines for violations of the Rules of Conduct of the Association, nomination fees, sustaining fees, and office charges in subscription to N.M.H.B.A. Magazine. Attempted payment by worthless check shall be deemed a violation of this rule.
5. Conspiracy. A member shall not conspire with another person or persons to violate any of the rules of the Association or knowingly contribute or cooperate with another person or persons, either by affirmative action or inaction, to violate any of the rules of the Association. To be in violation of this rule, the member need not be the person who actually signed reports filed with the Association asserted to be true and correct.
6. Fraudulent Practices.
  - a. No owner or manager shall represent any animal as being registered in the New Mexico Horse Breeders' registry unless the same is registered in the Association's official registry.
  - b. All information furnished the Association as a basis for any action by the Association or any of its officers with respect to an animal must be true and correct to the best of the information and belief of the informant.
7. Denial of Privileges. Any person or entity (collectively "Person") may be denied any or all the privileges of the New Mexico Horse Breeders Association in the event: There is a final determination by a court (whether civil, criminal or administrative), an official tribunal or an official racing body that such Person knowingly abandoned, mistreated, neglected or abused, or otherwise committed an act of cruelty to a horse; or violated applicable racing authority statutes, rules or regulations relating to horses on one or more occasions involving prohibited or restricted drugs, medications or substances that have been classified by the New Mexico Racing Commission (NMRC) as class 1 violation.



## **B. DISCIPLINE**

As may be determined by the Board of Trustees, any member violating any of the rules of conduct of the Association shall be subject to any or all of the following sanctions:

1. Suspension or expulsion from the Association.
2. Denial of any or all privileges of the Association.
3. Cancellation of registration or registrations.
4. Suspension of rights or privileges to participate in Association-approved events for either a determinate or indefinite period of time.
5. Assessment of a fine not to exceed \$2,500.00. The foregoing notwithstanding, any suspension or denial of privileges resulting from failure to make timely payment of an obligation as provided for in Rule 4 of the foregoing Rules of Conduct shall terminate upon full payment of all obligations due the Association, including any penalty which may be provided for late payment.

## **C. DISCIPLINARY PROCEDURE**

1. Upon the Board of Trustees receiving a verified complaint from any member alleging a violation of any of the Rules of Conduct of the Association by any other member or members, it shall serve the accused member with a copy of such complaint and notice of time and place for hearing by the Board of Trustees thereon at least fifteen (15) days prior thereto.

2. At the hearing, evidence will be heard concerning such complaint, and the accused member shall have the opportunity, in person, to be heard and to present evidence on his or her own behalf and to hear and refute evidence offered against him or her. The accused member shall have the right to appear with counsel, employed by him or her, to assist and/or represent him or her at such hearing.

3. The decision and action of the Board of Trustees shall be final and binding on all parties.

4. Pending final hearing by the Board of Trustees, the Board may, by giving notice of their action:

- a. Temporarily suspend such member, the effect of which shall be to deny him or her further association privileges until such time as the Board of Trustees can hear the matter and either dismiss the complaint or take appropriate disciplinary action; and
- b. Temporarily suspend any horse alleged to be improperly registered from the New Mexico Horse Breeders' registry pending final determination of the validity of such registration.

## **D. ADDITIONAL SANCTIONS**

1. When a member is disciplined, suspended or expelled, or denied membership rights or privileges, or when a member is

temporarily suspended by the Board of Trustees pending hearing, the name and address of such member may be published in the New Mexico Horsebreeders' Association Magazine.

2. Upon determination that a registered New Mexico Bred horse is found not to be eligible for the Association's registry, the registration may be cancelled, and the Association seal voided on the foal certificate papers by the Association's Executive Director.

3. On or after such time as any person has been suspended, expelled or denied Association privileges, in addition to other provisions of the handbook or policy of the Association, the following restrictions shall apply:

a. That person or that person's spouse shall not register any horse with the Association or transfer registered horses into his or her name or that of a spouse.

b. No horse which is recorded in the name of such person or spouse is eligible to participate in any event approved or recognized by the Association.

c. The Association shall not accept either the signature of such person or such person's spouse or registration applications after date of such disciplinary action.

d. During the period of expulsion, suspension or denial of Association rights or privileges, failure to comply with these restrictions and any other express conditions or restrictions of said disciplinary action may constitute grounds for further disciplinary action.

### **E. NOTICE**

Every notice or service of other instruments required by these Rules of Conduct may be served by delivering a copy of the notice to the person being served or his attorney of record, either in person or by mail, postage prepaid, to his or her last known address as it appears on the Association records, and, upon mailing, such notice shall be deemed received by such person when it is deposited in the United States mail.

### **F. AMENDMENTS**

These rules of conduct, except those pertaining to registration of horses, may be amended at any time by change, addition or repealed by majority vote of the Board of Trustees, but only after proposal of specific amendment shall have been submitted to an appropriate committee for study and report, or by the unanimous vote of the Board of Trustees without such committee reference.

1/2/99/amm

## **G. BREEDER INCENTIVE CLAIMS**

Any claims for Breeder Incentive Awards not received must be made to the New Mexico Horse Breeders' Association office no later than September 1st of the following year.

Revised 01/28/25