

Laws 2024

Second Session, Fifty-Sixth Legislature

Certificate of Authentication

LAWS 2024, CONSTITUTIONAL AMENDMENT 3

Senate Joint Resolution 1

A JOINT RESOLUTION

PROPOSING TO AMEND ARTICLE 6, SECTION 35 OF THE CONSTITUTION OF NEW MEXICO BY ALLOWING THE DEAN OF THE UNIVERSITY OF NEW MEXICO SCHOOL OF LAW TO APPOINT A DESIGNEE TO THE JUDICIAL NOMINATING COMMISSION.

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

Constitutional Amendment 3 Section 1 Laws 2024

SECTION 1. It is proposed to amend Article 6, Section 35 of the constitution of New Mexico to read:

"There is created the "appellate judges nominating commission", consisting of: the chief justice of the supreme court or the chief justice's designee from the supreme court; two judges of the court of appeals appointed by the chief judge of the court of appeals; the governor, the speaker of the house of representatives and the president pro tempore of the senate shall each appoint two persons, one of whom shall be an attorney licensed to practice law in this state and the other who shall be a citizen who is not licensed to practice law in any state; the dean of the university of New Mexico school of law or the dean's designee, who shall be an associate dean, a faculty member, a retired faculty member or a former dean of the university of New Mexico school of law; the dean or the dean's designee shall serve as chair of the commission and shall vote only in the event of a tie vote; and four members of the state bar of New Mexico, representing civil and criminal prosecution and defense, appointed by the president of the state bar and the judges on the commission.

The appointments shall be made in such manner that each of the two largest major political parties, as defined by the Election Code, shall be equally represented on the commission. If necessary, the president of the state bar and the judges on the commission shall make the minimum number of additional appointments of members of the state bar as is necessary to make each of the two largest major political parties be equally represented on the commission. These additional members of the state bar shall be appointed such that the diverse interests of the state bar are represented. The dean of the university of New Mexico school of law shall be the final arbiter of whether such diverse interests are represented. Members of the commission shall be appointed for terms as may be provided by law. If a position on the commission becomes vacant for any reason, the successor shall be selected by the original appointing authority in the same manner as the original appointment was made and shall serve for the remainder of the term vacated.

The commission shall actively solicit, accept and evaluate applications from qualified lawyers for the position of justice of the supreme court or judge of the court of appeals and may require an applicant to submit any information it deems relevant to the consideration of the application.

Upon the occurrence of an actual vacancy in the office of justice of the supreme court or judge of the court of appeals, the commission shall meet within thirty days and within that period submit to the governor the names of persons qualified for the judicial office and recommended for appointment to that office by a majority of the commission.

Immediately after receiving the commission nominations, the governor may make one request of the commission for submission of additional names, and the commission shall promptly submit such additional names if a majority of the commission finds that additional persons would be qualified and recommends those persons for appointment to the judicial office. The governor shall fill a vacancy or appoint a successor to fill an impending vacancy in the office of justice of the supreme court or judge of the court of appeals within thirty days after receiving final nominations from the commission by appointing one of the persons nominated by the commission for appointment to that office. If the governor fails to make the appointment within that period or from those nominations, the appointment shall be made from those nominations by the chief justice or the acting chief justice of the supreme court. The person appointed shall serve until the first general election following one year after appointment. The appointee's successor shall be chosen at such election and shall hold the office until the expiration of the term in effect at the time of election."

Constitutional Amendment 3 Section 2 Laws 2024

SECTION 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

LAWS 2024, CONSTITUTIONAL AMENDMENT 4

Senate Joint Resolution 16

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 10, SECTION 1 OF THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT THE SALARIES OF COUNTY OFFICERS SHALL BE ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS, REMOVE REFERENCES TO THE FIRST LEGISLATIVE SESSION AND CLARIFY THAT ANY FEES COLLECTED BY A COUNTY OFFICIAL SHALL BE PAID INTO THE TREASURY OF THE COUNTY.

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

Constitutional Amendment 4 Section 1 Laws 2024

SECTION 1. It is proposed to amend Article 10, Section 1 of the constitution of New Mexico to read:

"The legislature shall classify the counties of the state. No county officer shall receive any fees or emoluments other than an annual salary, as established by the board of county commissioners. All fees collected by a county official shall be paid into the treasury of the county."

Constitutional Amendment 4 Section 2 Laws 2024

SECTION 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next general election or at any special election prior to that date that may be called for that purpose.

LAWS 2024, CHAPTER 1

House Bill 1, w/ec

Approved January 19, 2024

AN ACT

RELATING TO THE LEGISLATIVE BRANCH OF GOVERNMENT; MAKING APPROPRIATIONS FOR THE EXPENSE OF THE FIFTY-SIXTH LEGISLATURE, SECOND SESSION, 2024, AND FOR OTHER LEGISLATIVE EXPENSES, INCLUDING THE LEGISLATIVE COUNCIL SERVICE, THE LEGISLATIVE FINANCE COMMITTEE, THE LEGISLATIVE EDUCATION STUDY COMMITTEE, THE SENATE RULES COMMITTEE, THE HOUSE CHIEF CLERK'S OFFICE, THE SENATE CHIEF CLERK'S OFFICE AND OTHER EXPENSES OF THE LEGISLATURE; DECLARING AN EMERGENCY.

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

Chapter 1 Section 1 Laws 2024

SECTION 1. SESSION EXPENSES.--

A. There is appropriated from the general fund for the expense of the legislative department of the state of New Mexico for the second session of the fifty-sixth legislature for per diem and mileage of its members, for salaries of employees and for other expenses of the legislature, seven million twenty-one thousand nine hundred dollars (\$7,021,900) or so much thereof as may be necessary for such purposes.

B. The expenditures referred to in Subsection A of this section are as follows:

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| (1) | per diem for senators | \$240,700; |
| (2) | per diem for members of the house of representatives | \$401,100; |
| (3) | mileage traveled by members of the senate going to and returning from the seat of government by the usually traveled route, one round trip | \$7,400; |
| (4) | mileage traveled by members of the house of representatives going to and returning from the seat of government by the usually traveled route, one round trip | \$12,300; |
| (5) | salaries and employee benefits of senate employees | \$2,096,100; |
| (6) | salaries and employee benefits of house of representatives employees | \$1,872,000; |

(7) for expense of the senate not itemized above, four hundred seventy-nine thousand six hundred dollars (\$479,600). No part of this item may be transferred to salaries or employee benefits;

(8) for expense of the house of representatives not itemized above, four hundred fifty-five thousand five hundred dollars (\$455,500). No part of this item may be transferred to salaries or employee benefits; and

(9) for session expenses of the legislative council service, the joint billroom and mailroom and joint legislative switchboard, one million four hundred fifty-seven thousand two hundred dollars (\$1,457,200) to be disbursed upon vouchers signed by the director of the legislative council service or the director's designee.

C. The expenditures for the senate shall be disbursed on vouchers signed by the chair of the committees' committee and the chief clerk of the senate or the chief clerk's designee. The expenditures for the house of representatives shall be disbursed on vouchers signed by the speaker and chief clerk of the house or the chief clerk's designee. Following adjournment of the session, expenditures authorized pursuant to Paragraphs (1) through (8) of Subsection B of this section shall be disbursed upon vouchers signed by the director of the legislative council service or the director's designee.

D. Under the printing contracts entered into for the second session of the fifty-sixth legislature, the chair of the committees' committee of the senate, subject to the approval of the committee, and the speaker of the house of representatives are authorized and directed to provide for the printing of all bills, resolutions, joint resolutions, memorials and joint memorials introduced in the senate or house, the printing of the bill locator and the printing of all necessary stationery required for use in the respective houses. They are further directed to provide for the purchase of all supplies necessary for use in the respective houses within the appropriation provided. The orders for printing, stationery and supplies shall be approved by the chair of the committees' committee in the senate or by the speaker of the house.

Chapter 1 Section 2 Laws 2024

SECTION 2. BILLS AND OTHER PRINTED MATERIALS.--For the second session of the fifty-sixth legislature, bills, resolutions, joint resolutions, memorials and joint memorials delivered to the printer shall be returned by the printer to the joint billroom within forty-two hours after they are ordered to be printed. The billroom personnel shall supply a complete file of bills, resolutions, joint resolutions, memorials, joint memorials and other printed distribution materials to the following:

A. upon request, one copy to each member of the house of representatives and the senate;

B. upon written request, one copy to each county clerk, district judge, radio or television station and newspaper and to the general library of each state-supported institution of higher learning; and

C. upon written request, one copy to each state department, commission, board, institution or agency, each elected state official, each incorporated municipality, each district attorney, each ex-governor, each member of the New Mexico congressional delegation and each school district in the state.

Chapter 1 Section 3 Laws 2024

SECTION 3. LEGISLATIVE COUNCIL SERVICE.--There is appropriated from the general fund to the legislative council service for expenditure in fiscal year 2025, to be disbursed upon vouchers signed by the director of the legislative council service or the director's designee, the following:

Personal Services & Employee Benefits	\$8,899,900
Contractual Services	620,000
Other Costs	1,104,000
Total	\$10,623,900.

Chapter 1 Section 4 Laws 2024

SECTION 4. LEGISLATURE.--There is appropriated from the general fund, unless otherwise indicated, for the expense of the legislative department, not provided for in Section 1 of this act, for expenditure in fiscal year 2025, unless otherwise indicated, to be disbursed on vouchers signed by the director of the legislative council service or the director's designee, the following:

A. for travel expenses of legislators other than New Mexico legislative council members, on legislative council business, for committee travel, staff and other necessary expenses for other interim committees and for other necessary legislative expenses, three million dollars (\$3,000,000); provided that the New Mexico legislative council may transfer amounts from the appropriation in this subsection, during the fiscal years for which appropriated, to any other legislative appropriation where they may be needed;

B. for pre-session expenditures and for necessary contracts, supplies and personnel for interim session preparation, five hundred ten thousand dollars (\$510,000);

C. for a statewide legislative intern program, sixty thousand dollars (\$60,000);

D. for expenditure in fiscal years 2024 and 2025, for dues and fees of national organizations of which the legislature is a member, four hundred seventy-five thousand one hundred dollars (\$475,100);

E. for the legislative information system, for fiscal years 2024 and 2025, two million seven hundred seventy-three thousand six hundred dollars (\$2,773,600);

F. for the interim duties of the senate rules committee, thirty-five thousand dollars (\$35,000); and

G. for the contractual services of the capitol buildings planning commission, two hundred fifty thousand dollars (\$250,000).

Chapter 1 Section 5 Laws 2024

SECTION 5. LEGISLATIVE FINANCE COMMITTEE.--There is appropriated from the general fund to the legislative finance committee for expenditure in fiscal year 2025, to be disbursed upon vouchers signed by the chair of the committee or the chair's designated representative, the following:

Personal Services & Employee Benefits	\$6,294,800
Contractual Services	386,000
Other Costs	636,000
Total	\$7,316,800.

Chapter 1 Section 6 Laws 2024

SECTION 6. LEGISLATIVE EDUCATION STUDY COMMITTEE.--There is appropriated from the general fund to the legislative education study committee for expenditure in fiscal year 2025, to be disbursed on vouchers signed by the chair of the committee or the chair's designated representative, the following:

Personal Services & Employee Benefits	\$1,596,500
Contractual Services	70,000
Other Costs	190,000
Total	\$1,856,500.

Chapter 1 Section 7 Laws 2024

SECTION 7. HOUSE CHIEF CLERK.--There is appropriated from the general fund to the legislative council service for expenditure in fiscal year 2025 for the operation of the house chief clerk's office, to be disbursed on vouchers signed by the director of the legislative council service, the following:

Personal Services & Employee Benefits	\$2,953,500
Contractual Services	333,800
Other Costs	70,000
Total	\$3,357,300.

Chapter 1 Section 8 Laws 2024

SECTION 8. SENATE CHIEF CLERK.--There is appropriated from the general fund to the legislative council service for expenditure in fiscal year 2025 for the operation of the senate chief clerk's office, to be disbursed on vouchers signed by the director of the legislative council service, the following:

Personal Services & Employee Benefits	\$2,605,200
Contractual Services	656,000
Other Costs	105,900
Total	\$3,367,100.

Chapter 1 Section 9 Laws 2024

SECTION 9. OFFICIAL MASTER DATABASE OF LAWS--SELF-PUBLICATION--FREE ACCESS TECHNOLOGY--HARD-COPY PUBLICATION.--There is appropriated from the legislative cash balances for the legislative department's share of the continued development required for the master database of official annotated laws of the state, markup language and tagging and its use for legislative document systems and a tagged database of the session laws and for the costs associated in collaborating with the New Mexico compilation commission on the ongoing development and expanding partnership role with the New Mexico compilation commission in the self-publication of the New Mexico Statutes Annotated 1978, including technology for freely accessible laws and hard-copy publication, four hundred thousand dollars (\$400,000) for expenditure during fiscal years 2024 and 2025.

Chapter 1 Section 10 Laws 2024

SECTION 10. CATEGORY TRANSFER.--Amounts set out in Sections 3 through 8 of this act are provided for informational purposes only and may be transferred among categories.

Chapter 1 Section 11 Laws 2024

SECTION 11. PERFORMANCE MEASURES.--Each legislative agency shall adhere to the performance measures specified in its strategic plan and shall make reports as required in that plan.

Chapter 1 Section 12 Laws 2024

SECTION 12. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 2

House Bill 171, aa
Approved February 9, 2024

AN ACT

RELATING TO PUBLIC SCHOOLS; CHANGING GRADUATION REQUIREMENTS FOR STUDENTS ENTERING NINTH GRADE IN THE 2025-2026 SCHOOL YEAR; PREPARING STUDENTS TO GRADUATE WITH A DIPLOMA OF EXCELLENCE; ALIGNING NEXT-STEP PLANS TO GRADUATE PROFILES.

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

Chapter 2 Section 1 Laws 2024

SECTION 1. Section 22-13-1.1 NMSA 1978 (being Laws 1986, Chapter 33, Section 5, as amended) is amended to read:

"22-13-1.1. GRADUATION REQUIREMENTS--NEXT-STEP PLANS.--

A. The purpose of the New Mexico diploma of excellence is to demonstrate that a student is ready for success in post-secondary education, gainful employment and citizenship and is equipped with the skills to be a lifelong learner. The purpose of the state's minimum graduation requirements is to establish rigorous expectations to support that success.

B. School districts and charter schools are encouraged to make available courses and programs of study that allow students to pursue a range of post-secondary opportunities and workforce opportunities and gain knowledge in entrepreneurship principles, as determined by the student's next-step plan and the school district's or charter school's graduate profile.

C. At the end of grades eight through eleven, each student shall prepare an interim next-step plan that sets forth the coursework for the grades remaining until high school graduation. Each year's plan shall be aligned to the graduate profile of the student's school district or charter school, shall be completed on a department-approved template, shall explain any differences from previous interim next-step plans, shall be filed with the principal of the student's high school and shall be signed by the student, the student's parent and the student's guidance counselor or other school official charged with coursework planning for the student.

D. Each student must complete a final next-step plan during the senior year and prior to graduation. The plan shall be aligned to the graduate profile of the student's school district or charter school, shall be completed on a department-approved template, shall be filed with the principal of the student's high school and shall be signed

by the student, the student's parent and the student's guidance counselor or other school official charged with coursework planning for the student.

E. An individualized education plan that meets the requirements of Subsections C and D of this section and that meets all applicable transition and procedural requirements of the federal Individuals with Disabilities Education Act for a student with a disability shall satisfy the next-step plan requirements of this section for that student.

F. A local school board or governing body of a charter school shall ensure that each high school student develops a next-step plan based on reports of college and workplace readiness assessments, as available, and other factors and is reasonably informed about:

(1) curricular and course options, including honors or advanced placement courses, international baccalaureate courses, dual-credit courses, distance learning courses, career clusters and career pathways, pre-apprenticeship programs or remediation programs that the college and workplace readiness assessments indicate to be appropriate;

(2) opportunities available that lead to different post-high-school options; and

(3) alternative opportunities available if the student does not finish a planned curriculum.

G. The secretary shall:

(1) establish specific accountability standards for administrators, counselors, teachers and other appropriate school district or charter school employees to ensure that every student has the opportunity to develop a next-step plan;

(2) promulgate rules for accredited private schools in order to ensure substantial compliance with the provisions of this section;

(3) monitor compliance with the requirements of this section; and

(4) compile such information as is necessary to evaluate the success of next-step plans and report annually, by December 15, to the legislative education study committee and the governor.

H. Once a student has entered ninth grade, the graduation requirements shall not be changed for that student from the requirements specified in the law at the time the student entered ninth grade.

I. For students entering the ninth grade beginning in the 2009-2010 school year, at least one of the units required for graduation shall be earned as an advanced placement or honors course, a dual-credit course offered in cooperation with an institution of higher education or a distance learning course.

J. The department shall establish a procedure for students to be awarded credit through completion of specified career technical education for certain graduation requirements, and districts may choose to allow students who successfully complete an industry-recognized credential, certificate or degree to receive additional weight in the calculation of the student's grade point average.

K. Successful completion of the requirements of the New Mexico diploma of excellence shall be required for graduation for students entering the ninth grade beginning in the 2009-2010 school year. Successful completion of a minimum of twenty-four units aligned to the state academic content and performance standards shall be required to earn a New Mexico diploma of excellence. These units shall be as follows:

(1) four units in English, with major emphasis on grammar, nonfiction writing and literature; provided that department-approved work-based training or career and technical education courses that meet state English academic content performance standards shall qualify as one of the four required English units;

(2) four units in mathematics, of which one shall be the equivalent to or higher than the level of algebra 2, unless the parent submitted written, signed permission for the student to complete a lesser mathematics unit; and provided that a financial literacy course or department-approved work-based training or career and technical education course that meets state mathematics academic content and performance standards shall qualify as one of the four required mathematics units;

(3) three units in science, two of which shall have a laboratory component; provided that department-approved work-based training or career and technical education courses that meet state science academic content and performance standards shall qualify as one of the three required science units;

(4) three and one-half units in social science, which shall include United States history and geography, world history and geography, government and economics and one-half unit of New Mexico history;

(5) one unit in physical education, as determined by each school district or charter school, which may include a physical education program that meets state content and performance standards or participation in marching band, junior reserve officers' training corps or interscholastic sports sanctioned by the New Mexico activities association or any other co-curricular physical activity;

(6) one unit in one of the following: a career cluster course, workplace readiness or a language other than English; and

(7) seven and one-half elective units that meet department content and performance standards. Career and technical education courses shall be offered as an elective. Student service learning shall be offered as an elective. Financial literacy shall be offered as an elective. Pre-apprenticeship programs may be offered as electives. Media literacy may be offered as an elective.

L. For students entering the eighth grade in the 2012-2013 school year, one-half unit in health education is required prior to graduation. Health education may be required in either middle school or high school, as determined by the school district or charter school. Health education courses shall include:

(1) age-appropriate sexual abuse and assault awareness and prevention training that meets department standards developed in consultation with the federal centers for disease control and prevention that are based on evidence-based methods that have proven to be effective; and

(2) lifesaving skills training that follows nationally recognized guidelines for hands-on psychomotor skills cardiopulmonary resuscitation training. Students shall be trained to recognize the signs of a heart attack, use an automated external defibrillator and perform the Heimlich maneuver for choking victims. The secretary shall promulgate rules to provide for the:

(a) use of the following instructors for the training provided pursuant to this paragraph: 1) school nurses, health teachers and athletic department personnel as instructors; and 2) any qualified persons volunteering to provide training at no cost to the school district or charter school that the school district or charter school determines to be eligible to offer instruction pursuant to this paragraph; and

(b) approval of training and instructional materials related to the training established pursuant to this paragraph in both English and Spanish.

M. For students entering the ninth grade in the 2017-2018 school year and subsequent school years:

(1) one of the units in mathematics required by Paragraph (2) of Subsection K of this section may comprise a computer science course if the course is not used to satisfy any part of the requirement set forth in Paragraph (3) of that subsection; and

(2) one of the units in science required by Paragraph (3) of Subsection K of this section may comprise a computer science course if the course is not used to satisfy any part of the requirement set forth in Paragraph (2) of that subsection.

N. Final examinations shall be administered to all students in all classes offered for credit.

O. Beginning with students entering the ninth grade in the 2025-2026 school year, successful completion of a minimum of twenty-four units aligned to the state academic content and performance standards shall be required for graduation and the award of a diploma of excellence. These units shall be as follows:

(1) four units in English, which shall include a three-unit sequence; provided that department-approved work-based learning, career technical education or English language development courses that meet state English or English language development academic content and performance standards may qualify as required English units;

(2) four units in mathematics, two of which shall include a sequence of algebra 1 and geometry or another integrated pathway of mathematics equivalent to algebra 1 and geometry; provided that financial literacy courses or department-approved work-based learning or career technical education courses that meet state mathematics academic content and performance standards may qualify as required mathematics units; and provided further that algebra 2 shall be offered as a mathematics course;

(3) three units in science, two of which shall have a laboratory component; provided that department-approved work-based learning or career technical education courses that meet state science academic content and performance standards may qualify as required science units;

(4) four units in social science, which shall include United States history and geography, which course content contains New Mexico history; government and economics and personal financial literacy, which course content contains civics; and world history and geography;

(5) one unit in physical education, as determined by the school district or charter school, which may include a physical education program that meets state academic content and performance standards or participation in marching band, dance programs, junior reserve officers' training corps or interscholastic sports sanctioned by the New Mexico activities association or any other co-curricular physical activity;

(6) one-half unit in health education; provided that this one-half unit may be earned in either middle or high school;

(7) five and one-half elective units that meet department academic content and performance standards and that shall include a two-unit pathway concentration of the student's choice in a language other than English, including American sign language; fine arts; health; military career preparation; a career technical education program; or community or service learning, a capstone course or work-based learning; provided that financial literacy, computer science, student service learning, career technical education courses and a sequence of languages other than English

shall be offered as electives; and provided further that media literacy and pre-apprenticeship programs may be offered as electives; and

(8) two units set by each local school board or governing body of a charter school that meet department academic content and performance standards.

P. If a high school student who has taken one or both units provided in Paragraph (8) of Subsection O of this section moves from one school district or charter school to another, the receiving school district or charter school shall accept those earned units toward the student's graduation.

Q. For students entering the ninth grade in the 2025-2026 school year, one-half unit of health education is required prior to graduation. Health education courses shall include:

(1) age-appropriate sexual abuse and assault awareness and prevention training that meets department standards developed in consultation with the federal centers for disease control and prevention that are based on evidence-based methods that have proven to be effective; and

(2) lifesaving skills training that follows nationally recognized guidelines for hands-on psychomotor skills cardiopulmonary resuscitation training. Students shall be trained to recognize the signs of a heart attack, use an automated external defibrillator and perform the Heimlich maneuver for choking victims. The secretary shall promulgate rules to provide for the:

(a) use of the following instructors for the training provided pursuant to this paragraph: 1) school nurses, health teachers and athletic department personnel as instructors; and 2) any qualified persons volunteering to provide training at no cost to the school district that the school district determines to be eligible to offer instruction pursuant to this paragraph; and

(b) approval of training and instructional materials related to the training established pursuant to this paragraph in both English and Spanish.

R. Nothing in the minimum graduation requirements specified in Subsection O of this section affects:

(1) a school district's or charter school's authority to require more units for graduation than provided in this section; or

(2) a student's opportunity to take advanced placement or honors courses, international baccalaureate courses or distance learning courses offered by the public school or dual credit courses offered in cooperation with institutions of higher education.

S. Subject to the department's academic content and performance standards and other provisions of this section, every school district and charter school shall develop a graduate profile:

- (1) that is specific to each community;
- (2) that articulates the core academic competencies and subjects that are key to graduates' post-high-school success; and
- (3) to which required units are aligned.

T. Units earned in health, algebra 1 and geometry prior to enrolling in high school shall satisfy unit requirements required to earn a New Mexico diploma of excellence.

U. The department shall adopt and promulgate rules to implement graduation requirements by no later than December 31, 2024. The rules shall include revisions to expand course offerings so that students have access to a range of rigorous academic options and career technical education courses and to establish guidance for the development of graduate profiles.

V. As used in this section:

(1) "capstone course" means a multifaceted academic and intellectual experience that may take a wide variety of forms and that culminates in a final product, performance or presentation explaining how the final product, performance or presentation explicates the chosen course to an evaluation panel convened by the public school to evaluate the quality of course and the final product, performance or presentation;

(2) "career technical education" means organized programs offering a sequence of courses, including technical education and applied technology education, that are directly related to the preparation of students for paid or unpaid employment in current or emerging occupations requiring an industry-recognized credential, certificate or degree;

(3) "career technical education course" means a course with content that provides technical knowledge, skills and competency-based applied learning and that aligns with educational standards and expectations as defined in rule;

(4) "career cluster" means a grouping of occupations in industry sectors based on recognized commonalities that provide an organizing tool for developing instruction within the educational system;

(5) "career pathways" means a sub-grouping used as an organizing tool for curriculum design and instruction of occupations and career specialties that share a set of common knowledge and skills for career success;

(6) "final next-step plan" means a next-step plan that shows that the student has committed or intends to commit in the near future to a four-year college or university, a two-year college, a trade or vocational program, an internship or apprenticeship, military service or a job;

(7) "graduate profile" means a document that a school district or charter school uses to specify the cognitive, personal and interpersonal competencies that students should have when they graduate;

(8) "interim next-step plan" means an annual next-step plan in which the student specifies post-high-school goals and sets forth the coursework that will allow the student to achieve those goals; and

(9) "next-step plan" means an annual personal written plan of studies developed by a student in a public school or other state-supported school or institution in consultation with the student's parent and school counselor or other school official charged with coursework planning for the student that includes one or more of the following:

(a) advanced placement, international baccalaureate or honors courses;

(b) dual-credit courses offered in cooperation with an institution of higher education;

(c) distance learning courses;

(d) career technical education or work-based learning courses;
and

(e) pre-apprenticeship programs.

W. The secretary may establish a policy to provide for administrative interpretations to clarify curricular and testing provisions of the Public School Code."

Chapter 2 Section 2 Laws 2024

SECTION 2. REPEAL.--Section 22-13-1.2 NMSA 1978 (being Laws 2003, Chapter 153, Section 59) is repealed.

LAWS 2024, CHAPTER 3

House Bill 141, aa
Approved February 10, 2024

AN ACT

RELATING TO JUDICIAL SALARIES; PROVIDING THAT JUSTICES OF THE STATE SUPREME COURT SHALL RECEIVE A SALARY INCREASE; REMOVING SALARY FORMULAS FOR MAGISTRATES.

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

Chapter 3 Section 1 Laws 2024

SECTION 1. Section 34-1-9 NMSA 1978 (being Laws 1993, Chapter 278, Section 1, as amended) is amended to read:

"34-1-9. SALARIES OF JUSTICES, JUDGES AND MAGISTRATES.--

A. Justices of the supreme court shall each receive an annual salary of two hundred thirty-two thousand six hundred dollars (\$232,600) beginning July 1, 2024. The chief justice of the supreme court shall receive an annual salary that is two thousand dollars (\$2,000) more than the annual salary of a justice of the supreme court.

B. The chief judge of:

(1) the court of appeals shall receive an annual salary that is ninety-five percent of the annual salary of the chief justice of the supreme court;

(2) a district court shall receive an annual salary that is ninety-five percent of the annual salary of the chief judge of the court of appeals; and

(3) a metropolitan court shall receive an annual salary that is ninety-five percent of the annual salary of the chief judge of a district court.

C. Notwithstanding any other provision of law or any other provision of this section, the annual salaries of the following judges shall be established as follows:

(1) a judge of the court of appeals shall receive an annual salary that is ninety-five percent of the annual salary of a justice of the supreme court;

(2) a district court judge shall receive an annual salary that is ninety-five percent of the annual salary of a judge of the court of appeals; and

(3) a metropolitan court judge shall receive an annual salary that is ninety-five percent of the annual salary of a district court judge.

D. The annual salary for magistrates shall be provided by the legislature in an appropriations act.

E. No additional salaries shall be paid to justices, judges or magistrates on account of services rendered the state. Justices of the supreme court, judges of the court of appeals, district court judges, metropolitan court judges and magistrates shall receive per diem and mileage for necessary travel on official business of the court as provided in the Per Diem and Mileage Act."

LAWS 2024, CHAPTER 4

Senate Bill 153

Approved February 20, 2024

AN ACT

RELATING TO PUBLIC FINANCE; INCREASING THE AMOUNT THAT IS ANNUALLY TRANSFERRED TO THE EARLY CHILDHOOD EDUCATION AND CARE PROGRAM FUND; PROVIDING FOR THE REVERSION OF UNEXPENDED AND UNENCUMBERED BALANCE IN THE PROGRAM FUND TO THE EARLY CHILDHOOD EDUCATION AND CARE FUND.

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

Chapter 4 Section 1 Laws 2024

SECTION 1. Section 9-29A-1 NMSA 1978 (being Laws 2020, Chapter 3, Section 1, as amended) is amended to read:

"9-29A-1. EARLY CHILDHOOD EDUCATION AND CARE FUND.--

A. The "early childhood education and care fund" is created within the state treasury. The fund shall consist of distributions, appropriations, gifts, grants and donations. Income from investment of the fund shall be credited to the fund. Money in the fund shall be expended only as provided in this section.

B. The state investment officer, subject to the approval of the state investment council, shall invest money in the early childhood education and care fund:

(1) in accordance with the prudent investor rule set forth in the Uniform Prudent Investor Act; and

(2) in consultation with the state treasurer.

C. The state investment officer shall report quarterly to the legislative finance committee and the state investment council on the investments made pursuant to this section. Annually, a report shall be submitted no later than October 1 each year to the legislative finance committee, the revenue stabilization and tax policy committee and any other appropriate interim committees.

D. On July 1 of each year, a distribution shall be made from the early childhood education and care fund to the early childhood education and care program fund in an amount equal to the greater of five percent of the average of the year-end market values of the fund for the immediately preceding three calendar years or two hundred fifty million dollars (\$250,000,000).

E. In addition to the distribution pursuant to Subsection D of this section, money in the early childhood education and care fund may be expended in the event that general fund balances, including all authorized revenues and transfers to the general fund and balances in the general fund operating reserve, the appropriation contingency fund, the tobacco settlement permanent fund, the state-support reserve fund and the tax stabilization reserve, will not meet the level of appropriations authorized from the general fund for a fiscal year. In that event, to avoid an unconstitutional deficit, the legislature may appropriate from the early childhood education and care fund to the general fund only in the amount necessary to meet general fund appropriations for that fiscal year and only if the legislature has authorized transfers from the appropriation contingency fund, the general fund operating reserve, the tax stabilization reserve and the tobacco settlement permanent fund that exhaust those fund balances."

Chapter 4 Section 2 Laws 2024

SECTION 2. Section 9-29A-2 NMSA 1978 (being Laws 2020, Chapter 3, Section 2) is amended to read:

"9-29A-2. EARLY CHILDHOOD EDUCATION AND CARE PROGRAM FUND.-- The "early childhood education and care program fund" is created in the state treasury. The fund consists of distributions, appropriations, gifts, grants, donations and income from investment of the fund. The early childhood education and care department shall administer the fund. Money in the fund is subject to appropriation by the legislature for early childhood education and care services and programs. Expenditures from the fund shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of early childhood education and care or the secretary's authorized representative. Any unexpended or unencumbered balance in the fund at the end of a fiscal year shall revert to the early childhood education and care fund."

Chapter 4 Section 3 Laws 2024

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 5

H AFC/House Bill 5, aa
Approved February 28, 2024

AN ACT

RELATING TO WORKFORCE DEVELOPMENT; CREATING THE WORKFORCE DEVELOPMENT AND APPRENTICESHIP TRUST FUND; MAKING ANNUAL TRANSFERS FROM THE TRUST FUND TO THE PUBLIC WORKS APPRENTICE AND TRAINING FUND AND ANNUAL APPROPRIATIONS TO THE WORKFORCE SOLUTIONS DEPARTMENT FOR THE PURPOSES OF THE APPRENTICESHIP ASSISTANCE ACT; CLARIFYING THAT THE WORKFORCE SOLUTIONS DEPARTMENT ADMINISTERS THE PUBLIC WORKS APPRENTICE AND TRAINING ACT AND THE APPRENTICESHIP ASSISTANCE ACT; MAKING APPROPRIATIONS.

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

Chapter 5 Section 1 Laws 2024

SECTION 1. WORKFORCE DEVELOPMENT AND APPRENTICESHIP TRUST FUND.--

A. The "workforce development and apprenticeship trust fund" is created within the state treasury. The fund consists of distributions, appropriations, gifts, grants and donations. Income from investment of the fund shall be credited to the fund. Money in the fund shall be expended only as provided in this section.

B. The state investment officer, subject to the approval of the state investment council, shall invest money in the workforce development and apprenticeship trust fund:

(1) in accordance with the prudent investor rule set forth in the Uniform Prudent Investor Act; and

(2) in consultation with the state treasurer.

C. The state investment officer shall report quarterly to the legislative finance committee and the state investment council on the investments made pursuant to this section. Annually, a report shall be submitted no later than November 1 each year to the legislative finance committee, the revenue stabilization and tax policy committee and any other appropriate interim committees.

D. Subject to the availability of funds:

(1) on July 1, 2024 and July 1, 2025:

(a) two million five hundred thousand dollars (\$2,500,000) shall be transferred to the public works apprentice and training fund; and

(b) two million five hundred thousand dollars (\$2,500,000) shall be appropriated to the workforce solutions department to carry out the purposes of the Apprenticeship Assistance Act; and

(2) on July 1 of each year thereafter:

(a) one million five hundred thousand dollars (\$1,500,000) shall be transferred to the public works apprentice and training fund; and

(b) one million five hundred thousand dollars (\$1,500,000) shall be appropriated to the workforce solutions department to carry out the purposes of the Apprenticeship Assistance Act.

E. In addition to the transfers and appropriations pursuant to Subsection D of this section, money in the workforce development and apprenticeship trust fund may be expended in the event that general fund balances, including all authorized revenues and transfers to the general fund and balances in the general fund operating reserve, the appropriation contingency fund, the tobacco settlement permanent fund, the state-support reserve fund and the tax stabilization reserve, will not meet the level of appropriations authorized from the general fund for a fiscal year. In that event, to avoid an unconstitutional deficit, the legislature may appropriate from the workforce development and apprenticeship trust fund to the general fund only in the amount necessary to meet general fund appropriations for that fiscal year and only if the legislature has authorized transfers from the appropriation contingency fund, the general fund operating reserve, the tax stabilization reserve and the tobacco settlement permanent fund that exhaust those fund balances.

Chapter 5 Section 2 Laws 2024

SECTION 2. Section 13-4D-3 NMSA 1978 (being Laws 1992, Chapter 74, Section 3, as amended) is amended to read:

"13-4D-3. DEFINITIONS.--As used in the Public Works Apprentice and Training Act:

A. "approved apprentice and training programs" means building trades apprenticeship and training programs in New Mexico that are recognized by the office of apprenticeship of the employment and training administration of the United States department of labor or the New Mexico apprenticeship council;

B. "compliance statement" means a monthly record of an employer's contributions paid into an approved apprentice and training program in New Mexico or into the public works apprentice and training fund; and

C. "employer" means a contractor, subcontractor or any person acting as a contractor on a public works project, as that term is defined in the provisions of the Construction Industries Licensing Act."

Chapter 5 Section 3 Laws 2024

SECTION 3. Section 13-4D-4 NMSA 1978 (being Laws 1992, Chapter 74, Section 4) is amended to read:

"13-4D-4. ADMINISTRATION.--

A. The Public Works Apprentice and Training Act shall be administered by the workforce solutions department. The department shall collect employers' contributions in accordance with that act, review employers' compliance statements, review certified payroll reports to verify training contributions, investigate allegations of and impose penalties for employer noncompliance and disburse funds as provided in Section 13-4D-5 NMSA 1978.

B. Public works construction projects, except for street, highway, bridge, road, utility or maintenance contracts with employers who elect not to participate in training, shall not be constructed unless an employer agrees to make contributions to approved apprentice and training programs in New Mexico in which the employer is a participant or to the public works apprentice and training fund administered by the workforce solutions department. Contributions shall be made in the same manner and in the same amount as apprentice and training contributions required pursuant to wage rate determinations made by the department.

C. The workforce solutions department shall adopt rules and regulations necessary to implement the provisions of the Public Works Apprentice and Training Act."

Chapter 5 Section 4 Laws 2024

SECTION 4. Section 13-4D-5 NMSA 1978 (being Laws 1992, Chapter 74, Section 5, as amended) is amended to read:

"13-4D-5. FUND CREATED--DISBURSEMENT OF FUNDS.--There is created the "public works apprentice and training fund" in the workforce solutions department. Money in the fund shall be distributed in the following manner:

A. no more than fifteen percent of the funds may be used by the workforce solutions department to hire staff to administer the funds collected by the department; and

B. the remainder of the funds shall be used for approved apprentice and training programs in New Mexico. The workforce solutions department shall develop an annual budget and, subject to appropriation by the legislature in the general appropriation act, shall disburse funds to approved apprentice and training programs in New Mexico, taking into account participant contact hours of classroom instruction and on-the-job training for the preceding year, to be not less than ninety percent of one hundred forty-four contact hours of classroom instruction per participant per school year and not less than one thousand hours of on-the-job training per twelve-month period; provided that funds shall not be distributed to programs not in compliance with their approved standards. Notwithstanding any language in the general appropriation act that otherwise limits budget adjustments, if the fund balance available for disbursement to approved programs exceeds the amount appropriated, pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, the workforce solutions department may request budget increases up to the excess fund balance for distribution to the programs."

Chapter 5 Section 5 Laws 2024

SECTION 5. Section 13-4D-6 NMSA 1978 (being Laws 1992, Chapter 74, Section 6) is amended to read:

"13-4D-6. NOTICE TO EMPLOYERS--PUBLICATION OF PROGRAMS.--

A. An employer's contribution requirement under the provisions of the Public Works Apprentice and Training Act shall be included with all minimum wage determinations issued by the workforce solutions department on all public works construction projects. The department shall provide the contribution rate for approved apprentice and training programs, and that information shall be part of the public works construction projects.

B. The workforce solutions department shall publish a list of approved apprentice and training programs in New Mexico."

Chapter 5 Section 6 Laws 2024

SECTION 6. Section 21-19A-6 NMSA 1978 (being Laws 1992, Chapter 93, Section 6) is amended to read:

"21-19A-6. RULES.--The department shall make such rules as are necessary to carry out the provisions of the Apprenticeship Assistance Act."

Chapter 5 Section 7 Laws 2024

SECTION 7. Section 21-19A-7 NMSA 1978 (being Laws 1992, Chapter 93, Section 7, as amended) is amended to read:

"21-19A-7. APPRENTICESHIP AND TRAINING ADVISORY COMMITTEE.--

A. The department shall appoint an apprenticeship and training advisory committee composed of nine voting members who shall be New Mexico residents. The members shall be as follows:

(1) two persons representing employers of members of apprenticeable trades;

(2) two persons representing organized labor for members of apprenticeable trades;

(3) two persons employed as full-time training directors or program administrators of apprenticeship committees;

(4) two persons employed by New Mexico educational entities who teach or immediately supervise preparatory instruction, supplementary instruction or related instruction courses; and

(5) the state apprenticeship director of the department, who shall serve as chair.

B. Members of the advisory committee shall serve terms of four years, except that the department shall designate one member from each of the groups referred to in Paragraphs (1) through (4) of Subsection A of this section to serve an initial term of two years. Thereafter, all members shall serve four-year terms.

C. Vacancies shall be filled for the unexpired portion of a term vacated.

D. Nonvoting members of the advisory committee shall include the following:

(1) two persons designated by and representing the New Mexico college and university system of vocational education;

(2) one person designated by and representing the office of apprenticeship; and

(3) one person representing the general public who is familiar with the goals and needs of technical-vocational education in New Mexico and who is not otherwise eligible for service on the advisory committee.

E. The member of the advisory committee representing the general public shall be appointed by the department for a term of four years. All other nonvoting members of the advisory committee shall serve at the pleasure of the agency or institution each respective member represents.

F. The advisory committee shall meet on an annual basis or at the call of the chair.

G. The members of the advisory committee shall be subject to such laws and practices as are applicable to the service and compensation of employees of the state. Members of the advisory committee not otherwise compensated by public funds shall be reimbursed for their official duties in accordance with the Per Diem and Mileage Act for attendance at not in excess of twelve meetings per year."

Chapter 5 Section 8 Laws 2024

SECTION 8. Section 21-19A-9 NMSA 1978 (being Laws 1992, Chapter 93, Section 9) is amended to read:

"21-19A-9. NOTICE OF AVAILABLE FUNDS.--In order to ensure that all citizens of New Mexico have an equal opportunity to benefit from apprenticeship training programs, the department shall provide for statewide publication, in a manner recommended by the advisory committee and intended to give actual notice to all potential program sponsors, of the amount of funds that will be available to support apprenticeship training programs during the current and following fiscal years, the qualifications required of program sponsors and apprenticeship committees and the procedures to be followed in applying for state funds. The notice may also include other information recommended by the advisory committee and approved by the department; provided that the department shall publish any information concerning available funds given to a particular program sponsor in a manner recommended by the advisory committee and intended to give actual notice to all potential program sponsors statewide."

Chapter 5 Section 9 Laws 2024

SECTION 9. Section 21-19A-10 NMSA 1978 (being Laws 1992, Chapter 93, Section 10) is amended to read:

"21-19A-10. DISTRIBUTION OF FUNDS.--

A. Upon recommendation of the advisory committee, the department shall adopt formulas and administrative procedures to be used in requesting appropriations of state funds as a budgetary line item for the apprenticeship system of adult vocational education.

B. The advisory committee shall prepare an update to the apprenticeship-related instruction cost study adopted by the department prior to each session of the legislature.

C. Upon recommendation of the advisory committee, the department shall adopt forms, formulas and administrative procedures for the distribution of available funds to apprenticeship training programs. Distribution formulas shall be uniform in application to all local program sponsors.

D. Upon recommendation of the advisory committee, the department shall reserve until March 1 of each year a percentage of the funds appropriated under the line item described in this section to be used solely for apprenticeship-related instruction programs. This percentage shall be established by the formulas required by this section. Reserved funds that are not obligated on March 1 may be used for preparatory and supplementary instruction programs as well as related instruction programs.

E. No funds shall be distributed to an apprenticeship committee until the apprenticeship committee has filed all reports required by the Apprenticeship Assistance Act and by the department. Funds shall not be distributed to programs not in compliance with their approved standards. Programs determined to be in noncompliance with their standards will be required to refund all funds to the department for the current fiscal year."

Chapter 5 Section 10 Laws 2024

SECTION 10. Section 21-19A-11 NMSA 1978 (being Laws 1992, Chapter 93, Section 11) is amended to read:

"21-19A-11. AUDIT PROCEDURES.--

A. All projects funded shall maintain a clear audit trail of all money appropriated for the apprenticeship system of adult vocational education. For each course that is funded, the audit trail in the department shall include the following records:

- (1) the name of the sponsoring apprenticeship committee;
- (2) the name of the instructor;
- (3) the number of students enrolled;
- (4) the place and schedule of class meetings;
- (5) fiscal accountability as per department requests; and

(6) certification by the apprenticeship council or the office of apprenticeship for preparatory and related instruction courses that the students enrolled are registered apprentices.

B. Funds appropriated for the apprenticeship system of adult vocational education shall not be commingled with funds appropriated for other purposes.

C. All records, receipts, working papers and other components of the audit trail shall be public records."

Chapter 5 Section 11 Laws 2024

SECTION 11. Section 21-19A-12 NMSA 1978 (being Laws 1992, Chapter 93, Section 12, as amended) is amended to read:

"21-19A-12. BUDGET--DISBURSEMENT AND APPROPRIATION.--

A. For the first two years after the effective date of the Apprenticeship Assistance Act, the department shall disburse funds for each apprenticeship committee, taking into account the number of total monthly contact hours and based on one dollar fifty cents (\$1.50) per participant contact hour of related instruction, not to exceed two hundred twenty hours per participant per year. Thereafter, funds shall be distributed in accordance with Section 21-19A-10 NMSA 1978.

B. The department shall require from the apprenticeship committees such reports as it deems necessary for the purpose of determining the number of total monthly contact hours.

C. Funds appropriated under the Apprenticeship Assistance Act shall be disbursed by the department, and the department shall have sole control over the disbursement of those funds; provided, however, that the department shall not fund any apprenticeship committee not certified by the state apprenticeship agency or the office of apprenticeship."

Chapter 5 Section 12 Laws 2024

SECTION 12. Section 21-19A-13 NMSA 1978 (being Laws 1992, Chapter 93, Section 13, as amended) is amended to read:

"21-19A-13. STATUS OF RECOMMENDATIONS.--

A. Recommendations of the advisory committee submitted to the department shall be acted on and either accepted or rejected.

B. A recommendation that is rejected shall be returned immediately to the advisory committee accompanied by written notice of the reasons for rejecting the

recommendation. Upon such notice, the department and the advisory committee shall meet within fifteen days to resolve the issue, but if no resolution of the recommendation is made, then the secretary of workforce solutions shall decide the matter. The secretary's decision shall be final."

LAWS 2024, CHAPTER 6

House Bill 148, w/ec
Approved February 28, 2024

AN ACT

RELATING TO FINANCE; AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO MAKE LOANS OR GRANTS FROM THE WATER PROJECT FUND FOR CERTAIN WATER PROJECTS; DECLARING AN EMERGENCY.

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

Chapter 6 Section 1 Laws 2024

SECTION 1. AUTHORIZATION OF QUALIFYING WATER PROJECTS.-- Pursuant to Section 72-4A-9 NMSA 1978, the legislature authorizes the New Mexico finance authority to make loans or grants from the water project fund to the following qualifying entities for the following qualifying water projects on terms and conditions established by the water trust board and the New Mexico finance authority:

1. to the city of Farmington in San Juan county for a water conservation, treatment, recycling or reuse project;
2. to the Albuquerque-Bernalillo county water utility authority in Bernalillo county for two water conservation, treatment, recycling or reuse projects and one water storage, conveyance and delivery project;
3. to the city of Santa Fe in Santa Fe county for two water conservation, treatment, recycling or reuse projects and one water storage, conveyance and delivery project;
4. to the lower Rio Grande public water works authority in Dona Ana county for a water conservation, treatment, recycling or reuse project and a water storage, conveyance and delivery project;
5. to the town of Elida in Roosevelt county for a water conservation, treatment, recycling or reuse project;
6. to the Santa Fe-Pojoaque soil and water conservation district in Santa Fe county for a flood prevention project;

7. to McKinley county for a flood prevention project;
8. to Dona Ana county for a flood prevention project;
9. to the southern Sandoval county arroyo flood control authority in Sandoval county for a flood prevention project;
10. to the city of Sunland Park in Dona Ana county for a flood prevention project;
11. to Lincoln county for a flood prevention project;
12. to the upper Rio Grande watershed district in Rio Arriba county for a flood prevention project;
13. to the city of Albuquerque in Bernalillo county for a flood prevention project;
14. to the Union del Llano mutual domestic water consumers association in Taos county for a water storage, conveyance and delivery project;
15. to El Rito regional water and wastewater association in Rio Arriba county for a water storage, conveyance and delivery project;
16. to the Sangre de Cristo regional mutual domestic water consumers and mutual sewage works association in Guadalupe county for a water storage, conveyance and delivery project;
17. to the Flora Vista mutual domestic water association in San Juan county for a water storage, conveyance and delivery project;
18. to the Ojo Caliente mutual domestic water consumers association in Rio Arriba county for a water storage, conveyance and delivery project;
19. to the city of Truth or Consequences in Sierra county for a water storage, conveyance and delivery project;
20. to the Cerro regional mutual domestic water consumers and sewage works association in Taos county for a water storage, conveyance and delivery project;
21. to the Penasco mutual domestic water consumers and mutual sewage works association in Taos county for a water storage, conveyance and delivery project;
22. to the village of Taos Ski Valley in Taos county for a water storage, conveyance and delivery project;

23. to the village of Chama in Rio Arriba county for a water storage, conveyance and delivery project;
24. to the eastern New Mexico water utility authority in Curry county for a water storage, conveyance and delivery project;
25. to El Prado water and sanitation district in Taos county for a water storage, conveyance and delivery project;
26. to the Capulin mutual domestic water consumers association in Rio Arriba county for a water storage, conveyance and delivery project;
27. to the Chippeway Park water association in Otero county for a water storage, conveyance and delivery project;
28. to the city of Portales in Roosevelt county for two water storage, conveyance and delivery projects;
29. to the Eldorado area water and sanitation district in Santa Fe county for a water storage, conveyance and delivery project;
30. to the Enchanted Forest mutual domestic water consumers association in Lincoln county for a water storage, conveyance and delivery project;
31. to the city of Espanola in Rio Arriba county for three water storage, conveyance and delivery projects;
32. to the city of Gallup in McKinley county for a water storage, conveyance and delivery project;
33. to the city of Jal in Lea county for a water storage, conveyance and delivery project;
34. to the Pena Blanca water and sanitation district in Sandoval county for a water storage, conveyance and delivery project;
35. to the city of Artesia in Eddy county for a water storage, conveyance and delivery project;
36. to the middle Rio Grande conservancy district in Bernalillo county for a water storage, conveyance and delivery project;
37. to the Ramah water and sanitation district in McKinley county for a water storage, conveyance and delivery project;

38. to the Rio Lucio mutual domestic water consumers association in Taos county for a water storage, conveyance and delivery project;
39. to the village of Ruidoso in Lincoln county for two water storage, conveyance and delivery projects;
40. to the city of Las Cruces in Dona Ana county for a water storage, conveyance and delivery project;
41. to Luna county for a water storage, conveyance and delivery project;
42. to the Pendaries Village mutual domestic water consumers association in San Miguel county for a water storage, conveyance and delivery project;
43. to the city of Raton in Colfax county for a water storage, conveyance and delivery project;
44. to the San Antonio mutual domestic water consumers association in Socorro county for a water storage, conveyance and delivery project;
45. to the city of Santa Rosa in Guadalupe county for a water storage, conveyance and delivery project;
46. to the Watrous mutual domestic water consumers association in Mora county for a water storage, conveyance and delivery project;
47. to the city of Eunice in Lea county for a water storage, conveyance and delivery project;
48. to the village of Questa in Taos county for a water storage, conveyance and delivery project;
49. to the Sierra Vista mutual domestic association in Bernalillo county for a water storage, conveyance and delivery project;
50. to the village of Logan in Quay county for a water storage, conveyance and delivery project;
51. to the Canon mutual domestic water consumers association in Sandoval county for a water storage, conveyance and delivery project;
52. to the Claunch-Pinto soil and water conservation district in Torrance county for two watershed restoration and management projects;
53. to the upper Chama soil and water conservation district in Rio Arriba county for a watershed restoration and management project;

54. to the Ute Creek soil and water conservation district in Harding county for a watershed restoration and management project; and

55. to the San Juan soil and water conservation district in San Juan county for a watershed restoration and management project.

Chapter 6 Section 2 Laws 2024

SECTION 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 7

House Bill 177, aa, w/ec
Approved February 28, 2024

AN ACT

RELATING TO FINANCE; CREATING THE NEW MEXICO MATCH FUND;
DECLARING AN EMERGENCY.

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

Chapter 7 Section 1 Laws 2024

SECTION 1. A new section of the Department of Finance and Administration Act is enacted to read:

"NEW MEXICO MATCH FUND--CREATED--REPORTING.--

A. The "New Mexico match fund" is created as a nonreverting fund in the state treasury. The fund consists of distributions, appropriations, gifts, grants and donations.

B. The department shall administer the fund, and money in the fund is appropriated to the department for the purposes of the fund. The department may use money in the fund to:

- (1) make grants to an eligible entity:
 - (a) for state matching funds for federal grants; and
 - (b) to offset higher project costs incurred to comply with federal requirements;

(2) make grants to an eligible entity that receives a grant pursuant to Subparagraph (a) of Paragraph (1) of this subsection to administer that grant; provided that a grant awarded pursuant to this paragraph shall not exceed five percent of the combined total amount of the federal grant and state matching funds awarded to the eligible entity; and

(3) administer the fund; provided that the department shall use no more than three percent of the appropriation amounts received in the fund for the administration of the fund.

C. An eligible entity shall request the full amount of the state matching funds required by the federal grant.

D. A grant for state matching funds made pursuant to this section shall be contingent on the award of the federal grant for which the state matching funds are sought.

E. An eligible entity that requests funding to offset higher project costs incurred to comply with federal requirements shall submit proof to the department of project cost estimates with and without federal compliance.

F. Money in the fund shall only be expended upon review and approval of the department.

G. Disbursements from the fund shall be made by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary or the secretary's authorized representative.

H. The department shall report annually to the legislative finance committee and any other appropriate interim committee no later than October 1 of each year on grants made from the fund.

I. As used in this section:

(1) "department" means the department of finance and administration;
and

(2) "eligible entity" means a county, city, town or village; a drainage, conservancy, irrigation, soil and water conservation, water or sanitation district; a mutual domestic water consumers association; a public water cooperative association; a community ditch association; a public post-secondary educational institution; the state of New Mexico or any of its branches, agencies, departments, boards, instrumentalities or institutions; any other political subdivision of the state; or a federally recognized Indian nation, tribe or pueblo, the boundaries of which are located wholly or partially in New Mexico."

Chapter 7 Section 2 Laws 2024

SECTION 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 8

House Bill 195

Approved February 28, 2024

AN ACT

RELATING TO FINANCE; AMENDING AND ENACTING SECTIONS OF THE OPPORTUNITY ENTERPRISE ACT AND CHANGING THE NAME OF THE ACT; ALLOWING THE NEW MEXICO FINANCE AUTHORITY TO PROVIDE HOUSING DEVELOPMENT LOANS; CREATING THE HOUSING DEVELOPMENT REVOLVING FUND; DEFINING TERMS; AMENDING THE STRUCTURE OF THE OPPORTUNITY ENTERPRISE REVIEW BOARD AND CHANGING ITS NAME; PROVIDING DUTIES; REQUIRING RULEMAKING; AMENDING REQUIREMENTS FOR OPPORTUNITY ENTERPRISE LOANS; REQUIRING REPORTING.

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

Chapter 8 Section 1 Laws 2024

SECTION 1. Section 6-34-1 NMSA 1978 (being Laws 2022, Chapter 57, Section 1) is amended to read:

"6-34-1. SHORT TITLE.--Chapter 6, Article 34 NMSA 1978 may be cited as the "Opportunity Enterprise and Housing Development Act"."

Chapter 8 Section 2 Laws 2024

SECTION 2. Section 6-34-2 NMSA 1978 (being Laws 2022, Chapter 57, Section 2) is amended to read:

"6-34-2. DEFINITIONS.--As used in the Opportunity Enterprise and Housing Development Act:

A. "affordable housing infrastructure project" means infrastructure projects needed to support housing for low- or moderate-income residents;

B. "authority" means the New Mexico finance authority;

C. "board" means the opportunity enterprise and housing development review board;

D. "department" means the economic development department;

E. "economic development opportunities" means the advancement of an environmentally sustainable economic development goal of the state as determined by the authority, in coordination with the department, and includes the creation of jobs, the provision of needed services and commodities to diverse communities across the state and the increase of tax and other revenue collections resulting from the enterprise development project;

F. "enterprise assistance" means opportunity enterprise financing, an opportunity enterprise lease or an opportunity enterprise loan;

G. "enterprise development project" means a commercial real estate development project primarily occupied by businesses unrelated to the opportunity enterprise partner that involves the purchase, planning, designing, building, surveying, improving, operating, furnishing, equipping or maintaining of land, buildings or infrastructure to create or expand economic development opportunities within the state;

H. "housing development assistance" means a loan for workforce development housing projects or affordable housing infrastructure projects;

I. "housing development partner" means a domestic corporation, a general partnership, a limited liability company, a limited partnership, a public benefit corporation, a nonprofit entity or any other private business entity or combination thereof that the authority determines is or will be engaged in a project that creates or expands housing within the state and is eligible for housing development assistance pursuant to the Opportunity Enterprise and Housing Development Act;

J. "housing development project" means an affordable housing infrastructure project or a workforce development housing project;

K. "opportunity enterprise partner" means a domestic corporation, a general partnership, a limited liability company, a limited partnership, a public benefit corporation, a nonprofit entity or other private business entity or combination thereof that the authority determines is or will be engaged in an enterprise that creates or expands economic development opportunities within the state and is eligible for enterprise assistance pursuant to the Opportunity Enterprise and Housing Development Act;

L. "opt-in agreement" means an agreement entered into among the authority, the department and a county, municipality or school district that ensures compliance with all local zoning, permitting and other land use rules and that provides for payments in lieu of taxes to the county, municipality or school district;

M. "payment in lieu of taxes" means the total annual payment paid as compensation for the tax impact of an enterprise development project, in an amount negotiated and determined in the opt-in agreement among the authority, the department and the county, school district or, if applicable, municipality where the enterprise development project is located in the same proportional amount as property tax revenues are normally distributed to those recipients;

N. "workforce development housing" means below-market housing addressing demand for workforce housing for middle-income workers in proximity to employment centers; and

O. "workforce development housing project" means a residential real estate development project that involves the purchase, planning, designing, building, surveying, improving, operating, furnishing, equipping or maintaining of land, buildings or infrastructure that provides housing, including housing that provides the option of home ownership."

Chapter 8 Section 3 Laws 2024

SECTION 3. Section 6-34-3 NMSA 1978 (being Laws 2022, Chapter 57, Section 3) is amended to read:

"6-34-3. NEW MEXICO FINANCE AUTHORITY--POWERS--DUTIES.--To create or expand economic development opportunities and housing within the state, the authority may:

A. acquire, whether by construction, purchase, gift or lease, and hold title to or other interest in an enterprise development project or housing development project;

B. provide opportunity enterprise financing to opportunity enterprise partners and collect costs and fees associated with that financing;

C. enter into a contract to lease property to an opportunity enterprise partner and collect rent, costs and fees associated with that lease;

D. make loans to opportunity enterprise partners and collect payments, including principal, interest costs and fees associated with that loan;

E. make loans to housing development partners and collect payments, including principal, interest costs and fees associated with those loans;

F. sell or otherwise dispose of any property obtained as a result of an enterprise development project or a housing development project; provided that proceeds received shall be deposited in the opportunity enterprise revolving fund or the housing development revolving fund, respectively;

G. make, execute and enforce all contracts necessary to carry out the provisions of the Opportunity Enterprise and Housing Development Act;

H. take legal action available to the authority to recover public money or other public resources if an opportunity enterprise partner or housing development partner defaults on its obligations to the authority;

I. enter into joint powers agreements or other agreements with a state agency or governmental entity, as the authority determines to be appropriate for such purpose;

J. adopt rules relating to the use of the opportunity enterprise revolving fund and the housing development revolving fund necessary to carry out the provisions of the Opportunity Enterprise and Housing Development Act subject to approval of the New Mexico finance authority oversight committee; and

K. enter into opt-in agreements where the enterprise development project is located to facilitate the development of an enterprise development project; provided that if included in the opt-in agreement, the authority shall make payments in lieu of taxes to a county, municipality or school district to offset the tax impact of an enterprise development project."

Chapter 8 Section 4 Laws 2024

SECTION 4. Section 6-34-5 NMSA 1978 (being Laws 2022, Chapter 57, Section 5) is amended to read:

"6-34-5. OPPORTUNITY ENTERPRISE AND HOUSING DEVELOPMENT REVIEW BOARD--CREATED--MEMBERSHIP.--

A. The "opportunity enterprise and housing development review board" is created. The authority shall provide necessary administrative services to the board.

B. The board is composed of the following fourteen members:

- (1) the secretary of economic development or the secretary's designee;
- (2) the secretary of finance and administration or the secretary's designee;
- (3) the secretary of general services or the secretary's designee;
- (4) the state treasurer or the state treasurer's designee;
- (5) the executive director of the New Mexico mortgage finance authority or the executive director's designee;

(6) two members appointed by the governor who shall have experience in the housing, building or development sector;

(7) one representative appointed by the council of government organizations within the state; and

(8) six public members appointed by the New Mexico legislative council who shall have experience in any one or more of the following:

- (a) the banking and finance industry;
- (b) commercial or industrial credit;
- (c) private equity, venture capital or mutual fund investments;
- (d) commercial real estate development;
- (e) engineering, construction and construction management;
- (f) organized labor;
- (g) urban planning; or
- (h) environmentally sustainable construction and development.

C. Members of the board appointed pursuant to Paragraphs (7) and (8) of Subsection B of this section shall serve for staggered terms of six years; provided that the initial term of members appointed pursuant to Paragraph (8) of Subsection B of this section may be for a term of less than six years, as determined by the New Mexico legislative council, to ensure staggered membership of the board. Members of the board shall serve until their successors are appointed. A member of the board appointed pursuant to Paragraph (6), (7) or (8) of Subsection B of this section may be removed from the board by the appointing authority for failure to attend three consecutive meetings or other cause. A vacancy on the board of an appointed member shall be filled by appointment by the original appointing authority for the remainder of the unexpired term of office; provided that a member who is removed pursuant to this section shall be ineligible for reappointment.

D. Members of the board appointed pursuant to Paragraphs (6) through (8) of Subsection B of this section shall:

- and
- (1) be governed by the provisions of the Governmental Conduct Act;
 - (2) not hold any office or employment in a political party.

E. The members shall select a chair, vice chair and other officers that the board deems necessary, who shall serve a term of two years. The board shall maintain minutes of all meetings of the board, and all meetings shall be held pursuant to the Open Meetings Act."

Chapter 8 Section 5 Laws 2024

SECTION 5. Section 6-34-6 NMSA 1978 (being Laws 2022, Chapter 57, Section 6) is amended to read:

"6-34-6. OPPORTUNITY ENTERPRISE AND HOUSING DEVELOPMENT REVIEW BOARD--POWERS.--

A. The board shall:

- (1) meet quarterly and at the call of the chair;
- (2) receive a list of executed contracts for enterprise assistance and housing development assistance;
- (3) recommend to the authority application forms and procedures for the prioritization of enterprise development projects and housing development projects;
- (4) review standards and procedures for the approval of proposed contracts as needed;
- (5) make recommendations to the authority of potential enterprise development projects and housing development projects;
- (6) determine whether the use of enterprise assistance and housing development assistance is a prudent expenditure of public funds and report to the legislature annually on that determination; and
- (7) make recommendations to the authority of potential rulemaking, application or lending changes to ensure transparent and efficient processes for carrying out the provisions of the Opportunity Enterprise and Housing Development Act.

B. The board and the department shall coordinate to:

- (1) provide outreach services to local governments and potential opportunity enterprise partners;
- (2) evaluate opportunity enterprise partners and eligible enterprise development projects for suitability for enterprise assistance;

(3) evaluate housing development partners and eligible housing development projects for suitability for housing development assistance; and

(4) obtain input and information relevant to carrying out the purposes of the Opportunity Enterprise and Housing Development Act from recipients of enterprise assistance and housing development assistance, local governments and local communities."

Chapter 8 Section 6 Laws 2024

SECTION 6. Section 6-34-7 NMSA 1978 (being Laws 2022, Chapter 57, Section 7) is amended to read:

"6-34-7. RULEMAKING--BOARD.--The board shall adopt rules necessary to carry out the provisions of the Opportunity Enterprise and Housing Development Act to:

A. establish procedures for applying and qualifying for enterprise assistance and housing development assistance;

B. establish economic development goals in consultation with the department;

C. govern the application procedures and requirements for enterprise assistance and housing development assistance;

D. determine how to select and prioritize applications for enterprise assistance to be recommended to the authority;

E. prioritize projects that are in political subdivisions that are implementing zoning reforms that support housing development projects;

F. determine how to select and prioritize applications for housing development assistance to be recommended to authority; and

G. provide safeguards to protect public money and other public resources subject to the Opportunity Enterprise and Housing Development Act."

Chapter 8 Section 7 Laws 2024

SECTION 7. Section 6-34-8 NMSA 1978 (being Laws 2022, Chapter 57, Section 8) is amended to read:

"6-34-8. ENTERPRISE ASSISTANCE--GENERAL REQUIREMENTS.--

A. An application for enterprise assistance shall:

(1) describe the scope and plans of the enterprise development project or proposed use of leased property by the applicant;

(2) demonstrate that the enterprise development project or lease will create or expand economic development opportunities within the state;

(3) demonstrate that the proposed enterprise development project or lease will comply with applicable state and federal law;

(4) provide sufficient evidence that other means of financing a proposed enterprise development project are unavailable or insufficient; and

(5) include other documentation or certifications that the authority deems necessary.

B. The authority, in coordination with the department, shall:

(1) make the application publicly available, including a description of the scope and plans of the proposed enterprise development project or lease;

(2) ensure that all information relating to the enterprise development project or lease and the evaluation of the application is made publicly available, unless the information includes trade secrets or information that is otherwise unable to be disclosed as provided by law;

(3) prioritize applications for enterprise assistance that demonstrate local support and financial need; and

(4) prior to providing enterprise assistance, determine that:

(a) the proposed enterprise development project or lease will create or expand economic development opportunities within the state;

(b) the proposed enterprise development project or lease will comply with applicable state and federal law; and

(c) other means of financing a proposed enterprise development project are unavailable or insufficient.

C. A contract to provide enterprise assistance shall:

(1) define the roles and responsibilities of the authority and the opportunity enterprise partner;

(2) provide clawback or recapture provisions that protect the public investment in the event of a default on the contract;

- (3) provide a finance plan detailing the financial contributions and obligations of the authority and opportunity enterprise partner;
- (4) require an opportunity enterprise partner to provide guarantees, letters of credit or other acceptable forms of security, as determined by the authority;
- (5) specify how rents, if applicable, will be collected and accounted for;
- (6) specify how debts incurred on behalf of the opportunity enterprise partner will be repaid; and
- (7) provide that, in the event of a default, the authority may:
 - (a) elect to take possession of the property, including the succession of all right, title and interest in the enterprise development project; and
 - (b) terminate the lease or cease any further funding and exercise any other rights and remedies that may be available.

D. The authority may require any document, guarantee or certification from a recipient of enterprise assistance that the authority determines is necessary to ensure economic development opportunities are advanced by the enterprise assistance.

E. The authority may prioritize an application for enterprise assistance for a proposed enterprise development project located in a nonurban community.

F. Enterprise assistance shall only be provided if compliant with the Opportunity Enterprise and Housing Development Act. All contracts for enterprise assistance shall be provided to the board no later than thirty days from the execution of that contract.

G. As used in this section, "nonurban community" means a municipality with a population of less than sixty thousand according to the most recent federal decennial census or the unincorporated area of a county."

Chapter 8 Section 8 Laws 2024

SECTION 8. Section 6-34-10 NMSA 1978 (being Laws 2022, Chapter 57, Section 10) is amended to read:

"6-34-10. OPPORTUNITY ENTERPRISE LEASE--TERMS.--

A. The authority shall receive and review applications for opportunity enterprise leases. If the authority determines that an opportunity enterprise partner is eligible for an opportunity enterprise lease, the authority may enter into a contract to lease an available property to that opportunity enterprise partner in exchange for rent

payments, subject to the terms provided by this section. The authority may enter into agreements with the general services department or other state agency or entity approved by the board to administer an opportunity enterprise lease.

B. An opportunity enterprise lease shall:

(1) require that the property be used solely to create and expand economic development opportunities;

(2) provide, based on the fair market value of the property, for:

(a) sufficient rent; and

(b) other securities to ensure the maintenance and protection of the property;

(3) require that the property be properly insured for the duration of the lease; and

(4) be bound only by the terms of the lease and any rules promulgated pursuant to the provisions of the Opportunity Enterprise and Housing Development Act.

C. Receipts from the payment of rent owed pursuant to an opportunity enterprise lease shall be deposited in the opportunity enterprise revolving fund."

Chapter 8 Section 9 Laws 2024

SECTION 9. Section 6-34-11 NMSA 1978 (being Laws 2022, Chapter 57, Section 11) is amended to read:

"6-34-11. OPPORTUNITY ENTERPRISE LOANS--TERMS--REPAYMENT.--

A. The authority shall receive and review applications for opportunity enterprise loans. The authority may make loans to opportunity enterprise partners if:

(1) funding is available;

(2) the opportunity enterprise partner meets credit and identification criteria, as determined by the authority;

(3) the opportunity enterprise partner certifies that the proceeds of the loan will be used for an enterprise development project; and

(4) the opportunity enterprise partner meets any other requirement for an opportunity enterprise loan.

B. The opportunity enterprise partner shall provide the authority with ongoing information requested by the authority.

C. Opportunity enterprise loans shall be made for loan periods of no more than thirty years, as determined by the authority. The loans shall bear an annual interest rate of no less than zero percent.

D. Beginning no later than the third anniversary of the funding date of the loan, payment on the outstanding principal of the loan shall be due on a schedule determined by the authority for the remainder of the loan period.

E. Receipts from the repayment of opportunity enterprise loans shall be deposited in the opportunity enterprise revolving fund.

F. No provision in an opportunity enterprise loan or the evidence of indebtedness of the loan shall include a penalty or premium for prepayment of the balance of the indebtedness.

G. The authority may provide a guarantee to a federally insured financial institution on behalf of a person who would otherwise be eligible as an opportunity enterprise partner; provided that the proceeds of any guaranteed loan are used for an enterprise development project. A guarantee pursuant to this subsection shall be provided subject to terms approved by the board."

Chapter 8 Section 10 Laws 2024

SECTION 10. Section 6-34-12 NMSA 1978 (being Laws 2022, Chapter 57, Section 12) is amended to read:

"6-34-12. OPPORTUNITY ENTERPRISE REVOLVING FUND--CREATED--PERMITTED USES.--

A. The "opportunity enterprise revolving fund" is created within the authority. The fund consists of appropriations, distributions, transfers, gifts, grants, donations, bequests, fees collected, payments of principal and interest on opportunity enterprise loans, income from rents paid on opportunity enterprise leases, income from investment of the fund and any other money distributed or otherwise allocated to the fund. Balances in the fund at the end of a fiscal year shall not revert to the general fund except as provided in Section 6-34-13 NMSA 1978. The fund shall be administered by the authority as a separate account and may consist of such subaccounts as the authority deems necessary to carry out the purposes of the fund.

B. Money in the opportunity enterprise revolving fund shall be used by the authority to carry out the provisions of the Opportunity Enterprise and Housing Development Act, including to:

(1) pay the reasonably necessary administrative costs, payments in lieu of taxes and other costs and fees incurred by the authority in carrying out the provisions of that act;

(2) provide opportunity enterprise financing; and

(3) make opportunity enterprise loans.

C. Money in the opportunity enterprise revolving fund that is not needed for immediate disbursement may be deposited or invested in the same manner as other funds administered by the authority."

Chapter 8 Section 11 Laws 2024

SECTION 11. Section 6-34-13 NMSA 1978 (being Laws 2022, Chapter 57, Section 13) is amended to read:

"6-34-13. EXCESS REVENUE TO THE GENERAL FUND--OPPORTUNITY ENTERPRISE REVOLVING FUND--TRANSFER.--

A. If, on June 30, 2028 and by June 30 of each fiscal year thereafter, the balance in the opportunity enterprise revolving fund for that fiscal year exceeds the annual average amount by an amount greater than six percent, the amount in excess of six percent shall be transferred to the general fund. If there is not an excess amount pursuant to this section, no transfer shall be made from the fund.

B. As used in this section, "annual average amount" means the total balance of the opportunity enterprise revolving fund in the immediately preceding five fiscal years, divided by five."

Chapter 8 Section 12 Laws 2024

SECTION 12. A new section of the Opportunity Enterprise and Housing Development Act is enacted to read:

"HOUSING DEVELOPMENT ASSISTANCE--REQUIREMENTS.--

A. An application for housing development assistance shall:

(1) describe the scope and plans of the housing development project;

(2) demonstrate that the housing development project will create or expand housing within the state;

(3) demonstrate that the proposed housing development project will comply with applicable state and federal law;

(4) provide sufficient evidence that other means of financing a proposed housing development project are unavailable or insufficient; and

(5) include other documentation or certifications that the authority deems necessary.

B. The authority shall:

(1) make the application publicly available, including a description of the scope and plans of the proposed housing development project;

(2) ensure that all information relating to the housing development project and the evaluation of the application is made publicly available, unless the information is otherwise unable to be disclosed as provided by law;

(3) prioritize applications for housing development assistance that demonstrate local support and financial need; and

(4) prior to providing housing development assistance, determine that:

(a) the proposed housing development project will create or expand housing within the state;

(b) the proposed housing development project will comply with applicable state and federal law; and

(c) other means of financing a proposed housing development project are unavailable or insufficient."

Chapter 8 Section 13 Laws 2024

SECTION 13. A new section of the Opportunity Enterprise and Housing Development Act is enacted to read:

"HOUSING DEVELOPMENT LOANS--TERMS--REPAYMENT.--

A. The authority shall receive and review applications for housing development loans. The authority may make loans to housing development partners if:

(1) funding is available;

(2) the housing development partner meets credit and identification criteria, as determined by the authority;

(3) the housing development partner certifies that the proceeds of the loan will be used for a housing development project; and

(4) the housing development partner meets any other requirement for a housing development project loan as determined by the authority.

B. The housing development partner shall provide the authority with ongoing information requested by the authority.

C. Housing development loans shall be made for loan periods of no more than forty years, as determined by the authority. The loans shall bear an annual interest rate of no less than zero percent.

D. Receipts from the repayment of housing development loans shall be deposited in the housing development revolving fund.

E. No provision in a housing development loan or the evidence of indebtedness of the housing development loan shall include a penalty or premium for prepayment of the balance of the indebtedness.

F. The authority may prioritize an application for housing development assistance for a proposed housing development project located in a nonurban community. As used in this subsection, "nonurban community" means a municipality with a population of less than sixty thousand according to the most recent federal decennial census or the unincorporated area of a county."

Chapter 8 Section 14 Laws 2024

SECTION 14. A new section of the Opportunity Enterprise and Housing Development Act is enacted to read:

"HOUSING DEVELOPMENT REVOLVING FUND--CREATED.--

A. The "housing development revolving fund" is created within the authority. The fund consists of appropriations, distributions, transfers, gifts, grants, donations, bequests, fees collected, payments of principal and interest on housing development assistance, income from investment of the fund and any other money distributed or otherwise allocated to the fund. Balances in the fund at the end of a fiscal year shall not revert to any other fund. The fund shall be administered by the authority as a separate account and may consist of such subaccounts as the authority deems necessary to carry out the purposes of the fund.

B. Money in the housing development revolving fund shall be used by the authority to carry out the provisions of the Opportunity Enterprise and Housing Development Act, including to:

(1) pay the reasonably necessary administrative costs and other costs and fees incurred by the authority in carrying out the provisions of that act; and

(2) provide housing development assistance.

C. Money in the housing development revolving fund that is not needed for immediate disbursement may be deposited or invested in the same manner as other funds administered by the authority."

Chapter 8 Section 15 Laws 2024

SECTION 15. Section 6-34-14 NMSA 1978 (being Laws 2022, Chapter 57, Section 14) is amended to read:

"6-34-14. REPORTS.--

A. On December 1, 2024 and each succeeding December 1 thereafter, the authority shall submit a report to the governor, the legislature, the legislative finance committee, the New Mexico finance authority oversight committee, the revenue stabilization and tax policy committee and other appropriate legislative interim committees. The report shall provide details regarding assistance from the opportunity enterprise revolving fund and housing development revolving fund provided pursuant to the Opportunity Enterprise and Housing Development Act. The report shall include:

(1) the total amount of enterprise assistance provided for enterprise development projects and state revenue derived from each enterprise development project;

(2) the total number of loans made pursuant to the Opportunity Enterprise and Housing Development Act; the amount of those loans; the number of loan recipients in a delinquent status, in default or that have filed for bankruptcy;

(3) an overview of the industries and types of business entities operating pursuant to an enterprise development project or lease;

(4) the total number of employees currently employed directly or indirectly related to an enterprise development project or lease;

(5) the total number of affordable housing units and workforce development housing units supported by housing development assistance; and

(6) any recommended changes to the Opportunity Enterprise and Housing Development Act to ensure proper safeguards for public money and to ensure enterprise assistance and housing development assistance are able to efficiently advance the economic development interests of the state.

B. Information obtained by the authority regarding applicants for enterprise assistance and housing development assistance is confidential and not subject to

inspection pursuant to the Inspection of Public Records Act; provided that nothing shall prevent the authority from disclosing:

- (1) information required in the report pursuant to this section;
- (2) public information pursuant to Paragraphs (1) and (2) of Subsection B of Section 6-34-8 NMSA 1978 and Paragraphs (1) and (2) of Subsection B of Section 12 of this 2024 act; and
- (3) the names of persons that have received enterprise assistance and housing development assistance and the amounts of assistance provided pursuant to the Opportunity Enterprise and Housing Development Act."

Chapter 8 Section 16 Laws 2024

SECTION 16. Section 6-34-15 NMSA 1978 (being Laws 2022, Chapter 57, Section 15) is amended to read:

"6-34-15. CONFLICT OF INTEREST.--

A. If a member of the board or an employee of the authority has an interest, either direct or indirect, in an application or contract relating to enterprise assistance or housing development assistance, that interest shall be disclosed to the authority and the board in writing. The person having such interest shall not participate in actions by the board or the authority with respect to that conflict.

B. A person who has a conflict of interest and participates in an action involving that conflict of interest or knowingly fails to notify the authority and the board in writing of that conflict is guilty of a misdemeanor and upon conviction shall be sentenced pursuant to the provisions of Section 31-19-1 NMSA 1978."

LAWS 2024, CHAPTER 9

HAAWC/House Bill 211, aa
Approved February 28, 2024

AN ACT

RELATING TO FINANCE; PRIORITIZING WATER PROJECT FUND PROJECTS THAT ARE URGENT TO ADDRESS PUBLIC HEALTH AND SAFETY; ALLOWING THE WATER TRUST BOARD TO AUTHORIZE WATER PROJECTS FOR WASTEWATER CONVEYANCE AND TREATMENT; PROVIDING THAT THE NEW MEXICO FINANCE AUTHORITY SET REQUIREMENTS OF FINANCIAL CAPABILITY OF QUALIFYING ENTITIES AND DETERMINE COSTS OF ORIGINATING GRANTS AND LOANS; REMOVING THE REQUIREMENT THAT ELIGIBLE ENTITIES CONDUCT AN AUDIT;

REMOVING FISCAL AGENT FEES FROM ITEMS THAT ARE ELIGIBLE FOR GRANTS AND LOANS; REDUCING THE AMOUNT OF WATER PROJECT FUNDS DISTRIBUTED TO THE STATE ENGINEER FOR THE NEXT FIVE YEARS; PROVIDING THAT MONEY IN THE WATER PROJECT FUND MAY BE USED TO HIRE CONTRACTORS TO PROVIDE TECHNICAL ASSISTANCE; CHANGING THE DATE THAT THE WATER TRUST BOARD IS REQUIRED TO REPORT TO THE LEGISLATURE.

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

Chapter 9 Section 1 Laws 2024

SECTION 1. Section 72-4A-5 NMSA 1978 (being Laws 2001, Chapter 164, Section 5, as amended) is amended to read:

"72-4A-5. BOARD--DUTIES.--The board shall:

A. adopt rules governing terms and conditions of grants or loans recommended by the board for appropriation by the legislature from the water project fund, giving priority to projects that have been identified by the board as being urgent to address public health and safety issues; that have matching contributions from federal or local funding sources available; and that have obtained all requisite state and federal permits and authorizations necessary to initiate the project;

B. authorize qualifying water projects to the authority that are for:

- (1) storage, conveyance or delivery of water to end users;
- (2) implementation of federal Endangered Species Act of 1973 collaborative programs;
- (3) wastewater conveyance and treatment;
- (4) restoration and management of watersheds;
- (5) flood prevention; or
- (6) water conservation or recycling, treatment or reuse of water as provided by law; and

C. evaluate projects, including their environmental impacts, and recommend projects to the interstate stream commission pursuant to the provisions of Section 72-14-45 NMSA 1978."

Chapter 9 Section 2 Laws 2024

SECTION 2. Section 72-4A-7 NMSA 1978 (being Laws 2001, Chapter 164, Section 7, as amended) is amended to read:

"72-4A-7. CONDITIONS FOR GRANTS AND LOANS.--

A. Grants and loans shall be made only to qualifying entities that:

(1) agree to operate and maintain a water project so that it will function properly over the structural and material design life;

(2) require the contractor of a construction project to post a performance and payment bond in accordance with the requirements of Section 13-4-18 NMSA 1978;

(3) provide written assurance signed by an attorney or provide a title insurance policy that the qualifying entity has proper title, easements and rights of way to the property upon or through which a water project proposed for funding is to be constructed or extended;

(4) meet the requirements of the financial capability set by the authority to ensure sufficient revenues to operate and maintain a water project for its useful life and to repay the loan;

(5) agree to properly maintain financial records in accordance with all applicable laws; and

(6) agree to pay costs of originating grants and loans as determined by rules adopted by the authority.

B. Plans and specifications for a water project shall be approved by the authority after review and upon the recommendation of the state engineer and the department of environment before grant or loan disbursements to pay for construction costs are made to a qualifying entity. Plans and specifications for a water project shall incorporate available technologies and operational design for water use efficiency.

C. Grants and loans shall be made only for eligible items, which include:

(1) to match federal and local cost shares;

(2) engineering feasibility reports;

(3) contracted engineering design;

(4) inspection of construction;

- (5) special engineering services;
- (6) environmental or archaeological surveys;
- (7) construction;
- (8) land acquisition;
- (9) easements and rights of way; and
- (10) legal costs."

Chapter 9 Section 3 Laws 2024

SECTION 3. Section 72-4A-9 NMSA 1978 (being Laws 2001, Chapter 164, Section 9, as amended) is amended to read:

"72-4A-9. WATER PROJECT FUND--CREATED--PURPOSE.--

A. The "water project fund" is created in the authority and shall consist of distributions made to the fund from the water trust fund and payments of principal of and interest on loans for approved water projects. The fund shall also consist of any other money appropriated, distributed or otherwise allocated to the fund for the purpose of supporting water projects pursuant to provisions of the Water Project Finance Act. The fund shall be administered by the authority. Income from investment of the water project fund shall be credited to the fund. Balances in the fund at the end of any fiscal year shall not revert to the general fund. The water project fund may consist of such subaccounts as the authority deems necessary to carry out the purposes of the fund. The authority may establish procedures and adopt rules as required to administer the fund and to recover from the fund costs of administering the fund and originating grants and loans. Ten percent of all water project funds shall be dedicated to the state engineer for water rights adjudications, and twenty percent of the money dedicated for water rights adjudications shall be allocated to the administrative office of the courts for the courts' costs associated with water rights adjudications; provided that from July 1, 2024 through June 30, 2029, the lesser of four million dollars (\$4,000,000) or eight percent of all water project funds shall be dedicated to the state engineer for water rights adjudications and two percent of all water project funds shall be dedicated to the administrative office of the courts for the courts' costs associated with water rights adjudications.

B. Money in the water project fund may be used by the authority to:

- (1) make loans or grants to qualified entities for projects and water rights adjudications; provided that projects shall require legislative approval; and
- (2) hire contractors to provide financial and administrative capacity development and direct technical assistance on water projects.

C. The authority is authorized to issue revenue bonds payable from the proceeds of loan repayments made into the water project fund upon a determination by the authority that issuance of the bonds is necessary to replenish the principal balance of the fund. The net proceeds from the sale of the bonds shall be deposited in the water project fund. The bonds shall be authorized and issued by the authority in accordance with the provisions of the New Mexico Finance Authority Act."

Chapter 9 Section 4 Laws 2024

SECTION 4. Section 72-4A-10 NMSA 1978 (being Laws 2001, Chapter 164, Section 10) is amended to read:

"72-4A-10. REPORT TO LEGISLATURE.--The board shall report to the legislature no later than December 1 of each calendar year the total expenditures from the water project fund, their purposes, an analysis of the accomplishments of the expenditures and recommendations for legislative action."

LAWS 2024, CHAPTER 10

House Bill 232, aa
Approved February 28, 2024

AN ACT

RELATING TO EXECUTIVE REORGANIZATION; CREATING THE INFRASTRUCTURE PLANNING AND DEVELOPMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TRANSFERRING FUNCTIONS, PERSONNEL, APPROPRIATIONS, MONEY, PROPERTY AND CONTRACTUAL OBLIGATIONS.

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

Chapter 10 Section 1 Laws 2024

SECTION 1. Section 6-15-2 NMSA 1978 (being Laws 1925, Chapter 131, Section 2, as amended) is amended to read:

"6-15-2. BOND ISSUES--LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR PUBLIC EDUCATION DEPARTMENT TO FURNISH INFORMATION--TRANSCRIPTS OF PROCEEDINGS--DISPOSITION.--It is the duty of the local government division of the department of finance and administration or the public education department, upon the receipt of the notice mentioned in Section 6-15-1 NMSA 1978, to furnish the governing authorities with all necessary information with reference to the valuation, present outstanding bonded indebtedness, limitations as to tax rates and debt contracting power and other information as may be useful to the governing authorities and to the voters of the

county, municipality or school district in the consideration of any proposal to issue bonds. Upon the adoption of a bond issue as provided by law by a county, municipality or school district, the governing authorities shall prepare a true and complete transcript of proceedings and three exact copies of the transcript of the proceedings had in connection with the bond issue. One copy of the transcript of the proceedings shall be immediately filed with the local government division or the department, one kept by the governing authorities and one copy to be furnished to the officer approving the bond issue as to its legality as provided by law."

Chapter 10 Section 2 Laws 2024

SECTION 2. Section 9-6-1 NMSA 1978 (being Laws 1977, Chapter 247, Section 1, as amended) is amended to read:

"9-6-1. SHORT TITLE.--Sections 9-6-1 through 9-6-5.2, 9-6-15, 9-6-16 and 9-6-20 NMSA 1978 may be cited as the "Department of Finance and Administration Act"."

Chapter 10 Section 3 Laws 2024

SECTION 3. Section 9-6-3 NMSA 1978 (being Laws 1977, Chapter 247, Section 3, as amended) is amended to read:

"9-6-3. DEPARTMENT OF FINANCE AND ADMINISTRATION--CREATION--TRANSFER AND MERGER OF DIVISION FUNCTIONS--MERGER AND CREATION OF DIVISIONS.--

A. The "department of finance and administration" is created. The department shall consist of those divisions created by law or executive order, including but not limited to:

- (1) the board of finance division;
- (2) the financial control division;
- (3) the infrastructure planning and development division;
- (4) the local government division;
- (5) the management and contracts review division; and
- (6) the state budget division.

B. The secretary is empowered to organize the department and the divisions of the department specified in Subsection A of this section and may transfer or merge functions between divisions in the interest of efficiency and economy.

C. The governor is empowered to merge divisions of the department or to create additional divisions by executive order in the interest of efficiency and economy."

Chapter 10 Section 4 Laws 2024

SECTION 4. Section 9-6-16 NMSA 1978 (being Laws 2021, Chapter 62, Section 1) is amended to read:

"9-6-16. RURAL EQUITY OMBUD--INFRASTRUCTURE PLANNING AND DEVELOPMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION--DUTIES.--

A. The infrastructure planning and development division of the department of finance and administration shall employ at least one "rural equity ombud", whose job it is to work on issues of concern to rural and frontier communities with:

(1) the governor's office, the legislature and all state agencies;

(2) counties and municipalities in the state;

(3) federal agencies, including the rural utilities service and the rural development agency of the United States department of agriculture, the United States department of the interior, the United States department of housing and urban development and other appropriate federal agencies; and

(4) nonprofit organizations that address issues faced by rural and frontier communities or provide services to residents of those communities.

B. The rural equity ombud shall be employed solely on the basis of education and experience.

C. The rural equity ombud shall:

(1) provide technical assistance to federal, state and local governments on issues of concern for rural and frontier communities;

(2) provide planning assistance to the state and counties to ensure that concerns of residents of rural and frontier communities are being addressed as part of the state's or a county's planning processes in:

(a) health;

(b) human services;

(c) educational services;

- (d) economic development;
 - (e) infrastructure planning, funding and improvements, including water and wastewater, utilities, roads and highways, broadband and other infrastructure;
 - (f) public safety;
 - (g) transportation;
 - (h) land use and land development;
 - (i) tourism;
 - (j) energy;
 - (k) natural resource management, including game and fish resources;
 - (l) community development block grant projects;
 - (m) state or local planning in conjunction with federal agencies and funding; and
 - (n) any other planning processes that affect rural and frontier communities;
- (3) serve as an advocate for rural and frontier communities and work to ensure that those communities' needs are met and that residents of rural and frontier communities have a voice in state and local government;
- (4) take and resolve complaints from rural and frontier communities;
- (5) provide bill analyses and provide testimony to the legislature on legislation that positively or negatively affects rural and frontier communities;
- (6) make annual reports to the governor and the legislature on:
- (a) activities of the ombud, including interactions with governmental agencies and the outcome of those interactions;
 - (b) complaints received and resolved;
 - (c) structural barriers to providing needed services to rural and frontier communities and recommendations for eliminating or ameliorating those barriers; and

(d) other information that may inform executive and legislative decisions affecting rural and frontier communities; and

(7) perform other duties as assigned by the director of the infrastructure planning and development division, the secretary of finance and administration, the governor or the legislature."

Chapter 10 Section 5 Laws 2024

SECTION 5. A new section of the Department of Finance and Administration Act, Section 9-6-20 NMSA 1978, is enacted to read:

"9-6-20. INFRASTRUCTURE PLANNING AND DEVELOPMENT DIVISION--
DUTIES.--

A. The infrastructure planning and development division of the department of finance and administration consists of the following programs or bureaus that had previously been assigned to another division of the department:

(1) local government infrastructure capital improvements planning of the local government division;

(2) the rural equity ombud program of the local government division;
and

(3) other short- or long-term programs and funds of other divisions of the department that the secretary of finance and administration assigns to the infrastructure planning and development division.

B. In addition to other duties that may be assigned to the infrastructure planning and development division by the secretary of finance and administration or by law, the division shall:

(1) provide assistance to local governments, councils of governments and tribal governments in identifying and accessing funding for infrastructure development from public and private sources and in administering funding to complete capital projects;

(2) receive, review and evaluate capital project plans proposed by local governments, councils of government and tribal governments and provide advice on the plans; and

(3) coordinate with the federal grants bureau to leverage state dollars for federal infrastructure grants and to identify federal funding opportunities for state and local projects and track the pursuit and receipt of those federal grants."

Chapter 10 Section 6 Laws 2024

SECTION 6. TEMPORARY PROVISION--TRANSFER.--

A. The rural equity ombud program of the local government division of the department of finance and administration, including its functions, personnel, appropriations, money, records and other property, shall be transferred to the infrastructure planning and development division of the department of finance and administration.

B. The secretary of finance and administration shall assign other programs and funds management to the appropriate division.

C. Contractual obligations of any of the transferred units of the department of finance and administration shall continue to be obligations of the department.

Chapter 10 Section 7 Laws 2024

SECTION 7. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 11

House Bill 28, aa, w/ec
Approved February 28, 2024

AN ACT

RELATING TO FINANCE; AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO MAKE LOANS FOR PUBLIC PROJECTS FROM THE PUBLIC PROJECT REVOLVING FUND; DECLARING AN EMERGENCY.

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

Chapter 11 Section 1 Laws 2024

SECTION 1. AUTHORIZATION OF PROJECTS.--Pursuant to Section 6-21-6 NMSA 1978, the legislature authorizes the New Mexico finance authority to make loans from the public project revolving fund for public projects as defined in Section 6-21-3 NMSA 1978. Pursuant to Section 6-21-6 NMSA 1978, loans of one million dollars (\$1,000,000) or less do not require specific authorization and need not be identified in this act. Authorization is given to the New Mexico finance authority to make loans to the following qualified entities on terms and conditions established by the authority:

1. the ABQ charter academy in Bernalillo county for land, building, equipment, furniture and machinery projects;

2. the Albuquerque-Bernalillo county water utility authority in Bernalillo county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system and water rights projects;
3. the Aldo Leopold charter school in Grant county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational projects;
4. the Alto Lakes water and sanitation district in Lincoln county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights and public recreational facility projects;
5. the Altura preparatory school in Bernalillo county for land, building, equipment, furniture and machinery projects;
6. the village of Angel Fire in Colfax county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;
7. the Anthony water and sanitation district in Dona Ana county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;
8. the city of Artesia in Eddy county for road, street, airport, parking facility, public transportation system and public recreational facility projects;
9. the ASK academy in Bernalillo county for land, building, equipment, furniture, machinery and refinancing projects;
10. the city of Aztec in San Juan county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;
11. the Capitan municipal school district in Lincoln county for land, building, equipment, furniture and machinery projects;
12. the Carrizozo municipal school district in Lincoln county for land, building, equipment, furniture, machinery and refinancing projects;
13. the Chama Valley independent school district in Rio Arriba county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid

waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

14. the Christine Duncan's Heritage academy in Bernalillo county for land, building, equipment, furniture, machinery, road, street, airport, parking facility, public transportation system and public recreational facility projects;

15. the Cottonwood Classical preparatory school in Bernalillo county for land, building, equipment, furniture and machinery projects;

16. the village of Des Moines in Union county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

17. the Des Moines municipal school district in Union county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

18. the Digital Arts and Technology academy in Bernalillo county for land, building, equipment, furniture and machinery projects;

19. the Dulce independent school district in Rio Arriba county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

20. the Dzil Ditl'ooi school of empowerment, action and perseverance in McKinley county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

21. East Mountain high school in Bernalillo county for land, building, equipment, furniture and machinery projects;

22. the town of Edgewood in Santa Fe county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

23. the Elephant Butte irrigation district in Dona Ana county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

24. the Estancia municipal school district in Torrance county for land, building, equipment, furniture, machinery, road, street, airport, parking facility, public transportation system and refinancing projects;

25. the Explore academy in Bernalillo county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

26. the Explore academy-Las Cruces in Dona Ana county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

27. the Explore academy-Rio Rancho in Sandoval county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

28. the Fiesta public improvement district in Valencia county for public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility and public transportation system projects;

29. the Fort Sumner municipal school district in De Baca county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

30. the general services department for land, building, equipment, furniture, machinery and refinancing projects;

31. the Gordon Bernell charter school in Bernalillo county for land, building, equipment, furniture and machinery projects;

32. the Hatch Valley public school district in Dona Ana county for land, building, equipment, furniture, machinery, road, street, airport, parking facility and public transportation system projects;

33. the Indian Pueblo cultural center in Bernalillo county for land, building, equipment, furniture, machinery and refinancing projects;

34. the Indian Pueblo marketing, incorporated 3 in Bernalillo county for land, building, equipment, furniture, machinery and refinancing projects;

35. the Indian Pueblo marketing, incorporated 4 in Bernalillo county for land, building, equipment, furniture, machinery and refinancing projects;

36. the Indian Pueblo marketing, incorporated 5 in Bernalillo county for land, building, equipment, furniture, machinery and refinancing projects;

37. the Indian Pueblo marketing, incorporated 6 in Bernalillo county for land, building, equipment, furniture, machinery and refinancing projects;

38. the International school at Mesa del Sol in Bernalillo county for land, building, equipment, furniture and machinery projects;

39. the J. Paul Taylor academy in Dona Ana county for land, building, equipment, furniture and machinery projects;

40. the Jemez Mountain public school district in Rio Arriba county for land, building, equipment, furniture and machinery projects;

41. the Jicarilla Apache Nation in Rio Arriba county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

42. the Pueblo of Laguna in Cibola county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

43. the Las Cruces public school district in Dona Ana county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

44. the city of Las Cruces in Dona Ana county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

45. Las Montanas charter high school in Dona Ana county for land, building, equipment, furniture, machinery and public recreational facility projects;

46. the city of Las Vegas in San Miguel county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

47. Lincoln county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport,

parking facility, public transportation system, public recreational facility and refinancing projects;

48. the Los Alamos public school district in Los Alamos county for land, building, equipment, furniture, machinery, public recreational facility and refinancing projects;

49. the city of Lovington in Lea county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

50. the governing board of Luna community college in San Miguel county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

51. the Mark Armijo academy in Bernalillo county for land, building, equipment, furniture and machinery projects;

52. the Maxwell municipal school district in Colfax county for land, building, equipment, furniture, machinery, road, street, airport, parking facility and public transportation system projects;

53. the McCurdy charter school in Rio Arriba county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

54. the Mesa del Sol public improvement district 1 in Bernalillo county for public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and refinancing projects;

55. the Mesa del Sol public improvement district 3 in Bernalillo county for public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility and public transportation system projects;

56. the Mesa del Sol tax increment development district 2 in Bernalillo county for public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility and public transportation system projects;

57. the governing board of Mesalands community college in Quay county for land, building, equipment, furniture, machinery, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

58. the middle Rio Grande conservancy district in Bernalillo county for land, building, equipment, furniture and machinery projects;

59. the Mission achievement and success charter school in Bernalillo county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility and public transportation system projects;

60. the Monte del Sol charter school in Santa Fe county for land, building, equipment, furniture, machinery, public recreational facility and refinancing projects;

61. Mora county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

62. Moreno Valley high school in Colfax county for land, building, equipment, furniture and machinery projects;

63. the Mountain Mahogany community school in Bernalillo county for land, building, equipment, furniture and machinery projects;

64. the board of regents of New Mexico highlands university in San Miguel county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

65. the spaceport authority in Dona Ana county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility and public transportation system projects;

66. the Public academy for performing arts in Bernalillo county for land, building, equipment, furniture and machinery projects;

67. the town of Red River in Taos county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

68. the Rio Grande academy of fine arts in Bernalillo county for land, building, equipment, furniture and machinery projects;

69. the city of Rio Rancho in Sandoval county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

70. the Roosevelt county special hospital district in Roosevelt county for land, building, equipment, furniture and machinery projects;

71. the city of Roswell in Chaves county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

72. the Sandoval academy of bilingual education in Sandoval county for land, building, equipment, furniture and machinery projects;

73. the governing body of San Juan college in San Juan county for land, building, equipment, furniture and machinery projects;

74. the San Juan soil and water conservation district in San Juan county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system and water rights projects;

75. the Santa Rosa consolidated school district in Guadalupe county for land, building, equipment, furniture and machinery projects;

76. the School of Dreams academy in Valencia county for land, building, equipment, furniture, machinery and refinancing projects;

77. the Siembra Leadership high school in Bernalillo county for land, building, equipment, furniture, machinery, road, street, airport, parking facility and public transportation system projects;

78. Sierra county for land, building, equipment, furniture, machinery, road, street, airport, parking facility, public transportation system and public recreational facility projects;

79. the city of Socorro in Socorro county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

80. the Solare Collegiate charter school and foundation in Bernalillo county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights and refinancing projects;

81. the South Campus tax increment development district in Bernalillo county for public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility and public transportation system projects;

82. the South Valley academy in Bernalillo county for land, building, equipment, furniture, machinery, road, street, airport, parking facility and public transportation system projects;

83. the Southwest aeronautics, mathematics and science academy in Bernalillo county for land, building, equipment, furniture and machinery projects;

84. the Springer municipal school district in Colfax county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, public recreational facility and refinancing projects;

85. Taos county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

86. the Taos integrated school of the arts in Taos county for land, building, equipment, furniture and machinery projects;

87. the Taos municipal school district in Taos county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

88. the village of Taos Ski Valley in Taos county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

89. the Technology Leadership high school in Bernalillo county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

90. the Tierra Adentro: the New Mexico school of academics, arts and artesanía in Bernalillo county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

91. the Tierra y Montes soil and water conservation district in San Miguel county for land, building, equipment, furniture and machinery projects;

92. the Trails public improvement district in Bernalillo county for refinancing projects;

93. the Truth or Consequences municipal school district in Sierra county for land, building, equipment, furniture and machinery projects;

94. the city of Tucumcari in Quay county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

95. Union county for land, building, equipment, furniture, machinery, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

96. the Vaughn municipal school district in Guadalupe county for land, building, equipment, furniture, machinery, road, street, airport, parking facility and public transportation system projects;

97. the board of regents of western New Mexico university in Grant county for land, building, equipment, furniture, machinery and refinancing projects;

98. the village of Williamsburg in Sierra county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

99. the Winrock town center tax increment development district 1 in Bernalillo county for refinancing projects;

100. the Winrock town center tax increment development district 2 in Bernalillo county for refinancing projects;

101. the academy for technology and the classics in Santa Fe county for land, building, equipment, furniture, machinery, road, street, airport, parking facility and public transportation system projects;

102. the Pueblo of Acoma in Cibola county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system and water rights projects;

103. the Albuquerque bilingual academy in Bernalillo county for land, building, equipment, furniture, machinery and public recreational facility projects;

104. the Alice King community school in Bernalillo county for land, building, equipment, furniture and machinery projects;

105. the Artesia public school district in Eddy county for land, building, equipment, furniture, machinery, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;
106. the town of Bernalillo in Sandoval county for public utility, electric, water, wastewater, solid waste system and water rights projects;
107. Cibola county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;
108. the Dream Dine charter school in San Juan county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;
109. the Eunice public school district in Lea county for land, building, equipment, furniture and machinery projects;
110. the Gilbert L. Sena charter high school in Sandoval county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system and water rights projects;
111. the Grants-Cibola county school district in Cibola county for land, building, equipment, furniture and machinery projects;
112. Guadalupe county for land, building, equipment, furniture and machinery projects;
113. the Hagerman municipal school district in Chaves county for land, building, equipment, furniture and machinery projects;
114. the Horizon academy west charter school in Bernalillo county for land, building, equipment, furniture and machinery projects;
115. the Hozho academy in McKinley county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;
116. the Lake Arthur municipal school district in Chaves county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

117. the Logan municipal school district in Quay county for land, building, equipment, furniture and machinery projects;

118. the village of Maxwell in Colfax county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

119. the Mora independent school district in Mora county for land, building, equipment, furniture, machinery, road, street, airport, parking facility and public transportation system projects;

120. the Mosaic academy charter school in San Juan county for land, building, equipment, furniture, machinery and public recreational facility projects;

121. the Mosquero municipal school district in Harding county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

122. the Native American community academy in Bernalillo county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

123. the New America school-New Mexico in Bernalillo county for land, building, equipment, furniture and machinery projects;

124. the board of regents of the New Mexico institute of mining and technology in Socorro county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

125. the board of regents of New Mexico state university in Dona Ana county for land, building, equipment, furniture and machinery projects;

126. the North Valley academy in Bernalillo county for land, building, equipment, furniture, machinery and refinancing projects;

127. the Penasco independent school district in Taos county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

128. the Raices del Saber Xinachtli community school in Dona Ana county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

129. the Rio Gallinas school of ecology and the arts in San Miguel county for land, building, equipment, furniture and machinery projects;

130. the Roots and Wings community school in Taos county for land, building, equipment, furniture and machinery projects;

131. San Juan county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

132. the Six Directions Indigenous school in McKinley county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

133. the southern Sandoval county arroyo flood control authority in Sandoval county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights and refinancing projects;

134. the town of Taos in Taos county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system and public recreational facility projects;

135. the Timberon water and sanitation district in Otero county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system, water rights, road, street, airport, parking facility, public transportation system, public recreational facility and refinancing projects;

136. the Turquoise Trail charter school in Santa Fe county for land, building, equipment, furniture and machinery projects;

137. the university of New Mexico foundation, inc., in Bernalillo county for land, building, equipment, furniture and machinery projects; and

138. the Vista Grande charter high school in Taos county for land, building, equipment, furniture, machinery, public utility, electric, water, wastewater, solid waste system and water rights projects.

Chapter 11 Section 2 Laws 2024

SECTION 2. VOIDING OF AUTHORIZATION.--If a qualified entity listed in Section 1 of this act has not certified to the New Mexico finance authority by the end of fiscal year 2027 its desire to continue to pursue a loan from the public project revolving fund for a public project listed in that section, the legislative authorization granted to the New Mexico finance authority by Section 1 of this act to make a loan from the public project revolving fund to that qualified entity for that public project is void.

Chapter 11 Section 3 Laws 2024

SECTION 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 12

House Bill 29

Approved February 28, 2024

AN ACT

MAKING APPROPRIATIONS FROM THE PUBLIC PROJECT REVOLVING FUND TO THE DRINKING WATER STATE REVOLVING LOAN FUND, LOCAL GOVERNMENT PLANNING FUND AND CULTURAL AFFAIRS FACILITIES INFRASTRUCTURE FUND.

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

Chapter 12 Section 1 Laws 2024

SECTION 1. APPROPRIATIONS.--

A. The following amounts are appropriated from the public project revolving fund to the following funds:

(1) six million dollars (\$6,000,000) to the drinking water state revolving loan fund for expenditure in fiscal year 2025 and subsequent fiscal years to provide state matching funds for federal Safe Drinking Water Act of 1974 projects and to carry out the purposes of the Drinking Water State Revolving Loan Fund Act;

(2) two million dollars (\$2,000,000) to the local government planning fund for expenditure in fiscal year 2025 and subsequent fiscal years to carry out the purposes of the fund; and

(3) five million dollars (\$5,000,000) to the cultural affairs facilities infrastructure fund for expenditure in fiscal year 2025 and subsequent fiscal years to carry out the purposes of the fund.

B. Any unexpended or unencumbered balances remaining at the end of a fiscal year shall not revert to the public project revolving fund.

LAWS 2024, CHAPTER 13

STBTC/Senate Bill 88

Approved February 28, 2024

AN ACT

RELATING TO CREDENTIALS; ENACTING THE ELECTRONIC CREDENTIALS ACT TO ALLOW THE TAXATION AND REVENUE DEPARTMENT TO ISSUE ELECTRONIC CREDENTIALS FOR DRIVER'S LICENSES AND IDENTIFICATION CARDS.

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

Chapter 13 Section 1 Laws 2024

SECTION 1. Section 66-1-4.3 NMSA 1978 (being Laws 1990, Chapter 120, Section 4, as amended) is amended to read:

"66-1-4.3. DEFINITIONS.--As used in the Motor Vehicle Code:

A. "camping body" means a vehicle body primarily designed or converted for use as temporary living quarters for recreational, camping or travel activities excluding recreational vehicles unless used in commerce;

B. "camping trailer" means a camping body, mounted on a chassis, or frame with wheels, designed to be drawn by another vehicle and that has collapsible partial side walls that fold for towing and unfold at the campsite;

C. "cancellation" means that a driver's license is annulled and terminated because of some error or defect or because the licensee is no longer entitled to the license, but cancellation of a license is without prejudice, and application for a new license may be made at any time after cancellation;

D. "casual sale" means the sale of a motor vehicle by the registered owner of the vehicle if the owner has not sold more than four vehicles in that calendar year;

E. "chassis" means the complete motor vehicle, including standard factory equipment, exclusive of the body and cab;

F. "collector" means a person who is the owner of one or more vehicles of historic or special interest who collects, purchases, acquires, trades or disposes of these vehicles or parts thereof for the person's own use in order to preserve, restore and maintain a similar vehicle for hobby purposes;

G. "combination" means any connected assemblage of a motor vehicle and one or more semitrailers, trailers or semitrailers converted to trailers by means of a converter gear;

H. "combination gross vehicle weight" means the sum total of the gross vehicle weights of all units of a combination;

I. "commerce" means the transportation of persons, property or merchandise for hire, compensation, profit or in the furtherance of a commercial enterprise in this state or between New Mexico and a place outside New Mexico, including a place outside the United States;

J. "commercial motor vehicle" means a self-propelled or towed vehicle, other than special mobile equipment, used on public highways in commerce to transport passengers or property when the vehicle:

(1) is operated interstate and has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of four thousand five hundred thirty-six kilograms, or ten thousand one pounds or more; or is operated only in intrastate commerce and has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of twenty-six thousand one or more pounds;

(2) is designed or used to transport more than eight passengers, including the driver, and is used to transport passengers for compensation;

(3) is designed or used to transport sixteen or more passengers, including the driver, and is not used to transport passengers for compensation; or

(4) is used to transport hazardous materials of the type or quantity requiring placarding under rules prescribed by applicable federal or state law;

K. "controlled-access highway" means every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the highway, street or roadway except at those points only and in the manner as may be determined by the public authority having jurisdiction over the highway, street or roadway;

L. "controlled substance" means any substance defined in Section 30-31-2 NMSA 1978 as a controlled substance;

M. "converter gear" means any assemblage of one or more axles with a fifth wheel mounted thereon, designed for use in a combination to support the front end of a semitrailer but not permanently attached thereto. A converter gear shall not be considered a vehicle, as that term is defined in Section 66-1-4.19 NMSA 1978, but weight attributable thereto shall be included in declared gross weight;

N. "conviction":

(1) means:

(a) a finding of guilt in the trial court in regard to which the violator has waived or exhausted all rights to appeal;

(b) a plea of guilty or nolo contendere accepted by the court;

(c) an unvacated forfeiture of bail or collateral deposited to secure a person's appearance in court; or

(d) the promise to mail a payment on a penalty assessment; and

(2) does not include a conditional discharge as provided in Section 31-20-13 NMSA 1978 or a deferred sentence when the terms of the deferred sentence are met;

O. "credential holder" means a person who has been issued a physical or an electronic credential;

P. "crosswalk" means:

(1) that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; and

(2) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface; and

Q. "curb cut" means a short ramp through a curb or built up to the curb."

Chapter 13 Section 2 Laws 2024

SECTION 2. Section 66-1-4.4 NMSA 1978 (being Laws 1990, Chapter 120, Section 5, as amended) is amended to read:

"66-1-4.4. DEFINITIONS.--As used in the Motor Vehicle Code:

A. "data element" means a distinct component of a customer's information that is found on the department's customer record;

B. "day" means calendar day, unless otherwise provided in the Motor Vehicle Code;

C. "dealer", except as specifically excluded, means any person who sells or solicits or advertises the sale of new or used motor vehicles, manufactured homes or trailers subject to registration in this state; "dealer" does not include:

(1) receivers, trustees, administrators, executors, guardians or other persons appointed by or acting under judgment, decree or order of any court;

(2) public officers while performing their duties as such officers;

(3) persons making casual sales of their own vehicles;

(4) finance companies, banks and other lending institutions making sales of repossessed vehicles; or

(5) licensed brokers under the Manufactured Housing Act who, for a fee, commission or other valuable consideration, engage in brokerage activities related to the sale, exchange or lease purchase of pre-owned manufactured homes on a site installed for a consumer;

D. "declared gross weight" means the maximum gross vehicle weight or gross combination vehicle weight at which a vehicle or combination will be operated during the registration period, as declared by the registrant for registration and fee purposes; the vehicle or combination shall have only one declared gross weight for all operating considerations;

E. "department" means the taxation and revenue department, the secretary of taxation and revenue or any employee of the department exercising authority lawfully delegated to that employee by the secretary;

F. "designated accessible parking space for persons with significant mobility limitation" means any space, including an access aisle, that is marked and reserved for the parking of a passenger vehicle that carries registration plates or a parking placard with the international symbol of access issued in accordance with Section 66-3-16 NMSA 1978 and that is designated by a conspicuously posted sign bearing the international symbol of access and, if the parking space is paved, by a clearly visible depiction of this symbol painted in blue on the pavement of the space;

G. "director" means the secretary;

H. "disqualification" means a prohibition against driving a commercial motor vehicle;

I. "distinguishing number" means the number assigned by the department to a vehicle whose identifying number has been destroyed or obliterated or the number assigned by the department to a vehicle that has never had an identifying number;

J. "distributor" means a person who distributes or sells new or used motor vehicles to dealers and who is not a manufacturer;

K. "division", without further specification, "division of motor vehicles" or "motor vehicle division" means the department;

L. "driveaway-towaway operation" means an operation in which any motor vehicle, new or used, is the item being transported when one set or more of wheels of any such motor vehicle is on the roadway during the course of transportation, whether or not the motor vehicle furnishes the motive power;

M. "driver" means every person who drives or is in actual physical control of a motor vehicle, including a motorcycle, upon a highway, who is exercising control over or steering a vehicle being towed by a motor vehicle or who operates or is in actual physical control of an off-highway motor vehicle;

N. "driver-assisted platoon" means a series of motor vehicles platooning with a driver in each vehicle;

O. "driver's license" means any license, permit or driving authorization card issued by a state or other jurisdiction recognized under the laws of New Mexico pertaining to the authorizing of persons to operate motor vehicles and includes a REAL ID-compliant driver's license and a standard driver's license; and

P. "dynamic driving task" means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints."

Chapter 13 Section 3 Laws 2024

SECTION 3. Section 66-1-4.5 NMSA 1978 (being Laws 1990, Chapter 120, Section 6, as amended) is amended to read:

"66-1-4.5. DEFINITIONS.--As used in the Motor Vehicle Code:

A. "electric-assisted bicycle" means a vehicle having two or three wheels, fully operable pedals and an electric motor. Electric-assisted bicycles are classified as follows:

(1) "class 1 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor not exceeding seven hundred fifty watts of power that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour;

(2) "class 2 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor not exceeding seven hundred fifty watts of power that provides

assistance regardless of whether the rider is pedaling but ceases to provide assistance when the bicycle reaches a speed of twenty miles per hour; and

(3) "class 3 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor not exceeding seven hundred fifty watts of power that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight miles per hour;

B. "electric mobility device" means a two- or three-wheel vehicle with an electric motor for propulsion that does not meet the definition of an electric-assisted bicycle and is capable of exceeding a speed of twenty miles per hour on motor power alone;

C. "electric personal assistive mobility device" means a self-balancing device having two nontandem wheels designed to transport a single person by means of an electric propulsion system with an average power of one horsepower and with a maximum speed on a paved level surface of less than twenty miles per hour when powered solely by its propulsion system and while being ridden by an operator who weighs one hundred seventy pounds;

D. "electronic credential" means an electronic extension of the department-issued physical credential that conveys identity and driving privilege information;

E. "electronic credential system" means a digital process that includes a method for loading electronic credentials onto a device, issuing electronic credentials, requesting and transmitting electronic credential data elements and performing tasks to maintain the system;

F. "essential parts" means all integral and body parts of a vehicle of a type required to be registered by the provisions of the Motor Vehicle Code, the removal, alteration or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type or mode of operation;

G. "established place of business", for a dealer or auto recycler, means a place:

(1) devoted exclusively to the business for which the dealer or auto recycler is licensed and related business;

(2) identified by a prominently displayed sign giving the dealer's or auto recycler's trade name used by the business;

(3) of sufficient size or space to permit the display of one or more vehicles or to permit the parking or storing of vehicles to be dismantled or wrecked for recycling;

(4) on which there is located an enclosed building on a permanent foundation, which building meets the building requirements of the community and is large enough to accommodate the office or offices of the dealer or auto recycler and large enough to provide a safe place to keep the books and records of the dealer or auto recycler;

(5) where the principal portion of the business of the dealer or auto recycler is conducted and where the books and records of the business are kept and maintained; and

(6) where vehicle sales are of new vehicles only, such as a department store or a franchisee of a department store, as long as the department store or franchisee keeps the books and records of its vehicle business in a general office location at its place of business; as used in this paragraph, "department store" means a business that offers a variety of merchandise other than vehicles, and sales of the merchandise other than vehicles constitute at least eighty percent of the gross sales of the business; and

H. "explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustive units or other ingredients in such proportions, quantities or packing that an ignition by fire, friction, concussion, percussion or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb."

Chapter 13 Section 4 Laws 2024

SECTION 4. Section 66-1-4.15 NMSA 1978 (being Laws 1990, Chapter 120, Section 16, as amended) is amended to read:

"66-1-4.15. DEFINITIONS.--As used in the Motor Vehicle Code:

A. "railroad" means a carrier of persons or property upon cars operated upon stationary rails;

B. "railroad sign or signal" means any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train;

C. "railroad train" means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails;

D. "REAL ID-compliant driver's license" means a license or a class of license issued by a state or other jurisdiction pertaining to the authorizing of persons to operate

motor vehicles and that meets federal requirements to be accepted by federal agencies for official federal purposes;

E. "REAL ID-compliant identification card" means an identification card that meets federal requirements to be accepted by federal agencies for official federal purposes;

F. "reconstructed vehicle" means any vehicle assembled or constructed largely by means of essential parts, new or used, derived from other vehicles or that, if originally otherwise assembled or constructed, has been materially altered by the removal of essential parts, new or used;

G. "recreational travel trailer" means a camping body designed to be drawn by another vehicle;

H. "recreational vehicle" means a vehicle with a camping body that has its own motive power, is affixed to or is drawn by another vehicle and includes motor homes, travel trailers and truck campers;

I. "registration" means registration certificates and registration plates issued under the laws of New Mexico pertaining to the registration of vehicles;

J. "registration number" means the number assigned upon registration by the division to the owner of a vehicle or motor vehicle required to be registered by the Motor Vehicle Code;

K. "registration plate" means the plate, marker, sticker or tag assigned by the division for the identification of the registered vehicle;

L. "relying party" means an entity to which a credential holder is presenting an electronic credential;

M. "residence district" means the territory contiguous to and including a highway not comprising a business district when the property on the highway for a distance of three hundred feet or more is in the main improved with residences or residences and buildings in use for business;

N. "revocation" means that the driver's license and privilege to drive a motor vehicle on the public highways are terminated and shall not be renewed or restored, except that an application for a new license may be presented to and acted upon by the division after the expiration of at least one year after date of revocation;

O. "right of way" means the privilege of the immediate use of the roadway;

P. "road tractor" means every motor vehicle designed and used primarily for drawing other vehicles and constructed not to carry a significant load on the road tractor, either independently or as any part of the weight of a vehicle or load drawn; and

Q. "roadway" means that portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder; when a highway includes two or more separate roadways, the term "roadway" refers to each roadway separately but not to all of the roadways collectively."

Chapter 13 Section 5 Laws 2024

SECTION 5. Section 66-1-4.19 NMSA 1978 (being Laws 1990, Chapter 120, Section 20, as amended) is amended to read:

"66-1-4.19. DEFINITIONS.--As used in the Motor Vehicle Code:

A. "validating sticker" means the tab or sticker issued by the division to signify, upon a registration plate, renewed registration;

B. "vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including any frame, chassis, body or unitized frame and body of any vehicle or motor vehicle, except devices moved exclusively by human power or used exclusively upon stationary rails or tracks;

C. "vehicle-business number" means the distinctive registration number given by the division to any manufacturer, auto recycler or dealer;

D. "vehicle plate" means a plate, marker, sticker or tag similar to a registration plate, but that is issued by the department for vehicles that are exempted from registration under the Motor Vehicle Code; and

E. "verification process" means a method of authenticating an electronic credential through the use of secure and encrypted communication."

Chapter 13 Section 6 Laws 2024

SECTION 6. Section 66-5-16 NMSA 1978 (being Laws 1978, Chapter 35, Section 238, as amended) is amended to read:

"66-5-16. PHYSICAL LICENSE TO BE CARRIED AND EXHIBITED ON DEMAND.--Every licensee shall have the licensee's driver's license in its physical form in the licensee's immediate possession at all times when operating a motor vehicle and shall display the license in its physical form upon demand of a magistrate, a peace officer or a field deputy or inspector of the division. A person who violates the provisions of this section is guilty of a penalty assessment misdemeanor; however, a person charged with violating this section shall not be convicted if the person produces in court

a driver's license in its physical form issued to the person and valid at the time of the person's citation."

Chapter 13 Section 7 Laws 2024

SECTION 7. A new Section 66-5-601 NMSA 1978 is enacted to read:

"66-5-601. SHORT TITLE.--Sections 66-5-601 through 66-5-608 NMSA 1978 may be cited as the "Electronic Credentials Act"."

Chapter 13 Section 8 Laws 2024

SECTION 8. A new Section 66-5-602 NMSA 1978 is enacted to read:

"66-5-602. ELECTRONIC CREDENTIALS.--

A. The department may issue an electronic credential to a person in addition to a physical driver's license or physical identification card if the department has issued to the person:

- (1) a driver's license; or
- (2) an identification card.

B. An electronic credential that is not processed through a state-approved application on a device is not a valid electronic credential.

C. The department shall set the validity period of an electronic credential."

Chapter 13 Section 9 Laws 2024

SECTION 9. A new Section 66-5-603 NMSA 1978 is enacted to read:

"66-5-603. AGREEMENTS FOR ISSUANCE, USE AND VERIFICATION PROCESS.--The department may enter into agreements with an agency of the state, another state or the United States to facilitate the issuance, use and verification process of electronic credentials issued by the department or another state."

Chapter 13 Section 10 Laws 2024

SECTION 10. A new Section 66-5-604 NMSA 1978 is enacted to read:

"66-5-604. PHYSICAL POSSESSION OF DEVICE.--The department shall design the electronic credential in a manner that allows the credential holder to maintain

physical possession of the device on which the electronic credential is accessed during verification."

Chapter 13 Section 11 Laws 2024

SECTION 11. A new Section 66-5-605 NMSA 1978 is enacted to read:

"66-5-605. CONSENT TO ACCESS.--Access to the credential holder's data by a relying party shall require the credential holder's consent."

Chapter 13 Section 12 Laws 2024

SECTION 12. A new Section 66-5-606 NMSA 1978 is enacted to read:

"66-5-606. ADMINISTRATION OF ELECTRONIC CREDENTIAL SYSTEM.--A third party may administer on behalf of the department a system developed to facilitate the issuance, verification and use of electronic credentials."

Chapter 13 Section 13 Laws 2024

SECTION 13. A new Section 66-5-607 NMSA 1978 is enacted to read:

"66-5-607. FEE.--The department may charge a fee for the loading of an electronic credential onto a device."

Chapter 13 Section 14 Laws 2024

SECTION 14. A new Section 66-5-608 NMSA 1978 is enacted to read:

"66-5-608. RULES.--The department may promulgate rules that it deems necessary or appropriate to implement the provisions of the Electronic Credentials Act."

LAWS 2024, CHAPTER 14

Senate Bill 169, aa

Approved February 28, 2024

AN ACT

RELATING TO FINANCE; AMENDING THE STATE SUPPLEMENTAL LAND AND WATER CONSERVATION FUND; REMOVING THE POLITICAL SUBDIVISION FUND MATCHING REQUIREMENT; REMOVING THE INCORPORATED MUNICIPALITY POPULATION CAP; AMENDING ELIGIBLE RECIPIENTS OF FUNDS; REQUIRING PRIORITIZATION OF FUNDING REQUESTS OF INDIAN NATIONS, TRIBES AND

PUEBLOS; CLARIFYING FUND USAGES; REMOVING A REFERENCE TO A DEFUNCT ENTITY; REVISING CITATIONS.

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

Chapter 14 Section 1 Laws 2024

SECTION 1. Section 16-1-3 NMSA 1978 (being Laws 1973, Chapter 388, Section 3, as amended) is amended to read:

"16-1-3. ADMINISTRATION--STATE-FEDERAL-LOCAL COST SHARING FORMULA--LIMITATIONS.--

A. The energy, minerals and natural resources department shall administer the state supplemental land and water conservation fund and shall process all applications for grants from the state supplemental land and water conservation fund. Funds from the state supplemental land and water conservation fund shall be made available upon the condition that the proceeds are matched by the federal land and water conservation fund state and local assistance formula grants program.

B. Incorporated municipalities, with a population of less than sixty-five thousand persons according to the latest federal decennial census or counties, Indian nations, tribes and pueblos, state parks and other political subdivisions shall be entitled to receive funds from the state supplemental land and water conservation fund; provided that:

(1) funding requests from Indian nations, tribes and pueblos shall be prioritized;

(2) funding requests from rural communities shall be prioritized;

(3) state parks shall be entitled to receive funds from the state supplemental land and water conservation fund in an amount not to exceed seven percent of New Mexico's annual apportionment of federal land and water conservation fund state and local assistance program funding to perform outreach to Indian nations, tribes and pueblos and political subdivisions of the state and provide technical assistance to prospective applicants; and

(4) "technical assistance" pursuant to this subsection shall not include compliance procedures conducted by the state parks division of the energy, minerals and natural resources department on behalf of the applicants for the National Environmental Policy Act of 1969, processing of permits, producing geographic information systems data, conducting project planning, developing designs or engaging, contracting or directing project management.

C. Projects proposed shall be in accordance with provisions of the federal Land and Water Conservation Fund Act of 1965, U.S.C. Section 460, and the regulations contained in the United States department of the interior. Funds shall be made available from the state supplemental land and water conservation fund in the event that the United States department of the interior provides fifty percent of the project cost, except that funds may be made available to provide assistance with compliance with the requirements of the National Environmental Policy Act of 1969 and related project pre-clearances. State funds shall be made available for expenditure by the applicant political subdivision once the project is approved by the United States department of the interior."

LAWS 2024, CHAPTER 15

Senate Bill 216, aa
Approved February 28, 2024

AN ACT

RELATING TO FINANCE; AMENDING THE NEW MEXICO FINANCE AUTHORITY ACT TO PROVIDE FINANCING FOR AFFORDABLE HOUSING PROJECTS; AMENDING THE DEFINITIONS OF "PUBLIC PROJECT" AND "QUALIFIED ENTITY"; AMENDING THE LOCAL GOVERNMENT PLANNING FUND TO PROVIDE FINANCING FOR THE PURPOSES OF DEVELOPING AFFORDABLE HOUSING PLANS AND FLOOD INUNDATION MAPS AND OBTAINING ARCHAEOLOGICAL CLEARANCES.

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

Chapter 15 Section 1 Laws 2024

SECTION 1. Section 6-21-3 NMSA 1978 (being Laws 1992, Chapter 61, Section 3, as amended) is amended to read:

"6-21-3. DEFINITIONS.--As used in the New Mexico Finance Authority Act:

- A. "authority" means the New Mexico finance authority;
- B. "bond" means any bonds, notes, certificates of participation or other evidence of indebtedness;
- C. "bondholder" or "holder" means a person who is the owner of a bond, whether registered or not;
- D. "emergency public project" means a public project:

(1) made necessary by an unforeseen occurrence or circumstance threatening the public health, safety or welfare; and

(2) requiring the immediate expenditure of money that is not within the available financial resources of the qualified entity as determined by the authority;

E. "public project" means the acquisition, construction, improvement, alteration or reconstruction of assets of a long-term capital nature by a qualified entity, including land; buildings; water rights; water, sewerage and waste disposal systems; streets; housing; airports; municipal utilities; public recreational facilities; public transportation systems; parking facilities; and machinery, furniture and equipment. "Public project" includes all proposed expenditures related to the entire undertaking. "Public project" also includes the acquisition, construction or improvement of real property, buildings, facilities and other assets by the authority for the purpose of leasing the property;

F. "qualified entity" means the state or an agency or institution of the state or a county, municipality, school district, two-year public post-secondary educational institution, charter school, land grant corporation, acequia association, public improvement district, federally chartered college located in New Mexico, intercommunity water or natural gas supply association or corporation, special water, drainage, irrigation or conservancy district or other special district created pursuant to law, nonprofit foundation or other support organization affiliated with a public university, college or other higher educational institution located in New Mexico, including a university research park corporation, a nonprofit housing developer, an Indian nation, tribe or pueblo located wholly or partially in New Mexico, including a political subdivision or a wholly owned enterprise of an Indian nation, tribe or pueblo or a consortium of those Indian entities or a consortium of any two or more qualified entities created pursuant to law; and

G. "security" or "securities", unless the context indicates otherwise, means bonds, notes or other evidence of indebtedness issued by a qualified entity or leases or certificates or other evidence of participation in the lessor's interest in and rights under a lease with a qualified entity and that are payable from taxes, revenues, rates, charges, assessments or user fees or from the proceeds of funding or refunding bonds, notes or other evidence of indebtedness of a qualified entity or from certificates or evidence of participation in a lease with a qualified entity."

Chapter 15 Section 2 Laws 2024

SECTION 2. Section 6-21-6.4 NMSA 1978 (being Laws 2002, Chapter 26, Section 2, as amended) is amended to read:

"6-21-6.4. LOCAL GOVERNMENT PLANNING FUND--CREATION--ADMINISTRATION--PURPOSES.--

A. The "local government planning fund" is created within the authority and shall be administered by the authority. The authority shall adopt rules necessary to administer the fund.

B. The following shall be deposited directly into the local government planning fund:

(1) the net proceeds from the sale of bonds issued pursuant to the provisions of Section 6-21-6.1 NMSA 1978 for the purposes of the local government planning fund and payable from the public project revolving fund;

(2) money appropriated by the legislature to implement the provisions of this section; and

(3) any other public or private money dedicated to the fund.

C. Money in the local government planning fund is appropriated to the authority to make grants to qualified entities; to evaluate and to estimate the costs of implementing the most feasible alternatives for infrastructure, water and wastewater public project needs or to develop water conservation plans, long-term master plans, economic development plans, affordable housing plans, energy audits or flood inundation maps; to obtain archaeological clearances; and to pay the administrative costs of the local government planning program.

D. The authority shall adopt rules governing the terms and conditions of grants made from the local government planning fund.

E. The authority may make grants from the local government planning fund to qualified entities without specific authorization by law for each grant."

LAWS 2024, CHAPTER 16

Senate Bill 241, w/ec
Approved February 28, 2024

AN ACT

RELATING TO CRIMINAL HISTORY RECORDS CHECKS; ENACTING A NEW SECTION OF THE AGING AND LONG-TERM SERVICES DEPARTMENT ACT REQUIRING CRIMINAL HISTORY RECORDS CHECKS FOR CERTAIN DEPARTMENT EMPLOYEES, APPLICANTS OR VOLUNTEERS; PROVIDING FOR PROCEDURES FOR CONDUCTING CRIMINAL HISTORY RECORDS CHECKS; ENSURING THE CONFIDENTIALITY OF THE CRIMINAL HISTORY RECORDS; PROVIDING PENALTIES; DECLARING AN EMERGENCY.

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

Chapter 16 Section 1 Laws 2024

SECTION 1. Section 9-23-1 NMSA 1978 (being Laws 2004, Chapter 23, Section 1) is amended to read:

"9-23-1. SHORT TITLE.--Chapter 9, Article 23 NMSA 1978 may be cited as the "Aging and Long-Term Services Department Act"."

Chapter 16 Section 2 Laws 2024

SECTION 2. A new section of the Aging and Long-Term Services Department Act is enacted to read:

"CRIMINAL HISTORY RECORDS CHECKS--PROCEDURES--
CONFIDENTIALITY--VIOLATION--PENALTY.--

A. For the purposes of this section:

(1) "employee" means a person working for the department in one of the following areas:

- (a) the adult protective services division;
- (b) the long-term care ombudsman program; or
- (c) the consumer and elder rights division;

(2) "selected applicant" means a person who has completed the interview process, was selected as a candidate for employment and has conditionally accepted a position with the department pending a criminal history records check; and

(3) "volunteer" means a person who:

(a) performs work or who has been identified by the department to perform work in: 1) the adult protective services division; 2) the long-term care ombudsman program; or 3) the consumer and elder rights division;

(b) is not an employee; and

(c) does not receive compensation for the person's work.

B. State and national criminal history records checks shall be conducted on employees, selected applicants and volunteers.

C. As directed by the department, an employee, a selected applicant or a volunteer shall submit a set of electronic fingerprints to the department of public safety.

The department of public safety shall conduct a state criminal history records check and forward the fingerprints to the federal bureau of investigation for a national criminal history records check to determine the existence and content of records of convictions and arrests in this state or other law enforcement jurisdictions and to generate a criminal history records check in accordance with rules of the department of public safety and regulations of the federal bureau of investigation.

D. The department of public safety shall review the information returned from the criminal history records checks and compile and disseminate the information to the department, which shall use the information to investigate and determine whether an employee, selected applicant or volunteer is qualified.

E. Criminal history records obtained pursuant to the provisions of this section shall:

(1) be confidential;

(2) not be a public record for purposes of the Inspection of Public Records Act;

(3) not be used for any purpose other than determining the eligibility of employees, selected applicants or volunteers; and

(4) not be released or disclosed to any other person, except pursuant to a court order or with the written consent of the person who is the subject of the records.

F. A person who releases or discloses criminal history records in violation of this section is guilty of a misdemeanor and shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978.

G. The department shall promulgate rules for the investigation and determination of qualifications; provided that the department shall not exclude an otherwise selected applicant, employee or volunteer on the sole basis that the person has been previously arrested or convicted of a crime, unless that person has a disqualifying criminal conviction pursuant to the Criminal Offender Employment Act."

Chapter 16 Section 3 Laws 2024

SECTION 3. APPLICABILITY.--The provisions of Section 2 of this act apply to selected applicants of, employees employed by or volunteers of the aging and long-term services department on or after the effective date of this act.

Chapter 16 Section 4 Laws 2024

SECTION 4. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 17

House Bill 98

Approved February 29, 2024

AN ACT

RELATING TO PUBLIC FINANCE; AMENDING THE ACCOUNTS FOR PERSONS WITH DISABILITIES ACT TO EXPAND ELIGIBILITY FOR AN ACCOUNT; REPEALING AND REENACTING SECTION 6-8A-6 NMSA 1978 (BEING LAWS 2016, CHAPTER 40, SECTION 6) TO CREATE AN EXEMPTION FROM MEDICAID RECOVERY.

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

Chapter 17 Section 1 Laws 2024

SECTION 1. Section 6-8A-2 NMSA 1978 (being Laws 2016, Chapter 40, Section 2) is amended to read:

"6-8A-2. DEFINITIONS.--As used in the Accounts for Persons with Disabilities Act:

A. "account" means an individual tax-free savings account for a designated beneficiary that is established pursuant to Section 529A of the Internal Revenue Code of 1986, as amended;

B. "account owner" means a person who establishes and owns an account under the Accounts for Persons with Disabilities Act and who is one of the following:

- (1) the designated beneficiary of the account;
- (2) the parent, guardian or conservator of a minor designated beneficiary; or
- (3) the conservator of a designated beneficiary otherwise incapable of handling such beneficiary's financial affairs;

C. "designated beneficiary" means a person for whom an account is established under the Accounts for Persons with Disabilities Act;

D. "disability certification" means a certification deemed sufficient by the United States secretary of the treasury to establish a certain level of physical or mental impairment that meets the requirements of Section 529A of the Internal Revenue Code of 1986, as amended;

E. "eligible person" means, for a taxable year, a person who is either:

(1) entitled during that taxable year to benefits based on blindness or disability under Title 2 or Title 16 of the federal Social Security Act; provided that such blindness or disability occurred before the date on which the individual attained age forty-six; or

(2) the subject of a disability certification filed with the United States secretary of the treasury;

F. "family member" means a sibling, whether by blood or adoption, including a brother, sister, stepbrother, stepsister, half-brother or half-sister;

G. "fiduciary" means a person authorized to do business in New Mexico and acting as a fiduciary to manage and invest an account; provided that such person is bonded and is not the parent, guardian or conservator of the designated beneficiary of the account;

H. "financial organization" means an organization that is authorized to do business in New Mexico and is:

(1) licensed or chartered by the office of superintendent of insurance;

(2) licensed or chartered by the financial institutions division of the regulation and licensing department; or

(3) subject to the jurisdiction of the federal securities and exchange commission;

I. "office" means the office of the state treasurer;

J. "qualified disability expenses" means any expenses, related to the designated beneficiary's blindness or disability, that include the following:

(1) education;

(2) housing;

(3) transportation;

(4) employment training and support;

- (5) assistive technology and personal support services;
- (6) health, prevention and wellness;
- (7) financial management and administrative services;
- (8) legal fees;
- (9) expenses for oversight and monitoring;
- (10) funeral and burial expenses; and
- (11) other expenses approved by the United States secretary of the treasury; and

K. "qualified program" means a program established and maintained by the state or an agency or instrumentality of the state pursuant to 26 U.S.C. Section 529A."

Chapter 17 Section 2 Laws 2024

SECTION 2. Section 6-8A-6 NMSA 1978 (being Laws 2016, Chapter 40, Section 6) is repealed and a new Section 6-8A-6 NMSA 1978 is enacted to read:

"6-8A-6. LIMITATION ON MEDICAID PAYBACK.--Unless required by federal law, the state or an agency or instrumentality of the state shall not:

- A. seek payment from an account or its proceeds for benefits provided to the beneficiary of the account pursuant to 26 U.S.C. Section 529A; or
- B. undertake estate recovery from an account pursuant to 26 U.S.C. Section 529A."

Chapter 17 Section 3 Laws 2024

SECTION 3. EFFECTIVE DATES.--

- A. The effective date of the provisions of Section 1 of this act is January 1, 2026.
- B. The effective date of the provisions of Section 2 of this act is July 1, 2024.

LAWS 2024, CHAPTER 18

H AFC/House Bill 196
Approved February 29, 2024

AN ACT

RELATING TO PUBLIC FINANCE; CREATING THE GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST AND THE GOVERNMENT RESULTS AND OPPORTUNITY PROGRAM FUND; PROVIDING FOR DISTRIBUTIONS FROM THE GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST TO THE GOVERNMENT RESULTS AND OPPORTUNITY PROGRAM FUND; CHANGING A PROVISION OF LAW THAT CURRENTLY TRANSFERS CERTAIN EXCESS REVENUE TO THE TAX STABILIZATION RESERVE TO INSTEAD TRANSFER THE EXCESS REVENUE TO THE GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST; REQUIRING THE STAFF OF THE LEGISLATIVE FINANCE COMMITTEE AND THE STATE BUDGET DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ANALYZE THE ACCOUNTABILITY IN GOVERNMENT ACT AND MAKE RECOMMENDATIONS TO THE LEGISLATIVE FINANCE COMMITTEE FOR CHANGES TO THAT ACT.

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

Chapter 18 Section 1 Laws 2024

SECTION 1. A new section of Chapter 6, Article 4 NMSA 1978 is enacted to read:

"GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST.--

A. The "government results and opportunity expendable trust" is created as a nonreverting fund in the state treasury. The trust shall consist of distributions, appropriations, gifts, grants and donations. Income from investment of the trust shall be credited to the trust. Money in the trust shall be expended only as provided in this section.

B. Beginning July 1, 2025 and July 1 of each year thereafter, a distribution shall be made from the government results and opportunity expendable trust to the government results and opportunity program fund in an amount equal to twenty-five percent of the balance of the trust or one hundred million dollars (\$100,000,000), whichever is greater; provided that if the balance of the trust is less than one hundred million dollars (\$100,000,000), the balance of the trust shall be distributed. For fiscal year 2025, any unexpended or unencumbered balance remaining after the distribution is made in that fiscal year shall be included in the calculation of state reserves.

C. In addition to the distribution pursuant to Subsection B of this section, money in the government results and opportunity expendable trust may be expended in the event that general fund balances, including all authorized revenues and transfers to the general fund and balances in the general fund operating reserve, will not meet the

level of appropriations authorized from the general fund for a fiscal year. In that event, the legislature may appropriate from the government results and opportunity expendable trust to the general fund only in the amount necessary to meet general fund appropriations for that fiscal year and only if the legislature has authorized a transfer from the general fund operating reserve that exhausts that fund balance."

Chapter 18 Section 2 Laws 2024

SECTION 2. A new section of Chapter 6, Article 4 NMSA 1978 is enacted to read:

"GOVERNMENT RESULTS AND OPPORTUNITY PROGRAM FUND.--The "government results and opportunity program fund" is created as a nonreverting fund in the state treasury. The fund consists of distributions, appropriations, gifts, grants, donations and income from investment of the fund. The department of finance and administration shall administer the fund. Money in the fund is subject to appropriation by the legislature. Expenditures from the fund shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of finance and administration or the secretary's authorized representative."

Chapter 18 Section 3 Laws 2024

SECTION 3. Section 6-4-4 NMSA 1978 (being Laws 1987, Chapter 347, Section 4, as amended) is amended to read:

"6-4-4. TRANSFER FROM THE GENERAL FUND TO THE GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST--TRANSFER FROM THE TAX STABILIZATION RESERVE TO THE GENERAL FUND OPERATING RESERVE.--

A. If the revenues of the general fund exceed the total of appropriations from the general fund, the excess revenue shall be transferred to the general fund operating reserve; provided that if the sum of the excess revenue plus the balance in the general fund operating reserve prior to the transfer is greater than eight percent of the aggregate recurring appropriations from the general fund for the previous fiscal year, then an amount equal to the smaller of either the amount of the excess revenue or the difference between the sum and eight percent of the aggregate recurring appropriations from the general fund for the previous fiscal year shall be transferred to the government results and opportunity expendable trust.

B. If the balance in the general fund operating reserve as of the end of a fiscal year is less than one percent of aggregate general fund appropriations for that fiscal year, as determined by the department of finance and administration, then an amount equal to the smaller of either one percent of aggregate general fund appropriations for that fiscal year or the amount necessary to bring the balance of the general fund operating reserve to one percent of aggregate general fund appropriations

for that fiscal year shall be transferred from the tax stabilization reserve to the general fund operating reserve."

Chapter 18 Section 4 Laws 2024

SECTION 4. TEMPORARY PROVISION--REVIEW OF THE ACCOUNTABILITY IN GOVERNMENT ACT--REPORT TO LEGISLATURE.--During the 2024 legislative interim, the staff of the legislative finance committee and the state budget division of the department of finance and administration shall meet regularly to examine and analyze the provisions of the Accountability in Government Act to determine if changes to that act could be made to ensure more cost-effective and responsive government services. On or before December 15, 2024, the staff shall report their findings and make recommendations for legislative changes if any are found to be necessary to the legislative finance committee.

LAWS 2024, CHAPTER 19

House Bill 270, aa
Approved February 29, 2023

AN ACT

RELATING TO HIGHER EDUCATION; AMENDING PROVISIONS GOVERNING THE TECHNOLOGY ENHANCEMENT FUND; REQUIRING ASSESSMENTS OF BENEFITS FOR ECONOMIC DEVELOPMENT, RURAL AND TRIBAL COMMUNITIES AND WORKFORCE EDUCATION AND TRAINING; MAKING AN APPROPRIATION.

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

Chapter 19 Section 1 Laws 2024

SECTION 1. Section 21-1-27.2 NMSA 1978 (being Laws 2003, Chapter 367, Section 1) is amended to read:

"21-1-27.2. TECHNOLOGY ENHANCEMENT FUND CREATED--
ALLOCATIONS--APPLICATION REVIEW PANELS.--

A. The "technology enhancement fund" is created in the state treasury. The fund shall consist of appropriations, income from investment of the fund, gifts, grants, donations and bequests. Money in the fund shall not revert at the end of any fiscal year. The fund shall be administered by the higher education department. Money in the fund shall be used to provide matching funds for federal or private grants to research institutions to support innovative applied research that advances knowledge and creates new products and production processes in the fields of agriculture, biotechnology, biomedicine energy, materials science, microelectronics, water resources, aerospace,

telecommunications, manufacturing science and similar research areas. Money from the fund shall be expended on warrants of the secretary of finance and administration upon vouchers signed by the secretary of higher education or the secretary's authorized representative.

B. Grants from the fund are available to research institutions. A research institution may apply for a grant from the fund in accordance with rules promulgated by the higher education department. Allocations from the fund shall be based on a competitive process with applications reviewed by a panel of scientific and business experts established by the department. The review panel may determine new research areas and shall judge grant proposals based on excellence in research design and possible innovation and an assessment of a proposal's projected:

(1) cross-disciplinary, multi-campus and higher education-industry research collaboration; and

(2) benefits for economic development and rural and tribal communities.

C. To apply for a grant, an applicant must have equal or greater matching money for the proposal from sources other than the state. A grant from the technology enhancement fund shall not be used to supplant matching money that an applicant has expended or encumbered for a previously received grant.

D. As used in this section, "research institution" means Navajo technical university, New Mexico state university, the New Mexico institute of mining and technology or the university of New Mexico."

LAWS 2024, CHAPTER 20

House Bill 298, aa

Approved February 29, 2024

AN ACT

RELATING TO VETERANS; ENACTING THE SERVICE MEMBERS AND VETERANS SUICIDE PREVENTION ACT WITHIN THE VETERANS' SERVICES DEPARTMENT ACT; PROVIDING DEPARTMENT RESPONSIBILITIES TO RAISE AWARENESS REGARDING SUICIDE WITHIN THE POPULATIONS OF SERVICE MEMBERS, VETERANS AND MILITARY AND VETERAN FAMILY MEMBERS AND TO INCREASE ACCESS TO SUICIDE PREVENTION RESOURCES; PROVIDING DEFINITIONS.

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

Chapter 20 Section 1 Laws 2024

SECTION 1. A new section of the Veterans' Services Department Act is enacted to read:

"SHORT TITLE.--This act may be cited as the "Service Members and Veterans Suicide Prevention Act"."

Chapter 20 Section 2 Laws 2024

SECTION 2. A new section of the Veterans' Services Department Act is enacted to read:

"DEFINITIONS.--As used in the Service Members and Veterans Suicide Prevention Act:

A. "family member" means a family member of either a service member or a veteran;

B. "program" means the service members and veterans suicide prevention program;

C. "service member" means an individual who is serving in the armed forces of the United States or in an active reserve component of the armed forces of the United States, including the national guard; and

D. "veteran" means a person who has received an honorable discharge or separation from military service in the armed forces of the United States or in an active reserve component of the armed forces of the United States, including the national guard."

Chapter 20 Section 3 Laws 2024

SECTION 3. A new section of the Veterans' Services Department Act is enacted to read:

"SUICIDE PREVENTION PROGRAM ESTABLISHED--DEVELOPMENT--COLLABORATION.--

A. The "service members and veterans suicide prevention program" is established within the department. If deemed appropriate, the department may develop and operate the program in collaboration with the department of health or other state agencies and when practicable with community services organizations, including nonprofit organizations, and with federal partners and individuals directly impacted by risk of or loss from suicide of a service member, veteran or family member.

B. The program established pursuant to Subsection A of this section shall be designed to:

- (1) raise awareness of and reduce death by suicide within the population of service members, veterans and family members;
- (2) work to reduce barriers at the community and individual level that increase the risk of suicide by increasing access to crisis and suicide prevention services;
- (3) connect service members, veterans and family members whose need for services are based upon a risk of death by suicide or other circumstances outlined by the program, with appropriate community and mental health providers and resources;
- (4) raise awareness of and access to behavioral health services and resources and promote evidence-based best practices and safe messaging to increase awareness of suicide prevention hotlines and other crisis resources available to service members, veterans and family members;
- (5) within the framework of the program, advocate for service members, veterans and family members at risk for suicide; and
- (6) work to increase public awareness about the issue of suicide among service members, veterans and family members and its root causes.

C. In implementing the program as provided in Subsection A of this section, and on an ongoing basis, the department shall develop methods to provide support and guidance to communities aiding in the development of strategic planning designed to reduce suicide among service members, veterans and family members, including the engagement and coordination of local leadership, faith-based entities, schools, chambers of commerce, public and private providers, grassroots coalitions and other stakeholders as identified and appropriate.

D. The department shall collaborate with the department of health and any other appropriate state agency to promote mental health awareness, including:

- (1) the 988 suicide and crisis lifeline;
- (2) the veterans crisis line and the veterans crisis line for those who are deaf or hard-of-hearing;
- (3) the national suicide prevention lifeline; and
- (4) local resources available to assist in crisis intervention and ongoing supports."

Chapter 20 Section 4 Laws 2024

SECTION 4. A new section of the Veterans' Services Department Act is enacted to read:

"DEPARTMENT EDUCATIONAL MATERIALS--TRAINING.--The department shall provide appropriate training to department staff responsible for implementing the program established in Subsection A of Section 3 of the Service Members and Veterans Suicide Prevention Act and carrying out the provisions of that act and shall provide educational materials to department staff and partnering state agencies and community partners to increase the capacity to raise awareness and to identify and engage service members, veterans and family members at risk of suicide."

Chapter 20 Section 5 Laws 2024

SECTION 5. A new section of the Veterans' Services Department Act is enacted to read:

"REPORT.--Beginning in 2024, the department shall submit an annual written report regarding the program established pursuant to Section 3 of the Service Members and Veterans Suicide Prevention Act to the governor and the interim legislative military and veterans' affairs committee by October 30 of each year. The report shall include program efforts made and successes, pertinent data-driven information and barriers faced and shall be posted on the department's website."

Chapter 20 Section 6 Laws 2024

SECTION 6. A new section of the Veterans' Services Department Act is enacted to read:

"DEPARTMENT RULES.--No later than December 1, 2024, the department shall promulgate rules for the carrying out of the provisions of the Service Members and Veterans Suicide Prevention Act."

Chapter 20 Section 7 Laws 2024

SECTION 7. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 21

House Bill 302

Approved February 29, 2024

AN ACT

RELATING TO THE MILITARY; PROVIDING EXEMPTION FROM STATE LICENSING REQUIREMENTS FOR CHILD CARE PROGRAMS OR FACILITIES LICENSED OR CERTIFIED BY THE UNITED STATES DEPARTMENT OF DEFENSE OR UNITED STATES COAST GUARD; EXPANDING THE LIST OF PROTECTED CLASSES OF THE HUMAN RIGHTS ACT TO INCLUDE MILITARY STATUS; AMENDING SECTIONS OF THE NMSA 1978 TO ADD SPACE FORCE TO THE DEFINITIONS OF "ARMED FORCES" AND "UNIFORMED SERVICES" THAT INVOLVE PROGRAMS AND SERVICES FOR WHICH MEMBERS OF THE ARMED FORCES OF THE UNITED STATES ARE ELIGIBLE.

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

Chapter 21 Section 1 Laws 2024

SECTION 1. LICENSE-EXEMPT CHILD CARE FACILITIES--MILITARY FACILITIES.--A program or a facility certified as a family child care provider by a branch of the United States department of defense or by the United States coast guard shall be exempt from child care facility licensure requirements provided pursuant to state law. This section does not apply to family child care providers who also provide child care services to children not affiliated with a branch of the United States department of defense or the United States coast guard.

Chapter 21 Section 2 Laws 2024

SECTION 2. Section 1-1-5.4 NMSA 1978 (being Laws 2015, Chapter 145, Section 3) is amended to read:

"1-1-5.4. UNIFORMED-SERVICE VOTER.--As used in the Election Code, "uniformed-service voter" means an individual who is a United States citizen, whose voting residence is in this state, who otherwise satisfies this state's voter eligibility requirements and who is:

A. a member of the active or reserve components of the army, navy, air force, space force, marine corps or coast guard of the United States who is on active duty and who by reason of that active duty is absent from the state;

B. a member of the merchant marine, the commissioned corps of the public health service, the astronaut program of the national aeronautics and space administration or the commissioned corps of the national oceanic and atmospheric administration of the United States and who by reason of that service is absent from the state;

C. a member on activated status of the national guard or state militia and who by reason of that active duty is absent from the member's county of residence; or

D. a spouse or dependent of a member referred to in Subsection A, B or C of this section and who, by reason of active duty or service of the member, is absent from the state; provided the spouse or dependent is an individual recognized as a spouse or dependent by the entity under which the member is serving."

Chapter 21 Section 3 Laws 2024

SECTION 3. Section 21-1-4.5 NMSA 1978 (being Laws 2005, Chapter 168, Section 1, as amended) is amended to read:

"21-1-4.5. RESIDENT TUITION FOR VETERANS OF THE ARMED FORCES OF THE UNITED STATES AND FAMILIES OF MEMBERS OF THE ARMED FORCES.--

A. A veteran of the armed forces of the United States shall be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning, provided that the veteran is eligible for veterans' education benefits under federal law. In order for a veteran who is not a resident of New Mexico to receive in-state tuition rates, the veteran shall use the veteran's federal educational benefits at a state public post-secondary institution.

B. A spouse or child of an active member of the armed forces who is assigned to duty in New Mexico shall be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning.

C. A spouse or child of an active member of the armed forces who is assigned to duty elsewhere immediately following assignment to duty in New Mexico shall be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning as long as the spouse or child resides continuously in New Mexico.

D. A spouse or child of an active member of the armed forces who dies or is killed shall be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning if the spouse or child becomes a resident of New Mexico within sixty days of the date of death.

E. A veteran of the armed forces who pays tuition and fees at the rate provided for New Mexico residents under this section is entitled to pay tuition and fees at the rate provided for New Mexico residents in any subsequent term or semester while the veteran is enrolled in a degree or certificate program.

F. If an active member of the armed forces is stationed outside New Mexico and the member's spouse or child establishes residence in New Mexico and files with a state institution of higher learning at which the spouse or child plans to register a letter of intent to establish and continue residing in New Mexico, the spouse or child shall be deemed an in-state resident for purposes of determining tuition and fees at that state

institution of higher learning without regard to length of time that the spouse or child has resided in the state.

G. A spouse or child of an active member of the armed forces who pays tuition and fees at the rate provided for New Mexico residents under this section is entitled to pay tuition and fees at the rate provided for New Mexico residents in any subsequent term or semester while the person is continuously enrolled in the same degree or certificate program. For purposes of this subsection, a person is not required to enroll in a summer term to remain continuously enrolled in a degree or certificate program. A person's eligibility to pay tuition and fees at the rate provided for New Mexico residents under this subsection does not terminate because the person is no longer a child or spouse of a member of the armed forces.

H. A spouse or child of a veteran of the armed forces is entitled to pay tuition and fees at the rate provided for New Mexico residents; provided that the spouse or child is eligible for benefits pursuant to the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any other federal law authorizing educational benefits for a veteran and the dependents of a veteran.

I. As used in this section, "armed forces" means the United States army, navy, air force, space force, marine corps or coast guard.

J. As used in this section, "veteran" means a person who:

(1) was regularly enlisted, drafted, inducted or commissioned in the:

(a) armed forces of the United States and was accepted for and assigned to active duty in the armed forces of the United States;

(b) army reserve, navy reserve, marine corps reserve, air force reserve, space force reserve, coast guard reserve, army national guard or air national guard and was accepted for and assigned to duty for a minimum of six continuous years; or

(c) United States public health service commissioned corps or the national oceanic and atmospheric administration commissioned officer corps and served in the capacity of a commissioned officer while on active duty in defense of the United States; and

(2) was not separated from such service under circumstances amounting to dishonorable discharge."

Chapter 21 Section 4 Laws 2024

SECTION 4. Section 28-1-2 NMSA 1978 (being Laws 1969, Chapter 196, Section 2, as amended) is amended to read:

"28-1-2. DEFINITIONS.--As used in the Human Rights Act:

A. "person" means one or more individuals, a partnership, association, organization, corporation, joint venture, legal representative, trustees, receivers, or the state and all of its political subdivisions;

B. "employer" means any person employing four or more persons and any person acting for an employer;

C. "commission" means the human rights commission;

D. "director" or "bureau" means the human rights bureau of the labor relations division of the workforce solutions department;

E. "employee" means any person in the employ of an employer or an applicant for employment;

F. "labor organization" means any organization that exists for the purpose in whole or in part of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment or of other mutual aid or protection in connection with employment;

G. "employment agency" means any person regularly undertaking with or without compensation to procure opportunities to work or to procure, recruit or refer employees;

H. "public accommodation" means any governmental entity or any establishment that provides or offers its services, facilities, accommodations or goods to the public, but does not include a bona fide private club or other place or establishment that is by its nature and use distinctly private;

I. "public contractor" means a person who receives public funds as a result of contracting with a governmental entity;

J. "political subdivision" means any:

(1) county;

(2) incorporated city, town or village;

(3) drainage, conservancy, irrigation, water and sanitation or other district;

(4) mutual domestic association;

(5) public water cooperative association; or

(6) community ditch association;

K. "housing accommodation" means any building or portion of a building that is constructed or to be constructed, which is used or intended for use as the residence or sleeping place of any individual;

L. "real property" means lands, leaseholds or commercial or industrial buildings, whether constructed or to be constructed, offered for sale or rent, and any land rented or leased for the use, parking or storage of house trailers;

M. "secretary" means the secretary of workforce solutions;

N. "unlawful discriminatory practices" means those unlawful practices and acts specified in Section 28-1-7 NMSA 1978;

O. "physical or mental disability" means a physical or mental impairment that substantially limits one or more of a person's major life activities. A person is also considered to have a mental or physical disability if the person has a record of a physical or mental disability or is regarded as having a physical or mental disability;

P. "major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working;

Q. "applicant for employment" means a person applying for a position as an employee;

R. "sex" means a person's categorization as male, female or intersex based on biology, physiology and physical characteristics;

S. "sexual orientation" means a person's physical, romantic or emotional attraction to persons of the same or a different gender or the absence of any such attraction;

T. "gender identity" means a person's self-perception, based on the person's appearance, behavior or physical characteristics, that the person exhibits more masculinity or femininity or the absence of masculinity or femininity whether or not it matches the person's gender or sex assigned at birth;

U. "gender" means an individual or societal expectation or perception of a person as masculine or feminine based on appearance, behavior or physical characteristics;

V. "reasonable accommodation" means modification or adaptation of the work environment, work schedule, work rules or job responsibilities, and reached through good faith efforts to explore less restrictive or less expensive alternatives to

enable an employee to perform the essential functions of the job and that does not impose an undue hardship on the employer;

W. "undue hardship" means an accommodation requiring significant difficulty or expense when considered in light of the following factors:

- (1) the nature and cost of the accommodation;
- (2) the financial resources of the employer involved in the provision of the reasonable accommodation;
- (3) the number of persons the employer employs;
- (4) the effect of the accommodation on expenses and resources;
- (5) the impact of the accommodation otherwise upon the employer's business;
- (6) the overall financial resources of the employer;
- (7) the overall size of the business of an employer with respect to the number, type and location of its facilities;
- (8) the type of operation of the employer, including the composition, structure and functions of the workforce of the employer; or
- (9) the geographic separateness or administrative or fiscal relationship to the employer of the employer's facilities;

X. "cultural or religious headdresses" includes hijabs, head wraps or other headdresses used as part of an individual's personal cultural or religious beliefs;

Y. "protective hairstyles" includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, weaves, wigs or head wraps;

Z. "race" includes traits historically associated with race, including hair texture, length of hair, protective hairstyles or cultural or religious headdresses;

AA. "state" means the state of New Mexico or any of its agencies, departments, boards, instrumentalities or institutions;

BB. "governmental entity" means the state or any public body;

CC. "public body" means a state or local government, an advisory board, a commission, an agency or an entity created by the constitution of New Mexico or any

branch of government that receives public funding, including political subdivisions, special tax districts, school districts and institutions of higher education;

DD. "services" means any function, program, activity or benefit; and

EE. "military status" means a person's active membership in the armed forces or state defense force or being a veteran of the armed forces or state defense force and includes a spouse or child of an active member or veteran of the armed forces or state defense force."

Chapter 21 Section 5 Laws 2024

SECTION 5. Section 28-1-7 NMSA 1978 (being Laws 1969, Chapter 196, Section 7, as amended) is amended to read:

"28-1-7. UNLAWFUL DISCRIMINATORY PRACTICE.--It is an unlawful discriminatory practice for:

A. an employer, unless based on a bona fide occupational qualification or other statutory prohibition, to refuse to hire, to discharge, to promote or demote or to discriminate in matters of compensation, terms, conditions or privileges of employment against any person otherwise qualified because of race, age, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, physical or mental disability, serious medical condition or military status, or, if the employer has fifty or more employees, spousal affiliation; provided, however, that 29 U.S.C. Section 631(c)(1) and (2) shall apply to discrimination based on age;

B. a labor organization to exclude a person or to expel or otherwise discriminate against any of its members or against any employer or employee because of race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical or mental disability, serious medical condition or military status;

C. any employer, labor organization or joint apprenticeship committee to refuse to admit or employ any person in any program established to provide an apprenticeship or other training or retraining because of race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, physical or mental disability, serious medical condition or military status, or, if the employer has fifty or more employees, spousal affiliation;

D. any person, employer, employment agency or labor organization to print or circulate or cause to be printed or circulated any statement, advertisement or publication, to use any form of application for employment or membership or to make any inquiry regarding prospective membership or employment that expresses, directly

or indirectly, any limitation, specification or discrimination as to race, color, religion, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, physical or mental disability, serious medical condition or military status, or, if the employer has fifty or more employees, spousal affiliation, unless based on a bona fide occupational qualification;

E. an employment agency to refuse to list and properly classify for employment or refer a person for employment in a known available job, for which the person is otherwise qualified, because of race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical or mental disability or serious medical condition, unless based on a bona fide occupational qualification, or to comply with a request from an employer for referral of applicants for employment if the request indicates, either directly or indirectly, that the employer discriminates in employment on the basis of race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical or mental disability, serious medical condition, unless based on a bona fide occupational qualification, or military status;

F. any person in any public accommodation to make a distinction, directly or indirectly, in offering or refusing to offer its services, facilities, accommodations or goods to any person because of race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical or mental disability or military status; provided that the physical or mental disability is unrelated to a person's ability to acquire or rent and maintain particular real property or housing accommodation;

G. any person to:

(1) refuse to sell, rent, assign, lease or sublease or offer for sale, rental, lease, assignment or sublease any housing accommodation or real property to any person or to refuse to negotiate for the sale, rental, lease, assignment or sublease of any housing accommodation or real property to any person because of race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical or mental disability or military status; provided that the physical or mental disability is unrelated to a person's ability to acquire or rent and maintain particular real property or housing accommodation;

(2) discriminate against any person in the terms, conditions or privileges of the sale, rental, assignment, lease or sublease of any housing accommodation or real property or in the provision of facilities or services in connection therewith because of race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical or mental disability or military status;

provided that the physical or mental disability is unrelated to a person's ability to acquire or rent and maintain particular real property or housing accommodation; or

(3) print, circulate, display or mail or cause to be printed, circulated, displayed or mailed any statement, advertisement, publication or sign or use any form of application for the purchase, rental, lease, assignment or sublease of any housing accommodation or real property or to make any record or inquiry regarding the prospective purchase, rental, lease, assignment or sublease of any housing accommodation or real property that expresses any preference, limitation or discrimination as to race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation, physical or mental disability or military status; provided that the physical or mental disability is unrelated to a person's ability to acquire or rent and maintain particular real property or housing accommodation;

H. any person to whom application is made either for financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation or real property or for any type of consumer credit, including financial assistance for the acquisition of any consumer good as defined by Section 55-9-102 NMSA 1978, to:

(1) consider the race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation or physical or mental disability of any individual in the granting, withholding, extending, modifying or renewing or in the fixing of the rates, terms, conditions or provisions of any financial assistance or in the extension of services in connection with the request for financial assistance; or

(2) use any form of application for financial assistance or to make any record or inquiry in connection with applications for financial assistance that expresses, directly or indirectly, any limitation, specification or discrimination as to race, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, spousal affiliation or physical or mental disability;

I. any person or employer to:

(1) aid, abet, incite, compel or coerce the doing of any unlawful discriminatory practice or to attempt to do so;

(2) engage in any form of threats, reprisal or discrimination against any person who has opposed any unlawful discriminatory practice or has filed a complaint, testified or participated in any proceeding under the Human Rights Act; or

(3) willfully obstruct or prevent any person from complying with the provisions of the Human Rights Act or to resist, prevent, impede or interfere with the

commission or any of its members, staff or representatives in the performance of their duties under the Human Rights Act;

J. any employer to refuse or fail to accommodate a person's physical or mental disability or serious medical condition, unless such accommodation is unreasonable or an undue hardship;

K. any employer to refuse or fail to make reasonable accommodation for an employee or job applicant with a need arising from pregnancy, childbirth or condition related to pregnancy or childbirth;

L. any employer to require an employee with a need arising from pregnancy, childbirth or condition related to pregnancy or childbirth to take paid or unpaid leave if another reasonable accommodation can be provided unless the employee voluntarily requests to be placed on leave or the employee is placed on leave pursuant to federal law; or

M. a governmental entity or a public contractor to refuse or otherwise limit or put conditions on services to a person because of race, age, religion, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, pregnancy, childbirth or condition related to pregnancy or childbirth, physical or mental disability, serious medical condition or spousal affiliation; provided that nothing in this subsection shall be construed to require a governmental entity or a public contractor to provide services or programs beyond services or programs to the specific populations that the governmental entity or public contractor is tasked with serving."

Chapter 21 Section 6 Laws 2024

SECTION 6. Section 40-10D-2 NMSA 1978 (being Laws 2014, Chapter 4, Section 2) is amended to read:

"40-10D-2. DEFINITIONS.--As used in the Deployed Parents Custody and Visitation Act:

A. "adult" means an individual who has attained eighteen years of age or is an emancipated minor;

B. "caretaking authority" means the right to live with and care for a child on a day-to-day basis. "Caretaking authority" includes physical custody, parenting time, right to access and visitation;

C. "child" means:

(1) an unemancipated individual who has not attained eighteen years of age; or

(2) an adult son or daughter by birth or adoption, or under law of this state other than the Deployed Parents Custody and Visitation Act, who is the subject of a court order concerning custodial responsibility;

D. "court" means a tribunal, including an administrative agency, authorized under law of this state other than the Deployed Parents Custody and Visitation Act, to make, enforce or modify a decision regarding custodial responsibility;

E. "custodial responsibility" includes all powers and duties relating to caretaking authority and decision-making authority for a child. "Custodial responsibility" includes physical custody, legal custody, parenting time, right to access, visitation and authority to grant limited contact with a child;

F. "decision-making authority" means the power to make important decisions regarding a child, including decisions regarding the child's education, religious training, health care, extracurricular activities and travel. "Decision-making authority" does not include the power to make decisions that necessarily accompany a grant of caretaking authority;

G. "deploying parent" means a service member who is deployed or has been notified of impending deployment and is:

(1) a parent of a child under law of this state other than the Deployed Parents Custody and Visitation Act; or

(2) an individual who has custodial responsibility for a child under law of this state other than the Deployed Parents Custody and Visitation Act;

H. "deployment" means the movement or mobilization of a service member for more than ninety days but less than eighteen months pursuant to uniformed service orders that:

(1) are designated as unaccompanied;

(2) do not authorize dependent travel; or

(3) otherwise do not permit the movement of family members to the location to which the service member is deployed;

I. "family member" means a sibling, aunt, uncle, cousin, stepparent or grandparent of a child or an individual recognized to be in a familial relationship with a child under law of this state other than the Deployed Parents Custody and Visitation Act;

J. "limited contact" means the authority of a nonparent to visit a child for a limited time. "Limited contact" includes authority to take the child to a place other than the residence of the child;

K. "nonparent" means an individual other than a deploying parent or other parent;

L. "other parent" means an individual who, in common with a deploying parent, is:

(1) a parent of a child under law of this state other than the Deployed Parents Custody and Visitation Act; or

(2) an individual who has custodial responsibility for a child under law of this state other than the Deployed Parents Custody and Visitation Act;

M. "record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

N. "return from deployment" means the conclusion of a service member's deployment as specified in uniformed service orders;

O. "service member" means a member of a uniformed service;

P. "sign" means with present intent to authenticate or adopt a record to:

(1) execute or adopt a tangible symbol; or

(2) attach to or logically associate with the record an electronic symbol, sound or process;

Q. "state" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States; and

R. "uniformed service" means:

(1) active and reserve components of the army, navy, air force, space force, marine corps or coast guard of the United States;

(2) the United States merchant marine;

(3) the commissioned corps of the United States public health service;

(4) the commissioned corps of the national oceanic and atmospheric administration of the United States; or

(5) the national guard of a state."

Chapter 21 Section 7 Laws 2024

SECTION 7. Section 45-1-201 NMSA 1978 (being Laws 1993, Chapter 174, Section 4, as amended) is amended to read:

"45-1-201. DEFINITIONS.--

A. As used in the Uniform Probate Code, except as provided in Subsection B of this section and unless the context otherwise requires:

(1) "agent" includes an attorney-in-fact under a durable or nondurable power of attorney, an individual authorized to make decisions concerning another's health care and an individual authorized to make decisions for another under a natural death act;

(2) "application" means a written request to a court for an order of informal probate or appointment pursuant to Chapter 45, Article 3 NMSA 1978;

(3) "authenticated", with reference to copies, means certified or exemplified;

(4) "beneficiary", as it relates to a trust beneficiary, includes a person who has any present or future interest, vested or contingent, and also includes the owner of an interest by assignment or other transfer; as it relates to a charitable trust, includes any person entitled to enforce the trust; as it relates to a "beneficiary of a beneficiary designation", refers to a beneficiary of an insurance or annuity policy, of an account with POD designation, of a security registered in beneficiary form (TOD) or of a pension, profit-sharing, retirement or similar benefit plan or other nonprobate transfer at death; and, as it relates to a "beneficiary designated in a governing instrument", includes a grantee of a deed, a devisee, a trust beneficiary, a beneficiary of a beneficiary designation, a donee, appointee or taker in default of a power of appointment or a person in whose favor a power of attorney or a power held in any individual, fiduciary or representative capacity is exercised;

(5) "beneficiary designation" refers to a governing instrument naming a beneficiary of an insurance or annuity policy, of an account with POD designation, of a security registered in beneficiary form (TOD) or of a pension, profit-sharing, retirement or similar benefit plan or other nonprobate transfer at death;

(6) "child" includes an individual entitled to take as a child pursuant to the Uniform Probate Code by intestate succession from the parent whose relationship is involved and excludes a person who is only a stepchild, a foster child, a grandchild or any more remote descendant;

(7) "claims", in respect to estates of decedents and protected persons, includes liabilities of the decedent or protected person, whether arising in contract, in

tort or otherwise and liabilities of the estate that arise at or after the death of the decedent or after the appointment of a conservator, including funeral expenses and expenses of administration. "Claims" does not include estate or inheritance taxes or demands or disputes regarding title of a decedent, an incapacitated person or a minor protected person to specific assets alleged to be included in the estate;

(8) "conservator" has the same meaning as set forth in Section 45-5-101 NMSA 1978;

(9) "descendant" of an individual means all of the individual's descendants of all generations, with the relationship of parent and child at each generation being determined by the definition of child and parent contained in the Uniform Probate Code;

(10) "devise", when used as a noun, means a testamentary disposition of real or personal property and, when used as a verb, means to dispose of real or personal property by will;

(11) "devisee" means a person designated in a will to receive a devise. For the purposes of Chapter 45, Article 3 NMSA 1978, in the case of a devise to an existing trust or trustee or to a trustee or trust described by will, the trust or trustee is the devisee and the beneficiaries are not devisees;

(12) "distributee" means a person who has received property of a decedent from the decedent's personal representative other than as a creditor or purchaser. A testamentary trustee is a distributee only to the extent of distributed assets or increment thereto remaining in the testamentary trustee's hands. A beneficiary of a testamentary trust to whom the trustee has distributed property received from a personal representative is a distributee of the personal representative. For the purposes of this paragraph, "testamentary trustee" includes a trustee to whom assets are transferred by will, to the extent of the devised assets;

(13) "electronic" means relating to technology having electronic, digital, magnetic, wireless, optical, electromagnetic or similar capabilities;

(14) "emancipated minor" means a person sixteen years of age or older who:

(a) has entered into a valid marriage, whether or not the marriage was terminated by dissolution;

(b) is a member of the active or reserve components of the army, navy, air force, space force, marine corps or coast guard of the United States who is on active duty or a member of the national guard who is on activated status; or

(c) has received a declaration of emancipation pursuant to the Emancipation of Minors Act;

(15) "estate" includes the property of the decedent, trust or other person whose affairs are subject to the Uniform Probate Code as the property was originally constituted and as it exists from time to time during administration;

(16) "exempt property" means that property of a decedent's estate that is described in Sections 45-2-402 and 45-2-403 NMSA 1978;

(17) "fiduciary" includes a personal representative, guardian, guardian ad litem, conservator and trustee;

(18) "foreign personal representative" means a personal representative appointed by another jurisdiction;

(19) "formal proceedings" means proceedings conducted before a district judge with notice to interested persons;

(20) "governing instrument" means a deed, will, trust, insurance or annuity policy, account with POD designation, security registered in beneficiary form (TOD), transfer on death (TOD) deed, pension, profit-sharing, retirement or similar benefit plan, instrument creating or exercising a power of appointment or a power of attorney or a dispositive, appointive or nominative instrument of a similar type;

(21) "guardian" means a person who has qualified to provide for the care, custody or control of the person of a minor or incapacitated person pursuant to parental or court appointment. "Guardian" includes a limited, emergency and temporary guardian but not a guardian ad litem;

(22) "guardian ad litem" means a person appointed by the district court to represent and protect the interests of a minor or an incapacitated person in connection with litigation or any other court proceeding;

(23) "heirs", except as controlled by Section 45-2-711 NMSA 1978, means persons, including the surviving spouse and the state, who are entitled under the statutes of intestate succession to the property of a decedent;

(24) "incapacitated person" means an individual described in Section 45-5-101 NMSA 1978;

(25) "informal proceedings" means those proceedings conducted without notice to interested persons before the court for probate of a will or appointment of a personal representative, except as provided for in Section 45-3-306 NMSA 1978;

(26) "interested person" includes heirs, devisees, children, spouses, creditors, beneficiaries and any others having a property right in or claim against a trust estate or the estate of a decedent, a minor protected person or an incapacitated person. "Interested person" also includes persons having priority for appointment as personal representatives and other fiduciaries representing interested persons. The meaning as it relates to particular persons may vary from time to time and shall be determined according to the particular purposes of, and matter involved in, a proceeding;

(27) "issue" of an individual means the individual's descendants;

(28) "lease" includes an oil, gas or other mineral lease;

(29) "letters" includes letters testamentary, letters of guardianship, letters of administration and letters of conservatorship;

(30) "minor" means an unemancipated individual who has not reached eighteen years of age;

(31) "mortgage" means any conveyance, agreement or arrangement in which property is encumbered or used as security;

(32) "nonresident decedent" means a decedent who was domiciled in another jurisdiction at the time of death;

(33) "organization" means a corporation, business trust, limited liability company, estate, trust, partnership, joint venture, association, government or governmental subdivision or agency or any other legal or commercial entity;

(34) "parent" includes any person entitled to take, or who would be entitled to take if the child died without a will, as a parent pursuant to the Uniform Probate Code by intestate succession from the child whose relationship is in question and excludes any person who is only a stepparent, foster parent or grandparent;

(35) "payor" means a trustee, insurer, business entity, employer, government, governmental agency or subdivision or any other person authorized or obligated by law or a governing instrument to make payments;

(36) "person" means an individual or an organization;

(37) "personal representative" includes executor, administrator, successor personal representative, special administrator and persons who perform substantially the same function under the law governing their status. "General personal representative" excludes special administrator;

(38) "petition" means a written motion or other request to the district court for an order after notice;

(39) "proceeding" includes action at law and suit in equity;

(40) "property" includes both real and personal property or any right or interest therein and means anything that may be the subject of ownership;

(41) "protected person" has the same meaning as set forth in Section 45-5-101 NMSA 1978;

(42) "protective proceeding" means a conservatorship proceeding pursuant to Section 45-5-401 NMSA 1978;

(43) "record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(44) "security" includes any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in an oil, gas or mining title or lease or in payments out of production under such a title or lease, collateral trust certificate, transferable share, voting trust certificate or, in general, any interest or instrument commonly known as a security or any certificate of interest or participation, any temporary or interim certificate, receipt or certificate of deposit for or any warrant or right to subscribe to or purchase any of the foregoing;

(45) "settlement", in reference to a decedent's estate, includes the full process of administration, distribution and closing;

(46) "sign" means with present intent to authenticate or adopt a record other than a will:

(a) to execute or adopt a tangible symbol; or

(b) to attach to or logically associate with the record an electronic symbol, sound or process;

(47) "special administrator" means a personal representative as described by Sections 45-3-614 through 45-3-618 NMSA 1978;

(48) "state" means a state of the United States, the District of Columbia, the commonwealth of Puerto Rico or any territory or insular possession subject to the jurisdiction of the United States. "State" also includes any Indian nation, tribe, pueblo or band located within the United States and recognized by federal law or formally acknowledged by a state of the United States;

(49) "successor personal representative" means a personal representative, other than a special administrator, who is appointed to succeed a previously appointed personal representative;

(50) "successors" means persons, other than creditors, who are entitled to property of a decedent under the decedent's will or the Uniform Probate Code;

(51) "supervised administration" refers to the proceedings described in Article 3, Part 5 of the Uniform Probate Code;

(52) "survive" means that an individual has neither predeceased an event, including the death of another individual, nor is deemed to have predeceased an event pursuant to Section 45-2-104 or 45-2-702 NMSA 1978. "Survive" includes its derivatives, such as "survives", "survived", "survivor" and "surviving";

(53) "testacy proceeding" means a proceeding to establish a will or determine intestacy;

(54) "testator" includes an individual of either gender;

(55) "trust" includes an express trust, private or charitable, with additions thereto, wherever and however created. "Trust" also includes a trust created or determined by judgment or decree under which the trust is to be administered in the manner of an express trust. "Trust" excludes other constructive trusts and excludes resulting trusts, conservatorships, personal representatives, trust accounts as defined in Article 6 of the Uniform Probate Code, custodial arrangements, including those created under the Uniform Transfers to Minors Act, business trusts providing for certificates to be issued to beneficiaries, common trust funds, voting trusts, security arrangements, liquidation trusts, trusts for the primary purpose of paying debts, dividends, interest, salaries, wages, profits, pensions or employee benefits of any kind and any arrangement under which a person is nominee or escrowee for another;

(56) "trustee" includes an original, additional or successor trustee, whether or not appointed or confirmed by court; and

(57) "will" includes a codicil and any testamentary instrument that merely appoints a personal representative, revokes or revises another will, nominates a guardian or expressly excludes or limits the right of an individual or class to succeed to property of the decedent passing by intestate succession. "Will" does not include a holographic will.

B. The definitions in Subsection A of this section are made subject to additional definitions contained in subsequent articles that are applicable to specific articles, parts or sections."

Chapter 21 Section 8 Laws 2024

SECTION 8. Section 66-3-303 NMSA 1978 (being Laws 1978, Chapter 35, Section 79) is amended to read:

"66-3-303. REGISTRATION BY MILITARY PERSONNEL.--Officers and enlisted personnel of the United States army, navy, marine corps, coast guard, space force and air force may operate their personal passenger vehicles in this state subject to the provisions of Section 66-3-301 NMSA 1978."

LAWS 2024, CHAPTER 22

Senate Bill 76

Approved February 29, 2024

AN ACT

RELATING TO PUBLIC SCHOOL CAPITAL OUTLAY; AMENDING THE LOCAL SHARE ADJUSTMENT WAIVER REQUIREMENTS FOR SCHOOL DISTRICTS.

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

Chapter 22 Section 1 Laws 2024

SECTION 1. Section 22-24-5 NMSA 1978 (being Laws 1975, Chapter 235, Section 5, as amended) is amended to read:

"22-24-5. PUBLIC SCHOOL CAPITAL OUTLAY PROJECTS--APPLICATION--GRANT ASSISTANCE.--

A. Applications for grant assistance, approval of applications, prioritization of projects and grant awards shall be conducted pursuant to the provisions of this section.

B. Except as provided in Sections 22-24-4.3, 22-24-5.4 and 22-24-5.6 NMSA 1978, the following provisions govern grant assistance from the fund for a public school capital outlay project not wholly funded pursuant to Section 22-24-4.1 NMSA 1978:

(1) all school districts are eligible to apply for funding from the fund, regardless of percentage of indebtedness;

(2) priorities for funding shall be determined by using the statewide adequacy standards developed pursuant to Subsection C of this section; provided that:

(a) the council shall apply the standards to charter schools to the same extent that they are applied to other public schools;

(b) the council may award grants annually to school districts for the purpose of repairing, renovating or replacing public school building systems in existing buildings as identified in Section 22-24-4.6 NMSA 1978;

(c) the council shall adopt and apply adequacy standards appropriate to the unique needs of the constitutional special schools; and

(d) in an emergency in which the health or safety of students or school personnel is at immediate risk or in which there is a threat of significant property damage, the council may award grant assistance for a project using criteria other than the statewide adequacy standards;

(3) the council shall establish criteria to be used in public school capital outlay projects that receive grant assistance pursuant to the Public School Capital Outlay Act. In establishing the criteria, the council shall consider:

(a) the feasibility of using design, build and finance arrangements for public school capital outlay projects;

(b) the potential use of more durable construction materials that may reduce long-term operating costs;

(c) concepts that promote efficient but flexible utilization of space; and

(d) any other financing or construction concept that may maximize the dollar effect of the state grant assistance;

(4) no more than ten percent of the combined total of grants in a funding cycle shall be used for retrofitting existing facilities for technology infrastructure;

(5) no later than May 1 of each calendar year, the phase two formula value shall be calculated for each school district in accordance with the following procedure:

(a) the sum of the final prior five years net taxable value for a school district multiplied by nine ten-thousandths for that school district is calculated for each school district;

(b) the maximum allowable gross square foot per student multiplied by the replacement cost per square foot divided by forty-five is calculated for each school district;

(c) the value calculated pursuant to Subparagraph (a) of this paragraph divided by the value calculated pursuant to Subparagraph (b) of this paragraph is calculated for each school district;

(d) in those instances in which the calculation pursuant to Subparagraph (c) of this paragraph yields a value equal to or greater than one, the phase two formula value shall be zero for the subject school district;

(e) in those instances in which the calculation pursuant to Subparagraph (c) of this paragraph yields a value of ninety-hundredths or more but less than one, the phase two formula value shall be one minus the value calculated in Subparagraph (c) of this paragraph; and

(f) in those instances in which the calculation pursuant to Subparagraph (c) of this paragraph yields a value less than ninety-hundredths, the phase two formula value shall be one minus the value calculated in Subparagraph (c) of this paragraph plus the school district population density factor;

(6) the state share of a project approved by the council shall be funded within available resources pursuant to the provisions of this paragraph. Except as provided in Section 22-24-5.7 NMSA 1978 and except as adjusted pursuant to Paragraph (8), (9) or (10) of this subsection, the amount to be distributed from the fund for an approved project shall equal the total project cost multiplied by the following percentage, except that in no case shall the state share be less than six percent:

(a) for fiscal year 2024 through fiscal year 2026, the percentage shall be the phase two formula value plus a percentage equal to one-third of the difference between one and the phase two formula value; provided that, for school districts with fewer than 200 MEM, the percentage shall be the phase two formula value plus a percentage equal to one-half of the difference between one and the phase two formula; and

(b) for fiscal year 2027 and thereafter, the percentage shall be the phase two formula value;

(7) as used in this subsection:

(a) "governmental entity" includes an Indian nation, tribe or pueblo;

(b) "phase two formula value" for a state-chartered charter school means the phase two formula value calculated pursuant to Paragraph (5) of this subsection for the school district in which the state-chartered charter school is physically located;

(c) "subject school district" means the school district that has submitted the application for funding and in which the approved public school capital outlay project will be located; and

(d) "total project cost" means the total amount necessary to complete the public school capital outlay project less any insurance reimbursement received by the school district for the project;

(8) the amount calculated pursuant to Paragraph (6) of this subsection may be increased by an additional five percent if the council finds that the subject school district has been exemplary in implementing and maintaining a preventive maintenance program. The council shall adopt such rules as are necessary to implement the provisions of this paragraph;

(9) the council may adjust the amount of local share otherwise required if it determines that a school district has made a good-faith effort to use all of its local resources. Before making any adjustment to the local share, the council shall consider whether:

(a) the school district has insufficient bonding capacity over the next four years to provide the local match necessary to complete the project and, for all educational purposes, has a residential property tax rate of at least ten dollars (\$10.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds;

(b) the school district: 1) has fewer than an average of eight hundred full-time-equivalent students on the second and third reporting dates of the prior school year; 2) has at least seventy percent of its students eligible for free or reduced-fee lunch; 3) has a phase two formula value calculated pursuant to Paragraph (5) of this subsection that would be greater than fifty percent; and 4) for all educational purposes, has a residential property tax rate of at least seven dollars (\$7.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds; or

(c) the school district: 1) has an enrollment growth rate over the previous school year of at least two and one-half percent; 2) pursuant to its five-year facilities plan, will be building a new school within the next two years; and 3) for all educational purposes, has a residential property tax rate of at least ten dollars (\$10.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds;

(10) the local match for the constitutional special schools shall be set at fifty percent for projects that qualify under the educational adequacy category and one hundred percent for projects that qualify in the support spaces category; provided that the council may adjust or waive the amount of any direct appropriation offset to or local share required for the constitutional special schools if an applicant constitutional special school has insufficient or no local resources available; and

(11) no application for grant assistance from the fund shall be approved unless the council determines that:

(a) the public school capital outlay project is needed and included in the school district's five-year facilities plan among its top priorities;

(b) the school district has used its capital resources in a prudent manner;

(c) the school district has provided insurance for buildings of the school district in accordance with the provisions of Section 13-5-3 NMSA 1978;

(d) the school district has submitted a five-year facilities plan that includes: 1) enrollment projections; 2) a current preventive maintenance plan that has been approved by the council pursuant to Section 22-24-5.3 NMSA 1978 and that is followed by each public school in the district; 3) the capital needs of charter schools located in the school district; and 4) projections for the facilities needed in order to maintain a full-day kindergarten program;

(e) the school district is willing and able to pay any portion of the total cost of the public school capital outlay project that, according to Paragraph (6), (8) or (9) of this subsection, is not funded with grant assistance from the fund;

(f) the application includes the capital needs of any charter school located in the school district or the school district has shown that the facilities of the charter school have a smaller deviation from the statewide adequacy standards than other district facilities included in the application; and

(g) the school district has agreed, in writing, to comply with any reporting requirements or conditions imposed by the council pursuant to Section 22-24-5.1 NMSA 1978.

C. After consulting with the public school capital outlay oversight task force and other experts, the council shall regularly review and update statewide adequacy standards applicable to all school districts. The standards shall establish the acceptable level for the physical condition and capacity of buildings, the educational suitability of facilities, the need for career-technical education facilities or classrooms and the need for education technology infrastructure. Except as otherwise provided in the Public School Capital Outlay Act, the amount of outstanding deviation from the standards shall be used by the council in evaluating and prioritizing public school capital outlay projects.

D. The acquisition of a facility by a school district or charter school pursuant to a financing agreement that provides for lease payments with an option to purchase for a price that is reduced according to lease payments made may be considered a public school capital outlay project and eligible for grant assistance under this section pursuant to the following criteria:

(1) no grant shall be awarded unless the council determines that, at the time of exercising the option to purchase the facility by the school district or charter

school, the facility will equal or exceed the statewide adequacy standards and the building standards for public school facilities;

(2) no grant shall be awarded unless the school district and the need for the facility meet all of the requirements for grant assistance pursuant to the Public School Capital Outlay Act;

(3) the total project cost shall equal the total payments that would be due under the agreement if the school district or charter school would eventually acquire title to the facility;

(4) the portion of the total project cost to be paid from the fund may be awarded as one grant, but disbursements from the fund shall be made from time to time as lease payments become due;

(5) the portion of the total project cost to be paid by the school district or charter school may be paid from time to time as lease payments become due; and

(6) neither a grant award nor any provision of the Public School Capital Outlay Act creates a legal obligation for the school district or charter school to continue the lease from year to year or to purchase the facility.

E. In order to encourage private capital investment in the construction of public school facilities, the purchase of a privately owned school facility that is, at the time of application, in use by a school district may be considered a public school capital outlay project and eligible for grant assistance pursuant to this section if the council finds that:

(1) at the time of the initial use by the school district, the facility to be purchased equaled or exceeded the statewide adequacy standards and the building standards for public school facilities;

(2) at the time of application, attendance at the facility to be purchased is at seventy-five percent or greater of design capacity and the attendance at other schools in the school district that the students at the facility would otherwise attend is at eighty-five percent or greater of design capacity; and

(3) the school district and the capital outlay project meet all of the requirements for grant assistance pursuant to the Public School Capital Outlay Act; provided that, when determining the deviation from the statewide adequacy standards for the purposes of evaluating and prioritizing the project, the students using the facility shall be deemed to be attending other schools in the school district.

F. It is the intent of the legislature that grant assistance made pursuant to this section allows every school district to meet the standards developed pursuant to Subsection C of this section; provided, however, that nothing in the Public School

Capital Outlay Act or the development of standards pursuant to that act prohibits a school district from using other funds available to the district to exceed the statewide adequacy standards.

G. Upon request, the council shall work with, and provide assistance and information to, the public school capital outlay oversight task force.

H. The council may establish committees or task forces, not necessarily consisting of council members, and may use the committees or task forces, as well as existing agencies or organizations, to conduct studies, conduct surveys, submit recommendations or otherwise contribute expertise from the public schools, programs, interest groups and segments of society most concerned with a particular aspect of the council's work.

I. Upon the recommendation of the authority, the council shall develop building standards for public school facilities and shall promulgate other such rules as are necessary to carry out the provisions of the Public School Capital Outlay Act.

J. No later than December 15 of each year, the council shall prepare a report summarizing its activities during the previous fiscal year. The report shall describe in detail all projects funded, the progress of projects previously funded but not completed, the criteria used to prioritize and fund projects and all other council actions. The report shall be submitted to the public education commission, the governor, the legislative finance committee, the legislative education study committee and the legislature.

K. For any school district that received a standards- or systems-based award from the council in fiscal year 2023, the state share for any future phase of the project for which funding has not yet been awarded shall be the amount calculated pursuant to Subsection B of this section for fiscal year 2024, regardless of the state share at the time of the initial award.

L. As used in this section:

(1) "MEM" means membership; and

(2) "membership" means the total enrollment of qualified students on the current roll of a class or school on a specified day. The current roll is established by the addition of original entries and reentries minus withdrawals. Withdrawals of students, in addition to students formally withdrawn from the public school, include students absent from the public school for as many as ten consecutive school days; provided that withdrawals do not include students in need of early intervention and habitual truants the school district is required to intervene with and keep in an educational setting."

Chapter 22 Section 2 Laws 2024

SECTION 2. APPLICABILITY.--The provisions of this act apply to public school capital outlay awards made during the 2023-2024 awards cycle and subsequent award cycles.

LAWS 2024, CHAPTER 23

Senate Bill 106, aa, w/cc
Approved February 29, 2024

AN ACT

RELATING TO CULTURAL AFFAIRS; CREATING THE SEMIQUINCENTENNIAL COMMISSION TO PLAN, PROMOTE AND IMPLEMENT CELEBRATIONS COMMEMORATING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE AND THE FOUNDING OF THE UNITED STATES OF AMERICA; PROVIDING POWERS AND DUTIES.

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

Chapter 23 Section 1 Laws 2024

SECTION 1. TEMPORARY PROVISION--SEMIQUINCENTENNIAL COMMISSION CREATED--MEMBERSHIP--CULTURAL AFFAIRS DEPARTMENT TO STAFF--TERMINATION.--

A. The "semiquincentennial commission" is created in the cultural affairs department to plan, promote and implement public celebrations and commemorations of the two hundred fiftieth anniversary of the declaration of independence and the two hundred fiftieth anniversary of the founding of the United States of America on July 4, 2026.

B. The commission consists of the following members:

- (1) the governor, who shall serve as the honorary chair of the commission;
- (2) the lieutenant governor or the lieutenant governor's designee;
- (3) the president pro tempore of the senate or the president pro tempore's designee;
- (4) the speaker of the house of representatives or the speaker's designee;

- (5) the secretary of cultural affairs or the secretary's designee;
- (6) the secretary of higher education or the secretary's designee;
- (7) the secretary of Indian affairs or the secretary's designee;
- (8) the secretary of public education or the secretary's designee;
- (9) the secretary of tourism or the secretary's designee;
- (10) the adjutant general of the New Mexico national guard or the adjutant general's designee;
- (11) the state historian who shall convene the first meeting; and
- (12) four public members appointed by the governor.

C. The cultural affairs department shall provide staff support to the commission.

D. Public members of the commission shall be appointed for the life of the commission and shall serve at the pleasure of the governor. Vacancies on the commission shall be filled in the same manner in which the original appointment was made.

E. Public members of the commission shall receive per diem and mileage as provided in the Per Diem and Mileage Act and shall receive no other compensation, perquisite or allowance.

F. The commission shall terminate on December 31, 2026.

Chapter 23 Section 2 Laws 2024

SECTION 2. TEMPORARY PROVISION--POWERS AND DUTIES.--

A. The semiquincentennial commission may cooperate with the United States semiquincentennial commission created by Public Law 114-196, other national and state organizations engaged in commemoration and celebration of the United States semiquincentennial and other national, regional, state and local public and private organizations having compatible purposes.

B. The commission shall promote and encourage as part of its celebratory events, electronic media, printed media, symposia and educational outreach:

(1) awareness and understanding of the principles of the declaration of independence, the United States' winning of the Revolutionary War and the establishment of the United States' system of constitutional self-government;

(2) the advancement of the cause of liberty and American self-government through promoting civic knowledge and practice and the constitutional features of self-government that emphasize the roles of active and engaged citizens; and

(3) an increase in public knowledge and appreciation of the breadth of American history and the long quest to live up to the ideals put forth in the declaration of independence and the United States constitution.

C. The commission may:

(1) designate advisory and honorary boards and special committees to assist with planning, developing and coordinating specific activities;

(2) enter into contracts and accept donations, gifts, grants and other things of value, including real or personal property and personal services; and

(3) do other things consistent with the purposes of this act to carry out the provisions of this act.

Chapter 23 Section 3 Laws 2024

SECTION 3. TEMPORARY PROVISION--COOPERATION.--

A. The semiquincentennial commission shall consult, cooperate with and seek advice from appropriate state departments and agencies, public schools, post-secondary educational institutions, local public bodies, learned societies and historical, patriotic, philanthropic, civic, professional and related organizations.

B. The president of each state university shall cooperate with the commission, especially in the encouragement, coordination and publicity of scholarly works and presentations on the history, culture, political thought and commemoration of the semiquincentennial celebration.

Chapter 23 Section 4 Laws 2024

SECTION 4. TEMPORARY PROVISION--REPORT.--

A. The semiquincentennial commission shall submit to the governor a report incorporating specific recommendations for the ceremonial, educational and scholastic commemoration of the United States semiquincentennial in the state by December 31, 2024. The report shall recommend activities such as:

- (1) the production, publication and distribution of books, pamphlets, films and other educational materials about the semiquincentennial;
- (2) bibliographical and documentary projects and publications;
- (3) conferences, convocations, lectures, seminars and other programs;
- (4) the development of special projects for libraries, museums, state parks and historic sites, including special exhibits and traveling exhibits;
- (5) ceremonies and celebrations commemorating specific and general events;
- (6) programs and activities on the national and international significance of the semiquincentennial and its implications for present and future generations; and
- (7) the involvement of local governments and cultural, historical and other organizations.

B. The report shall include recommendations for the allocation of financial and administrative responsibility among public and private authorities, a list of organizations recommended for participation by the commission and proposals for legislation or administrative action necessary to carry out the recommendations of the commission.

LAWS 2024, CHAPTER 24

Senate Bill 108, aa
Approved February 29, 2024

AN ACT

RELATING TO THE ELECTION FUND; CREATING A TRANSFER TO THE ELECTION FUND IN AN AMOUNT BASED ON THE COSTS OF AN ELECTION.

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

Chapter 24 Section 1 Laws 2024

SECTION 1. Section 1-11-19 NMSA 1978 (being Laws 2018, Chapter 79, Section 33, as amended) is amended to read:

"1-11-19. COSTS OF ELECTIONS--ELECTION FUND.--

A. There is created in the state treasury the "election fund" solely for the purposes of:

- (1) paying the costs of conducting and administering statewide elections required by the Election Code;
- (2) reimbursing the counties for the costs of conducting and administering statewide elections required by the Election Code;
- (3) paying the administrative costs of the office of the secretary of state for administering elections required by the Election Code and for administering the election fund; and
- (4) carrying out all other specified provisions of the Election Code not already covered by another fund administered by the secretary of state.

B. The state treasurer shall invest the election fund as other state funds are invested, and all income derived from the fund shall be credited directly to the fund. Remaining balances at the end of a fiscal year shall remain in the fund and not revert to the general fund. Money in the fund is appropriated to the office of the secretary of state for the purposes authorized in Subsection A of this section. Money in the fund shall only be expended on warrants of the department of finance and administration pursuant to vouchers signed by the secretary of state or the secretary's designee.

C. Money received from the following sources shall be deposited directly into the election fund:

- (1) money appropriated to the fund by the legislature;
- (2) reimbursements from the state or a local government for elections costs;
- (3) federal funds received by the state that are designated by the federal government or the state executive for elections or that have been appropriated by the legislature for election purposes;
- (4) grants or capital outlay funds received by a county clerk for which the secretary of state has agreed to serve as the fiscal agent;
- (5) grants or capital outlay funds received by the secretary of state for the purposes of Subsection A of this section and not designated for any other fund; and
- (6) money transferred to the fund pursuant to Section 2 of this 2024 act.

D. The secretary of state may submit a budget adjustment request to use money in the election fund for the purposes authorized in Subsection A of this section beyond a five percent variance from the approved elections budget for the current fiscal year.

E. If the current year balances in the election fund do not cover the costs of elections, the secretary of state may apply to the state board of finance for an emergency grant to cover those costs pursuant to Section 6-1-2 NMSA 1978."

Chapter 24 Section 2 Laws 2024

SECTION 2. TRANSFER--GENERAL FUND TO ELECTION FUND.--Within ninety days after an election, the secretary of state shall certify to the department of finance and administration the total costs incurred by the office of the secretary of state to administer the election. Within thirty days of receipt of the certification, the department of finance and administration shall transfer from the general fund to the election fund an amount equal to the lesser of the certified amount or fifteen million dollars (\$15,000,000).

Chapter 24 Section 3 Laws 2024

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 25

Senate Bill 116

Approved February 29, 2024

AN ACT

RELATING TO STATE RESERVES; PROVIDING THAT THE TOBACCO SETTLEMENT PERMANENT FUND IS NOT A RESERVE FUND OF THE STATE; STRIKING OUTDATED PROVISIONS IN SECTION 6-4-9 NMSA 1978 (BEING LAWS 1999, CHAPTER 207, SECTION 1, AS AMENDED).

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

Chapter 25 Section 1 Laws 2024

SECTION 1. Section 6-4-9 NMSA 1978 (being Laws 1999, Chapter 207, Section 1, as amended) is amended to read:

"6-4-9. TOBACCO SETTLEMENT PERMANENT FUND--INVESTMENT--DISTRIBUTION.--

A. The "tobacco settlement permanent fund" is created in the state treasury. The fund is not a reserve fund of the state. The fund shall consist of money distributed to the state pursuant to the master settlement agreement entered into between tobacco product manufacturers and various states, including New Mexico, and executed November 23, 1998 or any money released to the state from a qualified escrow fund or otherwise paid to the state as authorized by Section 6-4-13 NMSA 1978, enacted pursuant to the master settlement agreement or as otherwise authorized by law. Money in the fund shall be invested by the state investment officer in accordance with the limitations in Article 12, Section 7 of the constitution of New Mexico. Income from investment of the fund shall be credited to the fund. Money in the fund shall not be expended for any purpose, except as provided in this section.

B. In each fiscal year, an annual distribution shall be made from the tobacco settlement permanent fund to the tobacco settlement program fund of an amount equal to four and seven-tenths percent of the average of the year-end market values of the tobacco settlement permanent fund for the immediately preceding five calendar years. In the event that the actual amount distributed to the tobacco settlement program fund in a fiscal year is insufficient to meet appropriations from that fund for that fiscal year, the secretary of finance and administration shall proportionately reduce each appropriation accordingly.

C. Money in the tobacco settlement permanent fund may be expended in the event that general fund balances, including all authorized revenues and transfers to the general fund and balances in the general fund operating reserve, the appropriation contingency fund and the tax stabilization reserve, will not meet the level of appropriations authorized from the general fund for a fiscal year. In that event, in order to avoid an unconstitutional deficit, the legislature may authorize a transfer from the tobacco settlement permanent fund to the general fund but only in an amount necessary to meet general fund appropriations."

Chapter 25 Section 2 Laws 2024

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 26

Senate Bill 127, aa
Approved February 29, 2024

AN ACT

RELATING TO LICENSING; AMENDING THE PROFESSIONAL PSYCHOLOGIST ACT; AMENDING DEFINITIONS; AMENDING THE STRUCTURE OF THE NEW MEXICO STATE BOARD OF PSYCHOLOGIST EXAMINERS; CLARIFYING TERMS; ALLOWING A PRESCRIBING PSYCHOLOGIST TO PRESCRIBE AND ADMINISTER

INTRAMUSCULAR AND SUBCUTANEOUS INJECTIONS; CREATING A COMMITTEE TO EVALUATE LICENSING COMPLAINTS AGAINST PRESCRIBING PSYCHOLOGISTS.

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

Chapter 26 Section 1 Laws 2024

SECTION 1. Section 61-9-3 NMSA 1978 (being Laws 1963, Chapter 92, Section 3, as amended) is amended to read:

"61-9-3. DEFINITIONS.--As used in the Professional Psychologist Act:

- A. "board" means the New Mexico state board of psychologist examiners;
- B. "conditional prescription certificate" means a document issued by the board to a licensed psychologist that permits the holder to prescribe psychotropic medication under the supervision of a supervising clinician pursuant to the Professional Psychologist Act;
- C. "independently licensed prescribing clinician" means a licensed physician, osteopathic physician, nurse practitioner, psychiatric nurse practitioner or clinical nurse specialist;
- D. "person" includes an individual, firm, partnership, association or corporation;
- E. "prescribing psychologist" means a licensed psychologist who holds a valid prescription certificate;
- F. "prescription certificate" means a document issued by the board to a licensed psychologist that permits the holder to prescribe psychotropic medication pursuant to the Professional Psychologist Act;
- G. "psychotropic medication" means a controlled substance or dangerous drug that may not be dispensed or administered without a prescription but is limited to only those agents related to the diagnosis and treatment or management of mental, nervous, emotional, behavioral, substance use or cognitive disorders, including the management of or protection from side effects that are a direct result from the use of those agents, whose use is consistent with the standards of practice for clinical psychopharmacology;
- H. "psychologist" means a person who engages in the practice of psychology or holds the person's self out to the public by any title or description of services representing the person as a psychologist, which incorporates the words "psychological", "psychologist", "psychology", or when a person describes the person's

self as above and, under such title or description, offers to render or renders services involving the application of principles, methods and procedures of the science and profession of psychology to persons for compensation or other personal gain;

I. "practice of psychology" means the observation, description, evaluation, interpretation and modification of human behavior by the application of psychological principles, methods and procedures for the purpose of preventing or eliminating symptomatic, maladaptive or undesired behavior and of enhancing interpersonal relationships, work and life adjustment, personal effectiveness, behavioral health and mental health, and further means the rendering of such psychological services to individuals, families or groups regardless of whether payment is received for services rendered. The practice of psychology includes psychological testing or neuropsychological testing and the evaluation or assessment of personal characteristics such as intelligence, personality, abilities, interests, aptitudes and neuropsychological functioning; counseling, psychoanalysis, psychotherapy, hypnosis, biofeedback, behavior analysis and therapy; diagnosis and treatment of a mental and emotional disorder or disability, alcoholism and substance abuse, disorders of habit or conduct and the psychological aspects of physical illness, accident, injury and disability; and psychoeducational evaluation, therapy, remediation and consultation;

J. "school" or "college" means a university or other institution of higher education that is regionally accredited and that offers a full-time graduate course of study in psychology as defined by rule of the board or that is approved by the American psychological association; and

K. "supervising clinician" means a licensed physician, osteopathic physician, prescribing psychologist who has at least four years of independent experience prescribing psychotropic medication to treat behavioral and emotional conditions and mental illness, nurse practitioner, psychiatric nurse practitioner or clinical nurse specialist who is supervising a psychologist in the prescribing of psychotropic medication."

Chapter 26 Section 2 Laws 2024

SECTION 2. Section 61-9-5 NMSA 1978 (being Laws 1989, Chapter 41, Section 5, as amended) is amended to read:

"61-9-5. STATE BOARD OF EXAMINERS--PSYCHOLOGY FUND.--

A. There is created a "New Mexico state board of psychologist examiners". The board shall be administratively attached to the regulation and licensing department. The board shall consist of eight members appointed by the governor who are residents of New Mexico and who shall serve for three-year staggered terms. The members shall be appointed as follows:

(1) four members shall be professional members who are licensed under the Professional Psychologist Act as psychologists, of which two members shall be prescribing psychologists. The governor shall appoint the professional members from a list of names nominated by the New Mexico psychological association, the state psychologist association and the New Mexico school psychologist association;

(2) one member shall be licensed under the Professional Psychologist Act as a psychologist or psychologist associate; and

(3) three members shall be public members who are laypersons and have no significant financial interest, direct or indirect, in the practice of psychology.

B. A member shall hold office until the expiration of the member's appointed term or until a successor is duly appointed. When the term of a member ends, the governor shall appoint a successor for a term of three years. A vacancy occurring in the board membership other than by expiration of term shall be filled by the governor by appointment for the unexpired term of the member. The governor may remove a board member for misconduct, incompetency or neglect of duty.

C. All money received by the board shall be credited to the "psychology fund". Money in the psychology fund at the end of the fiscal year shall not revert to the general fund and shall be used in accordance with the provisions of the Professional Psychologist Act. The members of the board may be reimbursed as provided in the Per Diem and Mileage Act, but shall receive no other compensation, perquisite or allowance."

Chapter 26 Section 3 Laws 2024

SECTION 3. Section 61-9-17.1 NMSA 1978 (being Laws 2002, Chapter 100, Section 6, as amended) is amended to read:

"61-9-17.1. CONDITIONAL PRESCRIPTION CERTIFICATE--PRESCRIPTION CERTIFICATE--APPLICATION--REQUIREMENTS--RULEMAKING BY BOARD--ISSUANCE, DENIAL, RENEWAL AND REVOCATION OF CERTIFICATION.--

A. A psychologist may apply to the board for a conditional prescription certificate. The application shall be made on a form approved by the board and be accompanied by evidence satisfactory to the board that the applicant:

(1) has completed a doctoral program in psychology from an accredited institution of higher education or professional school, or, if the program was not accredited at the time of the applicant's graduation, that the program meets professional standards determined acceptable by the board;

(2) holds a current license to practice psychology in New Mexico;

(3) has successfully completed pharmacological training from an institution of higher education approved by the board and the New Mexico medical board or from a provider of continuing education approved by the board and the New Mexico medical board;

(4) has passed a national certification examination approved by the board and the New Mexico medical board that tests the applicant's knowledge of pharmacology in the diagnosis, care and treatment of mental disorders;

(5) within the five years immediately preceding the date of application, has successfully completed an organized program of education approved by the board and the New Mexico medical board and consisting of didactic instruction of no less than four hundred fifty classroom hours in at least the following core areas of instruction:

(a) neuroscience;

(b) pharmacology;

(c) psychopharmacology;

(d) physiology;

(e) pathophysiology;

(f) appropriate and relevant physical and laboratory
assessment; and

(g) clinical pharmacotherapeutics;

(6) within the five years immediately preceding the date of application, has been certified by each of the applicant's supervising independently licensed prescribing clinicians as having successfully completed a supervised and relevant clinical experience, approved by the board and the New Mexico medical board, of:

(a) no less than an eighty-hour practicum in clinical assessment and pathophysiology under the supervision of an independently licensed prescribing clinician; and

(b) an additional supervised practicum of at least four hundred hours treating no fewer than one hundred patients with mental disorders, the practica to have been supervised by any one or a combination of a psychiatrist or other appropriately trained independently licensed prescribing clinician and determined by the board and the New Mexico medical board to be sufficient to competently train the applicant in the treatment of a diverse patient population. One-to-one supervision shall be provided either face-to-face, telephonically or by video conference;

(7) has malpractice insurance in place, sufficient to satisfy the rules adopted by the board and the New Mexico medical board, that will cover the applicant during the period the conditional prescription certificate is in effect; and

(8) meets all other requirements, as determined by rule of the board, for obtaining a conditional prescription certificate.

B. The board shall issue a conditional prescription certificate if it finds that the applicant has met the requirements of Subsection A of this section. The certificate shall be valid for a period of two years, at the end of which the holder may again apply pursuant to the provisions of Subsection A of this section. A psychologist with a conditional prescription certificate may prescribe psychotropic medication under the supervision of a supervising clinician subject to the following conditions:

(1) the psychologist shall continue to hold a current license to practice psychology in New Mexico and continue to maintain malpractice insurance;

(2) the psychologist shall notify the board of the name of the psychologist's supervising clinician; and

(3) a supervising clinician shall notify the supervising clinician's own licensing board of the name of each psychologist under the supervising clinician's supervision.

C. A supervising clinician shall not be liable for the acts of a psychologist under the supervising clinician's supervision unless the injury or loss arises from those acts under the direction and control of the supervising clinician.

D. A psychologist may apply to the board for a prescription certificate. The application shall be made on a form approved by the board and be accompanied by evidence satisfactory to the board that the applicant:

(1) has been issued a conditional prescription certificate and has successfully completed two years of prescribing psychotropic medication as certified by the supervising clinician;

(2) has successfully undergone a process of independent peer review approved by the board and the New Mexico medical board;

(3) holds a current license to practice psychology in New Mexico;

(4) has malpractice insurance in place, sufficient to satisfy the rules adopted by the board, that will cover the applicant as a prescribing psychologist; and

(5) meets all other requirements, as determined by rule of the board, for obtaining a prescription certificate.

E. The board shall issue a prescription certificate if it finds that the applicant has met the requirements of Subsection D of this section. A psychologist with a prescription certificate may prescribe psychotropic medication pursuant to the provisions of the Professional Psychologist Act if the psychologist:

(1) continues to hold a current license to practice psychology in New Mexico and continues to maintain malpractice insurance; and

(2) annually satisfies the continuing education requirements for prescribing psychologists, as set by the board, which shall be no fewer than twenty hours each year.

F. The board shall promulgate rules providing for the procedures to be followed in obtaining a conditional prescription certificate, a prescription certificate and renewals of a prescription certificate. The board may set reasonable application and renewal fees.

G. The board shall promulgate rules establishing the grounds for denial, suspension or revocation of conditional prescription certificates and prescription certificates authorized to be issued pursuant to this section, including a provision for suspension or revocation of a license to practice psychology upon suspension or revocation of a certificate. Actions of denial, suspension or revocation of a certificate shall be in accordance with the Uniform Licensing Act."

Chapter 26 Section 4 Laws 2024

SECTION 4. Section 61-9-17.2 NMSA 1978 (being Laws 2002, Chapter 100, Section 7, as amended) is amended to read:

"61-9-17.2. PRESCRIBING PRACTICES.--

A. A prescribing psychologist or a psychologist with a conditional prescription certificate may administer and prescribe psychotropic medication within the recognized scope of the profession, including the ordering and review of laboratory tests in conjunction with the prescription, for the treatment of mental disorders.

B. When prescribing psychotropic medication for a patient, the prescribing psychologist or the psychologist with a conditional prescription certificate shall maintain an ongoing collaborative relationship with the health care practitioner who oversees the patient's general medical care to ensure that necessary medical examinations are conducted, the psychotropic medication is appropriate for the patient's medical condition and significant changes in the patient's medical or psychological condition are discussed.

C. The ongoing collaborative relationship shall be maintained pursuant to guidelines developed by the board and the New Mexico medical board, which shall optimize patient care.

D. The guidelines shall ensure that the prescribing psychologist or the psychologist with a conditional prescription certificate and the health care practitioner coordinate, and collaborate on, the care of the patient to provide optimal care. Nothing in this subsection shall require a prescribing psychologist or psychologist with a conditional prescription certificate to give prior notice to or obtain prior approval from a health care practitioner to prescribe psychotropic medication to a patient with whom the prescribing psychologist has established a psychologist-patient relationship; provided that the psychologist provides written notice of the prescription to the health care practitioner within twenty-four hours of its issuance to such patient.

E. If a prescribing psychologist or psychologist with a conditional prescription certificate deems it necessary to prescribe drugs for the management of or protection from side effects that are a direct result of psychotropic medication, the prescribing psychologist or psychologist with a conditional prescription certificate shall notify and discuss with the health care practitioner who oversees the patient's general medical care within twenty business days of issuance of the prescription.

F. A psychologist with a conditional prescription certificate may prescribe and administer psychotropic medication injections under the supervision of a supervising clinician and upon completion of board-approved training.

G. A prescribing psychologist may prescribe and administer psychotropic medication injections upon completion of board-approved training.

H. A committee composed of two prescribing psychologist members of the board or their designees and two members of the New Mexico medical board or their designees shall be established and, pursuant to the guidelines, shall evaluate licensing complaints against prescribing psychologists and report its findings and recommendations to each board for appropriate action. The committee shall develop education requirements for expanded practice and present these requirements to each board for approval. The committee shall conduct quarterly reviews of and provide a quarterly report to the respective boards regarding the prescribing psychologist scope of practice expansion that permits prescribing authority to manage or protect from side effects that are a direct result of psychotropic medication.

I. A prescription written by a prescribing psychologist or a psychologist with a conditional prescription certificate shall:

- (1) comply with applicable state and federal laws;
- (2) be identified as issued by the psychologist as "psychologist certified to prescribe"; and

(3) include the psychologist's board-assigned identification number.

J. A prescribing psychologist or a psychologist with a conditional prescription certificate shall not delegate prescriptive authority to any other person. Records of all prescriptions shall be maintained in patient records.

K. When authorized to prescribe controlled substances, a prescribing psychologist or a psychologist with a conditional prescription certificate shall file with the board in a timely manner all individual federal drug enforcement administration registrations and numbers. The board and the New Mexico medical board shall maintain current records on every psychologist, including federal registrations and numbers.

L. The board shall provide to the board of pharmacy and the New Mexico medical board an annual list of prescribing psychologists and psychologists with conditional prescription certificates that contains the information agreed upon among the board, the New Mexico medical board and the board of pharmacy. The board shall promptly notify the board of pharmacy of psychologists who are added to or deleted from the list.

M. For the purpose of this section:

(1) "collaborative relationship" means a cooperative working relationship between a prescribing psychologist or a psychologist with a conditional prescription certificate and a health care practitioner in the provision of patient care, including diagnosis and cooperation in the management and delivery of physical and mental health care; and

(2) "health care practitioner" means a physician, osteopathic physician, nurse practitioner, physician assistant or clinical nurse specialist."

Chapter 26 Section 5 Laws 2024

SECTION 5. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 27

STBTC/Senate Bill 151, aa
Approved February 29, 2024

AN ACT

RELATING TO TAXATION; DISTRIBUTING A PORTION OF THE PREMIUM TAX FROM HEALTH INSURANCE BUSINESS TO THE EMERGENCY MEDICAL SERVICES FUND; MAKING AN APPROPRIATION.

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

Chapter 27 Section 1 Laws 2024

SECTION 1. Section 7-1-6.62 NMSA 1978 (being Laws 2019, Chapter 47, Section 2, as amended) is amended to read:

"7-1-6.62. DISTRIBUTION--PREMIUM TAX.--

A. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the law enforcement protection fund in an amount equal to ten percent of the net receipts attributable to the premium tax from life, health, general casualty and title insurance business.

B. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the fire protection fund of the net receipts attributable to the premium tax derived from property and vehicle insurance business.

C. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the emergency medical services fund in an amount equal to five percent of the net receipts attributable to the premium tax from health insurance business."

Chapter 27 Section 2 Laws 2024

SECTION 2. Section 24-10A-3 NMSA 1978 (being Laws 1978, Chapter 178, Section 3, as amended) is amended to read:

"24-10A-3. EMERGENCY MEDICAL SERVICES FUND CREATED--FUNDING.--

A. The "emergency medical services fund" is created in the state treasury. Money in the fund shall not revert at the end of any fiscal year. Money appropriated to the fund or accruing to it through distributions, gifts, grants, fees or bequests shall be deposited in the fund. Interest earned on investment of the fund shall be credited to the general fund. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary or the secretary's authorized representative.

B. The bureau shall administer the fund and provide for the distribution of the fund pursuant to the Emergency Medical Services Fund Act and rules adopted pursuant to the provisions of that act.

C. In any fiscal year, no less than seventy-five percent of the money in the fund shall be used for the local emergency medical services funding program to support the cost of supplies and equipment and operational costs other than salaries and benefits for emergency medical services personnel. This money shall be distributed to municipalities and counties on behalf of eligible local recipients, using a formula

established pursuant to rules adopted by the department. The formula shall determine each municipality's and county's share of the fund based on the relative geographic size and population of each county. The formula shall also base the distribution of money for each municipality and county on the relative number of runs of each local recipient eligible to participate in the distribution.

D. In any fiscal year, no more than:

(1) twenty-two percent of the fund may be used for emergency medical services system improvement projects, including the purchase of emergency medical services vehicles, local and statewide emergency medical services system support projects, the statewide trauma care system program and the emergency medical dispatch agency support program; and

(2) three percent of the fund may be used by the bureau for administrative costs, including monitoring and providing technical assistance.

E. In any fiscal year, money in the fund that is not distributed pursuant to the provisions of Subsection D of this section may be distributed pursuant to the provisions of Subsection C of this section."

Chapter 27 Section 3 Laws 2024

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of Sections 1 and 2 of this act is July 1, 2025.

LAWS 2024, CHAPTER 28

Senate Bill 152, aa, w/ec
Approved February 29, 2024

AN ACT

RELATING TO BACKGROUND CHECKS; AMENDING THE CRIMINAL HISTORY INVESTIGATION PROCEDURES FOR THE EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT AND THE CHILDREN, YOUTH AND FAMILIES DEPARTMENT; SPECIFYING WHO HAS TO UNDERGO A BACKGROUND CHECK; PROVIDING DEFINITIONS; DECLARING AN EMERGENCY.

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

Chapter 28 Section 1 Laws 2024

SECTION 1. Section 9-29-8.1 NMSA 1978 (being Laws 2022, Chapter 30, Section 4, as amended) is amended to read:

"9-29-8.1. CRIMINAL HISTORY INVESTIGATIONS--PROCEDURES--
CONFIDENTIALITY--VIOLATION--PENALTY.--

A. To investigate the suitability of an applicant for licensure as a licensed child care facility, registration as a child care home program or for employment or volunteering at a licensed child care facility or registered child care home, including any facility or program that has primary custody of infants, toddlers and children for twenty hours or more per week, or for employees and volunteers of the department and employees and volunteers of department-contracted providers, the department shall have access to criminal history records information furnished by the department of public safety and the federal bureau of investigation, subject to any restrictions imposed by federal law.

B. An applicant for a child care facility license or registration or for employment or volunteering at a licensed child care facility or registered child care home or employees and volunteers of the department and employees and volunteers of department-contracted providers shall undergo a state and national criminal history records check, and the applicant shall submit an electronic set of fingerprints to the department of public safety for that purpose. The department of public safety shall conduct a check of state criminal history records and forward the fingerprints to the federal bureau of investigation for a national criminal history records check to determine the existence and content of records of convictions and arrests in this state or other law enforcement jurisdictions and to generate a criminal history records check in accordance with rules of the department of public safety and regulations of the federal bureau of investigation. The department of public safety shall review the information obtained from the criminal history records check and shall compile and provide that information to the early childhood education and care department. The early childhood education and care department shall use the information to investigate and determine whether an applicant is qualified to hold a license or an employment or volunteer position. The department shall promulgate rules for the investigation and determination of qualifications.

C. Criminal history information obtained by the department is confidential and shall be used only for the purpose of determining the suitability for licensure, employment or volunteer service and shall not be disclosed to anyone other than public employees directly involved in the decision affecting the applicant.

D. A person who releases or discloses criminal history records or information contained in those records in violation of the provisions of this section is guilty of a misdemeanor and shall be sentenced in accordance with the provisions of Section 31-19-1 NMSA 1978."

Chapter 28 Section 2 Laws 2024

SECTION 2. Section 32A-15-3 NMSA 1978 (being Laws 1985, Chapter 103, Section 3 and Laws 1985, Chapter 140, Section 3, as amended) is amended to read:

"32A-15-3. CRIMINAL HISTORY RECORDS CHECK--BACKGROUND CHECKS.--

A. State and national criminal history records checks shall be conducted on all operators, employees, student interns and volunteers and prospective operators, employees, student interns and volunteers of every facility or program that has primary custody of children for twenty hours or more per week, and juvenile detention facilities, juvenile correction facilities or treatment facilities. State and national criminal history records checks shall also be conducted on all prospective foster or adoptive parents and other adult relatives and non-relatives residing in the prospective foster or adoptive parent's household. The objective of conducting the records checks is to protect the children involved and promote the children's safety and welfare while receiving service from the facilities and programs.

B. For purposes of investigating the suitability of persons enumerated in Subsection A of this section, the department shall have access to criminal history records information furnished by the department of public safety and the federal bureau of investigation, subject to any restrictions imposed by federal law. As directed by the department, a person enumerated in Subsection A of this section shall submit a set of electronic fingerprints to the department of public safety. The department of public safety shall conduct a check of state criminal history records and forward the fingerprints to the federal bureau of investigation for a national criminal history records check to determine the existence and content of records of convictions and arrests in this state or other law enforcement jurisdictions and to generate a criminal history records check in accordance with rules of the department and regulations of the federal bureau of investigation. The department of public safety shall review the information returned from the criminal history records check and compile and disseminate the criminal history record information to the department, which shall use the information to investigate and determine whether a person is qualified to provide care for a child or be a foster or adoptive parent.

C. Criminal history records obtained pursuant to the provisions of this section are confidential and are not a public record for purposes of the Inspection of Public Records Act and shall not be used for any purpose other than determining suitability for licensure, employment, volunteer service, fostering or adoption. Criminal history records obtained pursuant to the provisions of this section and the information contained in those records shall not be released or disclosed to any other person or agency, except pursuant to a court order or with the written consent of the person who is the subject of the records.

D. A person who releases or discloses criminal history records or information contained in those records in violation of the provisions of this section is guilty of a misdemeanor and shall be sentenced pursuant to the provisions of Section 31-19-1 NMSA 1978.

E. As used in this section:

(1) "behavior management skills development" means services for children and adolescents with psychological, emotional, behavioral, neurobiological or substance abuse problems in the home, community or school when such problems are of such severity that highly supportive and structured therapeutic behavioral interventions are required. These services are designed to maintain the client in the client's home, community or school setting;

(2) "case management" means services provided in order to assist children and adolescents with identifying and meeting multiple and complex, special physical, cognitive and behavioral health care needs through planning, securing, monitoring, advocating and coordinating services;

(3) "child placement agency" means an individual or an entity licensed by the department as an adoption agency, foster care agency or both that is undertaking to place a child in a home in this or any other state for the purpose of providing foster care or adoption services;

(4) "comprehensive community support services" means a variety of interventions, primarily face-to-face and in community locations, that address barriers that impede the development of skills necessary to independent functioning in the community;

(5) "day treatment" means a coordinated and intensive set of structured individualized therapeutic services, in a school or a facility licensed by the department, provided for children, adolescents and their families who are living in the community;

(6) "employee" means a person working for a facility or program who has direct care responsibilities or potential unsupervised access to care recipients;

(7) "facility" means a juvenile correction facility, a juvenile detention facility or a treatment facility;

(8) "group home" means mental and behavioral health services offered in a supervised, licensed facility that provides structured therapeutic group living for children or adolescents with moderate behavioral, psychological, neurobiological or emotional problems, when clinical history and opinion establish that the needs of the client cannot be met in a less restrictive environment;

(9) "intensive outpatient programming" means a time-limited, multifaceted approach to treatment services for children or adolescents who require structure and support to achieve and sustain recovery;

(10) "juvenile correction facility" means the physical plant and buildings operated by or on behalf of the juvenile justice division of the department or any other facility or location designated by the juvenile justice division's director to house or provide care to clients committed to the custody of the department;

(11) "juvenile detention facility" means a place where a child may be detained under the Children's Code pending a court hearing and does not include a facility for the care and rehabilitation of an adjudicated delinquent child;

(12) "operator" means a person who has any oversight over a facility's or program's employees or day-to-day operations;

(13) "prevention, intervention and reunification services" means prevention awareness, family support and reunification services for families that are at high risk of child maltreatment;

(14) "primary custody" means that a facility or program holds temporary or long-term custody or supervision over children in the absence of a parent or guardian;

(15) "program" means behavior management skills development, case management, a group home, day treatment, treatment foster care services, a child placement agency, licensed shelter care, comprehensive community support services, intensive outpatient programming, supervised visitation and safe exchange and children, youth and families department contractors and providers receiving funding or reimbursement to provide prevention, intervention and reunification services;

(16) "residential treatment facility" means a program that provides twenty-four-hour therapeutic care to children or adolescents with severe behavioral, psychological, neurobiological or emotional problems who are in need of psychosocial rehabilitation in a residential facility;

(17) "shelter care" means any facility that provides short-term emergency living accommodations to children in a crisis situation, such as abandonment, abuse or neglect, or who are runaways;

(18) "student intern" means a person who is paid or unpaid and is present in a facility or program to work, observe or gain skills in a particular profession;

(19) "supervised visitation and safe exchange" means a service that provides children and their parents with a safe, nurturing environment for supervised visitation and exchange, allowing a child to continue the child's relationship with the noncustodial parent without being placed in the middle of parental conflicts;

(20) "treatment facility" means a residential treatment facility or group home;

(21) "treatment foster care services" means a program that provides therapeutic services to children or adolescents who are psychologically or emotionally disturbed or behaviorally disordered and are placed in a foster family setting; and

(22) "volunteer" means a person who spends less than six hours per week at a program, is under direct physical supervision and is not counted in the program facility ratio."

Chapter 28 Section 3 Laws 2024

SECTION 3. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 29

Senate Bill 165, aa
Approved February 29, 2024

AN ACT

RELATING TO LEGISLATIVE RETIREMENT; CHANGING THE CALCULATION OF THE AMOUNT OF PENSION PURSUANT TO STATE LEGISLATOR MEMBER COVERAGE PLAN 2.

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

Chapter 29 Section 1 Laws 2024

SECTION 1. Section 10-11-43.3 NMSA 1978 (being Laws 2003, Chapter 85, Section 9, as amended) is amended to read:

"10-11-43.3. STATE LEGISLATOR MEMBER COVERAGE PLAN 2--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under state legislator member coverage plan 2, the annual amount of pension under form of payment A is equal in any calendar year to fourteen percent of the per diem rate in effect, pursuant to Section 2-1-8 NMSA 1978, on the first day of the fiscal year that the legislator or lieutenant governor retires multiplied by ninety and further multiplied by credited service as a legislator or lieutenant governor. A pension paid under state legislator member coverage plan 2 shall be adjusted pursuant to Section 10-11-118 NMSA 1978 for a legislator or lieutenant governor who has been retired for at least two full calendar years from the effective date of the latest retirement prior to July 1 of the year in which the pension is being adjusted."

Chapter 29 Section 2 Laws 2024

SECTION 2. APPLICABILITY.--The provisions of this act apply to credited service accrued:

- A. on and after the effective date of this act; and

B. prior to the effective date of this act; provided that the credited service was accrued by a state legislator member who has not previously retired.

LAWS 2024, CHAPTER 30

Senate Bill 176, aa
Approved February 29, 2024

AN ACT

RELATING TO ATHLETIC COMPETITION; AMENDING AND ENACTING SECTIONS OF THE PROFESSIONAL ATHLETIC COMPETITION ACT; ADDING DEFINITIONS; ADDING AND INCREASING FEES; ADDING WEIGHT CLASSES; REQUIRING STATE CHAMPIONS; EXTENDING THE TERMINATION DATES OF THE PROFESSIONAL ATHLETIC COMPETITION ACT AND THE NEW MEXICO ATHLETIC COMMISSION.

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

Chapter 30 Section 1 Laws 2024

SECTION 1. Section 60-2A-2 NMSA 1978 (being Laws 1980, Chapter 90, Section 2, as amended) is amended to read:

"60-2A-2. DEFINITIONS.--As used in the Professional Athletic Competition Act:

- A. "board" means the medical advisory board;
- B. "closed circuit telecast" means a telecast that is not intended to be available for viewing without the payment of a fee, including a pay-per-view telecast, podcast, webcast, streaming media or any electronic transmission to an arena, bar, lounge, club, entertainment or meeting center or private residence;
- C. "commission" means the New Mexico athletic commission;
- D. "contestant" means a person who engages in unarmed combat for remuneration;
- E. "department" means the regulation and licensing department;
- F. "exhibition" means any contest or portion of a fight card, bout or event in any form of unarmed combat regulated by the commission and conducted, held or televised on a closed circuit telecast originating in New Mexico;
- G. "foreign co-promoter" means a promoter who has no place of business in this state;

H. "manager":

(1) means a person who:

(a) undertakes to represent the interests of another person by contract, agreement or other arrangement in procuring, arranging or conducting a professional contest or exhibition in which the represented person will participate as a contestant;

(b) directs or controls the activities of an unarmed combatant relating to the participation of the unarmed combatant in professional contests or exhibitions;

(c) receives or is entitled to receive at least ten percent of the gross purse or gross income of any professional unarmed combatant for services relating to the participation of the unarmed combatant in a professional contest or exhibition; or

(d) receives compensation for services as an agent or representative of an unarmed combatant; and

(2) does not include an attorney who is licensed to practice law in this state if the attorney's participation in any of the activities described in Paragraph (1) of this subsection is limited solely to the legal representation of a client who is an unarmed combatant;

I. "professional boxer" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of boxing as a means of obtaining a livelihood or pecuniary gain;

J. "professional contest" means any professional boxing, professional kickboxing, professional martial arts, professional mixed martial arts or sports entertainment wrestling contest or exhibition, whether or not an admission fee is charged for admission of the public;

K. "professional kickboxer" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of kickboxing as a means of obtaining a livelihood or pecuniary gain;

L. "professional martial artist" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of martial arts as a means of obtaining a livelihood or pecuniary gain;

M. "professional mixed martial artist" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of mixed martial arts as a means of obtaining a livelihood or pecuniary gain;

N. "promoter" means any person, and in the case of a corporate promoter includes any officer, director or stockholder of the corporation, who produces or stages any professional boxing, professional kickboxing, professional martial arts, professional mixed martial arts or sports entertainment wrestling contest, exhibition or closed circuit television show;

O. "purse" means the financial guarantee or any other remuneration, or part thereof, for which professional boxers, professional kickboxers, professional martial artists, professional mixed martial artists or sports entertainment wrestlers are participating in a contest or exhibition and includes the participant's share of any payment received for radio broadcasting, television or motion picture rights;

P. "ring official" means any person who performs an official function during the progress of a contest or exhibition;

Q. "sports entertainment wrestler" means an individual who competes for money, prizes or purses or who teaches, pursues or assists in the practice of sports entertainment wrestling as a means of obtaining a livelihood or pecuniary gain;

R. "sports entertainment wrestling" means an activity in which participants struggle hand-to-hand primarily for the purpose of providing entertainment to spectators rather than conducting a bona fide athletic contest;

S. "unarmed combat" means boxing, kickboxing, martial arts, mixed martial arts, sports entertainment wrestling or any form of competition in which a blow is usually struck that may reasonably be expected to inflict injury; and

T. "unarmed combatant" means:

(1) a person who engages in unarmed combat in a contest or exhibition, whether or not the person receives remuneration, including a boxer, kickboxer, martial artist, mixed martial artist, sports entertainment wrestler or other contestant; or

(2) an amateur boxer who is registered with United States amateur boxing, incorporated, or any other amateur organization recognized by the commission and participates in an amateur boxing contest or exhibition in the state that is registered and sanctioned by United States amateur boxing, incorporated or golden gloves of America."

Chapter 30 Section 2 Laws 2024

SECTION 2. Section 60-2A-7 NMSA 1978 (being Laws 1980, Chapter 90, Section 7) is amended to read:

"60-2A-7. MEDICAL ADVISORY BOARD.--

A. There is created the "medical advisory board" to assist the commission.

B. The board shall consist of three members to be appointed by the commission. Each member of the board shall be licensed to practice medicine in this state and shall have had at the time of appointment at least five years' experience in the practice of the member's profession. Members of the board shall serve without compensation.

C. The board shall:

(1) prepare and submit to the commission for its approval standards for the physical and mental examination of professional boxers, professional kickboxers, professional martial artists, professional mixed martial artists or sports entertainment wrestlers that shall safeguard their health; provided no standard shall become effective until approved by the commission;

(2) recommend to the commission for licensing purposes physicians who are qualified to make examinations of professional boxers, professional kickboxers, professional martial artists, professional mixed martial artists or sports entertainment wrestlers; and

(3) upon request of the commission, advise the commission as to the physical and mental fitness of any individual professional boxer, professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler."

Chapter 30 Section 3 Laws 2024

SECTION 3. Section 60-2A-10 NMSA 1978 (being Laws 1980, Chapter 90, Section 10) is amended to read:

"60-2A-10. LICENSES FOR PROMOTERS, BOXERS, TRAINERS, RING OFFICIALS AND OTHERS.--

A. All promoters, foreign co-promoters, matchmakers, professional boxers, professional kickboxers, professional martial artists, professional mixed martial artists, sports entertainment wrestlers, managers, seconds, announcers, referees, trainers, booking agents and timekeepers shall be licensed by the commission.

B. No person shall be permitted to participate either directly or indirectly in any professional contest unless the person has first procured a license from the commission.

C. Any person violating the provisions of this section is guilty of a petty misdemeanor."

Chapter 30 Section 4 Laws 2024

SECTION 4. Section 60-2A-12 NMSA 1978 (being Laws 1980, Chapter 90, Section 12, as amended) is amended to read:

"60-2A-12. LICENSE FEES.--

A. The annual license fee shall not exceed the following amounts:

(1)	promoters	\$500.00
(2)	foreign co-promoters	750.00
(3)	referees	75.00
(4)	timekeepers and announcers	75.00
(5)	seconds and trainers	75.00
(6)	managers	75.00
(7)	professional boxers	75.00
(8)	professional kickboxers .	75.00
(9)	booking agents	75.00
(10)	matchmakers	75.00
(11)	judges	75.00
(12)	professional mixed martial artists	75.00
(13)	amateur mixed martial artists	75.00
(14)	professional martial artists	75.00
(15)	sports entertainment wrestlers	75.00.

Every license shall expire at midnight on December 31 of the year in which the license is issued.

B. An unarmed combatant may hold a professional license in one commission licensing category while maintaining amateur status in other unarmed combat disciplines."

Chapter 30 Section 5 Laws 2024

SECTION 5. Section 60-2A-16 NMSA 1978 (being Laws 1980, Chapter 90, Section 16) is amended to read:

"60-2A-16. CONTRACTS.--

A. Every professional boxer, professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler competing in a professional contest is entitled to receive a copy of a written contract or agreement, approved as to form by the commission, binding a licensee to pay the professional boxer, professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler a certain fixed fee or percentage of the gate receipts.

B. One copy of the contract or agreement shall be filed with the executive secretary of the commission, and one copy shall be retained by the licensee or promoter of the professional contest."

Chapter 30 Section 6 Laws 2024

SECTION 6. Section 60-2A-17 NMSA 1978 (being Laws 1980, Chapter 90, Section 17) is amended to read:

"60-2A-17. INSURANCE.--

A. The commission may by rule require insurance coverage for each licensed professional boxer, professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler to provide for medical, surgical and hospital care for injuries sustained while preparing for or engaged in a professional contest, in an amount of two thousand five hundred dollars (\$2,500) or more payable to the boxer, kickboxer, martial artist, mixed martial artist or sports entertainment wrestler as beneficiary.

B. In lieu of or in addition to the insurance provided for in Subsection A of this section, the commission may establish a voluntary injury fund in the state treasury to provide for the medical care of a professional boxer, professional kickboxer, professional martial artist, professional mixed martial artist or sports entertainment wrestler injured in the course of a professional contest. The fund shall consist solely of voluntary contributions by promoters equal to two percent of the gross receipts of the professional contest. The funds may be expended upon vouchers signed by the chair of the commission and warrants drawn by the secretary of finance and administration."

Chapter 30 Section 7 Laws 2024

SECTION 7. Section 60-2A-19 NMSA 1978 (being Laws 1980, Chapter 90, Section 19) is amended to read:

"60-2A-19. WITHHOLDING OF PURSE.--

A. The commission or its executive secretary may order a promoter to withhold a part of a purse or other funds belonging or payable to a contestant, manager or second if, in the judgment of the commission or the executive secretary, the contestant is not competing honestly or to the best of the contestant's skill and ability or if the manager or second has violated any of the provisions of the Professional Athletic Competition Act or a rule promulgated under that act.

B. This section does not apply to any sports entertainment wrestler who appears not to be competing honestly or to the best of the wrestler's skill and ability.

C. Upon the withholding of a part of a purse pursuant to this section, the commission shall immediately schedule a hearing on the matter as promptly as possible. If it is determined that the contestant, manager or second is not entitled to a part of a share of the purse or other funds, the promoter shall turn that money over to the commission, and it shall become forfeit to the state and be disposed of as are fees."

Chapter 30 Section 8 Laws 2024

SECTION 8. Section 60-2A-21 NMSA 1978 (being Laws 1980, Chapter 90, Section 21) is amended to read:

"60-2A-21. LENGTH OF PROFESSIONAL CONTESTS--ROUNDS.--No professional boxing contest shall be more than fifteen rounds in length, and each round shall not exceed three minutes in length. There shall be a one-minute rest between rounds. The commission shall adopt rules governing the length of professional kickboxing, professional martial arts, professional mixed martial arts and sports entertainment wrestling contests, duration of rounds and the period of rest between rounds."

Chapter 30 Section 9 Laws 2024

SECTION 9. A new section of the Professional Athletic Competition Act is enacted to read:

"WEIGHT LIMITS FOR CHAMPIONSHIP PROFESSIONAL BOXING CONTESTS.--State championships are recognized in fourteen classes; the classes for professional boxers and the maximum weights for each class are:

- A. junior flyweight: one hundred eight pounds;
- B. flyweight: one hundred twelve pounds;
- C. bantamweight: one hundred eighteen pounds;
- D. junior featherweight: one hundred twenty-two pounds;
- E. featherweight: one hundred twenty-six pounds;
- F. junior lightweight: one hundred thirty pounds;
- G. lightweight: one hundred thirty-five pounds;
- H. junior welterweight: one hundred forty pounds;
- I. welterweight: one hundred forty-seven pounds;

- J. junior middleweight: one hundred fifty-four pounds;
- K. middleweight: one hundred sixty pounds;
- L. light heavyweight: one hundred seventy-five pounds;
- M. cruiserweight: one hundred ninety pounds; and
- N. heavyweight: no maximum weight for any contestant."

Chapter 30 Section 10 Laws 2024

SECTION 10. A new section of the Professional Athletic Competition Act is enacted to read:

"PROFESSIONAL BOXING STATE CHAMPIONS AND RANKED CONTENDERS.--

A. The commission shall declare a state champion professional boxer in each weight class.

B. At least two times per year, the commission shall publish a list of professional boxing top ten ranked contenders in each weight class.

C. The professional boxing state champion shall defend the championship title within six months of winning the title and every six months thereafter against a challenger in the champion's own weight class. If the champion does not defend the title or cannot defend the title for physical reasons that are permanent, the commission shall forfeit the championship and declare the title vacant. In the case of a champion not defending a title within six months due to illness or injury that is not permanent, the champion shall submit to the commission a physician's report describing the illness or injury and an estimated time when the champion will be able to defend the championship title. It will be at the discretion of the commission, after considering the physician's report, whether a stay of the six-month title defense requirement will be permitted."

Chapter 30 Section 11 Laws 2024

SECTION 11. Section 60-2A-30 NMSA 1978 (being Laws 1980, Chapter 90, Section 30, as amended) is amended to read:

"60-2A-30. TERMINATION OF AGENCY LIFE--DELAYED REPEAL.--The New Mexico athletic commission is terminated on July 1, 2029 pursuant to the Sunset Act. The commission shall continue to operate according to the provisions of the Professional Athletic Competition Act until July 1, 2030. Effective July 1, 2030, Chapter 60, Article 2A NMSA 1978 is repealed."

LAWS 2024, CHAPTER 31

Senate Bill 230, aa

Approved February 29, 2024

AN ACT

RELATING TO HEALTH CARE; AMENDING A SECTION OF THE CHILDREN'S MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ACT; AMENDING A SECTION OF THE MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CODE; PROVIDING FOR ADDITIONAL DISCLOSURE OF CONFIDENTIAL INFORMATION.

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

Chapter 31 Section 1 Laws 2024

SECTION 1. Section 32A-6A-24 NMSA 1978 (being Laws 2007, Chapter 162, Section 24, as amended) is amended to read:

"32A-6A-24. DISCLOSURE OF INFORMATION.--

A. Except as otherwise provided in the Children's Mental Health and Developmental Disabilities Act, a person shall not, without the authorization of the child, disclose or transmit any confidential information from which a person well-acquainted with the child might recognize the child as the described person or any code, number or other means that could be used to match the child with confidential information regarding the child.

B. When the child is under fourteen years of age, the child's legal custodian is authorized to consent to disclosure on behalf of the child. Information shall also be disclosed to a court-appointed guardian ad litem without consent of the child or the child's legal custodian.

C. A child fourteen years of age or older with capacity to consent to disclosure of confidential information shall have the right to consent to disclosure of mental health and habilitation records. A legal custodian who is authorized to make health care decisions for a child has the same rights as the child to request, receive, examine, copy and consent to the disclosure of medical or other health care information when evidence exists that such a child whose consent to disclosure of confidential information is sought does not have capacity to give or withhold valid consent and does not have a treatment guardian appointed by a court. If the legal custodian is not authorized to make decisions for a child under the Children's Mental Health and Developmental Disabilities Act, the person seeking authorization shall petition the court for the appointment of a treatment guardian to make a decision for such a child.

D. Authorization from the child or legal custodian shall not be required for the disclosure or transmission of confidential information when the disclosure or transmission:

(1) is necessary for treatment of the child and is made in response to a request from a clinician;

(2) is necessary to protect against a clear and substantial risk of imminent serious physical injury or death inflicted by the child on self or another;

(3) is determined by a clinician not to cause substantial harm to the child and a summary of the child's assessment, treatment plan, progress, discharge plan and other information essential to the child's treatment is made to a child's legal custodian or guardian ad litem;

(4) is to the primary caregiver of the child and the information disclosed was necessary for the continuity of the child's treatment in the judgment of the treating clinician who discloses the information;

(5) is to an insurer contractually obligated to pay part or all of the expenses relating to the treatment of the child at the residential facility. The information disclosed shall be limited to data identifying the child, facility and treating or supervising physician and the dates and duration of the residential treatment. It shall not be a defense to an insurer's obligation to pay that the information relating to the residential treatment of the child, apart from information disclosed pursuant to this section, has not been disclosed to the insurer;

(6) is to a protection and advocacy representative pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act and the federal Protection and Advocacy for Individuals with Mental Illness Act;

(7) is pursuant to a court order issued for good cause shown after notice to the child and the child's legal custodian and opportunity to be heard is given. Before issuing an order requiring disclosure, the court shall find that:

(a) other ways of obtaining the information are not available or would not be effective; and

(b) the need for the disclosure outweighs the potential injury to the child, the clinician-child relationship and treatment services; or

(8) is, for all confidential information in existence on and after July 1, 2024, to a governmental agency, its agent or a state educational institution, a duly organized state or county association of licensed physicians or dentists or a licensed health facility or staff committees of such a facility for the purpose of research, subject to the provisions of Section 14-6-1 NMSA 1978 and subject to the review of an

institutional review board in compliance with the federal Health Insurance Portability and Accountability Act of 1996 or any succeeding legislation and any federal regulations governing institutional review boards.

E. A disclosure ordered by the court shall be limited to the information that is essential to carry out the purpose of the disclosure. Disclosure shall be limited to those persons whose need for the information forms the basis for the order. An order by the court shall include such other measures as are necessary to limit disclosure for the protection of the child, including sealing from public scrutiny the record of a proceeding for which disclosure of a child's record has been ordered.

F. An authorization given for the transmission or disclosure of confidential information shall not be effective unless it:

(1) is in writing and signed; and

(2) contains a statement of the child's right to examine and copy the information to be disclosed, the name or title of the proposed recipient of the information and a description of the use that may be made of the information.

G. The child has a right of access to confidential information about the child and has the right to make copies of information about the child and submit clarifying or correcting statements and other documentation of reasonable length for inclusion with the confidential information. The statements and other documentation shall be kept with the relevant confidential information, shall accompany it in the event of disclosure and shall be governed by the provisions of this section to the extent the statements or other documentation contain confidential information. Nothing in this subsection shall prohibit the denial of access to the records when a physician or other mental health or developmental disabilities professional believes and notes in the child's medical records that the disclosure would not be in the best interests of the child. In all cases, the child has the right to petition the court for an order granting access.

H. Information concerning a child disclosed under this section shall not be released to any other person, agency or governmental entity or placed in files or computerized data banks accessible to any persons not otherwise authorized to obtain information under this section. Notwithstanding the confidentiality provisions of the Delinquency Act and the Abuse and Neglect Act, information disclosed under this section shall not be re-released without the express consent of the child or legal custodian authorized under the Children's Mental Health and Developmental Disabilities Act to give consent and any other consent necessary for redisclosure in conformance with state and federal law, including consent that may be required from the professional or the facility that created the document.

I. Nothing in the Children's Mental Health and Developmental Disabilities Act shall limit the confidentiality rights afforded by federal statute or regulation.

J. The department shall promulgate rules for implementing disclosure of records pursuant to this section and in compliance with state and federal law and the Children's Court Rules."

Chapter 31 Section 2 Laws 2024

SECTION 2. Section 43-1-19 NMSA 1978 (being Laws 1977, Chapter 279, Section 18, as amended) is amended to read:

"43-1-19. DISCLOSURE OF INFORMATION.--

A. Except as otherwise provided in the code, no person shall, without the authorization of the client, disclose or transmit any confidential information from which a person well acquainted with the client might recognize the client as the described person, or any code, number or other means that can be used to match the client with confidential information regarding the client.

B. Authorization from the client shall not be required for the disclosure or transmission of confidential information in the following circumstances:

(1) when the request is from a mental health or developmental disabilities professional or from an employee or trainee working with a person with a mental disability or developmental disability, to the extent that the practice, employment or training on behalf of the client requires access to such information is necessary;

(2) when such disclosure is necessary to protect against a clear and substantial risk of imminent serious physical injury or death inflicted by the client on the client's self or another;

(3) when the disclosure is made pursuant to the provisions of the Assisted Outpatient Treatment Act, using reasonable efforts to limit protected health information to that which is minimally necessary to accomplish the intended purpose of the use, disclosure or request;

(4) when the disclosure of such information is to the primary caregiver of the client and the disclosure is only of information necessary for the continuity of the client's treatment in the judgment of the treating physician or certified psychologist who discloses the information;

(5) when such disclosure is to an insurer contractually obligated to pay part or all of the expenses relating to the treatment of the client at the residential facility. The information disclosed shall be limited to data identifying the client, facility and treating or supervising physician and the dates and duration of the residential treatment. It shall not be a defense to an insurer's obligation to pay that the information relating to the residential treatment of the client, apart from information disclosed pursuant to this section, has not been disclosed to the insurer;

(6) when the request is from a physician, a licensed psychologist or a qualified mental health professional licensed for independent practice and responsible for the continuity of care of inmates with a mental or developmental disability who are in a jail or corrections facility, and the disclosure is only of information necessary for the continuity of the client's treatment in the judgment of an equally qualified treating professional who discloses the information;

(7) when such disclosure is by a physician, a licensed psychologist or a qualified mental health professional licensed for independent practice and responsible for the treatment of inmates in a jail or corrections facility to another equally qualified treating professional responsible for the continuation of care of the inmate upon the inmate's release from a jail or corrections facility, and the disclosure is only of information necessary for the continuity of the client's treatment in the judgment of the treating professional who discloses the information; or

(8) for all confidential information in existence on and after July 1, 2024, when the disclosure is made to a governmental agency or its agent or a state educational institution, a duly organized state or county association of licensed physicians or dentists or a licensed health facility or staff committees of such a facility for the purpose of research, subject to the provisions of Section 14-6-1 NMSA 1978 and subject to the review of an institutional review board in compliance with the federal Health Insurance Portability and Accountability Act of 1996 or any succeeding legislation and any federal regulations governing institutional review boards.

C. No authorization given for the transmission or disclosure of confidential information shall be effective unless it:

(1) is in writing and signed; and

(2) contains a statement of the client's right to examine and copy the information to be disclosed, the name or title of the proposed recipient of the information and a description of the use that may be made of the information.

D. The client has a right of access to confidential information and has the right to make copies of any information and to submit clarifying or correcting statements and other documentation of reasonable length for inclusion with the confidential information. The statements and other documentation shall be kept with the relevant confidential information, shall accompany it in the event of disclosure and shall be governed by the provisions of this section to the extent they contain confidential information. Nothing in this subsection shall prohibit the denial of access to such records when a physician or other mental health or developmental disabilities professional believes and notes in the client's medical records that such disclosure would not be in the best interests of the client. In any such case, the client has the right to petition the court for an order granting such access.

E. Where there exists evidence that the client whose consent to disclosure of confidential information is sought is incapable of giving or withholding valid consent and the client does not have a guardian or treatment guardian appointed by a court, the person seeking such authorization shall petition the court for the appointment of a treatment guardian to make a substitute decision for the client, except that if the client is less than fourteen years of age, the client's parent or guardian is authorized to consent to disclosure on behalf of the client.

F. Information concerning a client disclosed under this section shall not be released to any other person, agency or governmental entity or placed in files or computerized data banks accessible to any persons not otherwise authorized to obtain information under this section.

G. Nothing in the code shall limit the confidentiality rights afforded by federal statute or regulation.

H. A person appointed as a treatment guardian in accordance with the Mental Health and Developmental Disabilities Code may act as the client's personal representative pursuant to the federal Health Insurance Portability and Accountability Act of 1996, Sections 1171-1179 of the Social Security Act, 42 U.S.C. Section 1320d, as amended, and applicable federal regulations to obtain access to the client's protected health information, including mental health information and relevant physical health information, and may communicate with the client's health care providers in furtherance of such treatment."

Chapter 31 Section 3 Laws 2024

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 32

House Bill 7, aa
Approved March 1, 2024

AN ACT

RELATING TO TAXATION; AMENDING A DISTRIBUTION TO THE HEALTH CARE AFFORDABILITY FUND.

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

Chapter 32 Section 1 Laws 2024

SECTION 1. Section 7-1-6.69 NMSA 1978 (being Laws 2021, Chapter 136, Section 1) is amended to read:

"7-1-6.69. DISTRIBUTION--HEALTH INSURANCE PREMIUM SURTAX--HEALTH CARE AFFORDABILITY FUND.--A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the health care affordability fund in an amount equal to the following amounts of the net receipts attributable to the health insurance premium surtax; provided that if the rate of the health insurance premium surtax is reduced pursuant to Subsection F of Section 7-40-3 NMSA 1978, no distribution pursuant to this section shall be made:

- A. prior to July 1, 2024, fifty-five percent;
- B. beginning July 1, 2024 and prior to September 1, 2025, thirty percent; and
- C. beginning September 1, 2025, fifty-five percent."

Chapter 32 Section 2 Laws 2024

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 33

HAFC/House Bill 33, aa
Approved March 1, 2024

AN ACT

RELATING TO PRESCRIPTION DRUGS; ENACTING THE PRESCRIPTION DRUG PRICE TRANSPARENCY ACT TO INCREASE TRANSPARENCY ACROSS THE PRESCRIPTION DRUG SUPPLY CHAIN; REQUIRING PRESCRIPTION DRUG MANUFACTURERS, PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS, HEALTH INSURERS AND PHARMACY BENEFITS MANAGERS TO REPORT PRESCRIPTION DRUG PRICE TRENDS TO THE SUPERINTENDENT OF INSURANCE; REQUIRING THE SUPERINTENDENT OF INSURANCE TO COLLECT AND PUBLICLY REPORT AGGREGATE INFORMATION ON PRESCRIPTION DRUG PRICE TRENDS; PRESCRIBING CIVIL PENALTIES.

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

Chapter 33 Section 1 Laws 2024

SECTION 1. A new section of the New Mexico Insurance Code is enacted to read:

"SHORT TITLE.--This act may be cited as the "Prescription Drug Price Transparency Act"."

Chapter 33 Section 2 Laws 2024

SECTION 2. A new section of the New Mexico Insurance Code is enacted to read:

"DEFINITIONS.--As used in the Prescription Drug Price Transparency Act:

A. "authorized health insurer" means an entity holding a valid certificate of authority issued pursuant to the insurance laws of this state, including a health insurance company, health maintenance organization, hospital or health care services corporation, provider service network, nonprofit health care plan or any other entity that:

(1) contracts, offers to contract or enters into agreements to pay for or reimburse any costs of health care services; or

(2) provides, offers or administers health benefits plans or managed health care plans in this state;

B. "biosimilar product" means a prescription drug product that, in reference to a biological product that the federal food and drug administration has licensed:

(1) is highly similar to the single biological product against which the biosimilar product was evaluated in the biosimilar product's marketing application to the federal food and drug administration; and

(2) displays no clinically meaningful differences between the biosimilar product and the single biological product against which the biosimilar product was evaluated in the biosimilar product's marketing application to the federal food and drug administration in terms of the safety, purity and potency of the product;

C. "brand name drug" means a prescription drug that is marketed or distributed in accordance with:

(1) an original new drug application, except for a generic drug; or

(2) a biologics license application approved by the federal food and drug administration;

D. "confidential information" means information obtained by the superintendent pursuant to the Prescription Drug Price Transparency Act that has not become public information and that, if released prematurely or in non-aggregate or non-summary form, may provide unfair economic advantage or adversely affect the competitive position of any entity that reports to the superintendent pursuant to the Prescription Drug Price Transparency Act. "Confidential information" includes proprietary information and trade secrets;

E. "generic drug" means a prescription drug that is:

- (1) marketed or distributed in accordance with an abbreviated new drug application approved by the federal food and drug administration;
- (2) an authorized generic drug approved by the federal food and drug administration; or
- (3) a prescription drug that entered the market before 1962 that was not originally marketed under a new drug application;

F. "manufacturer" means an entity licensed to manufacture or distribute prescription drugs pursuant to the Pharmacy Act that:

- (1) owns the patent to a prescription drug product;
- (2) enters into a lease with another manufacturer to market and distribute a brand name drug under the entity's own name; or
- (3) sets or changes the wholesale acquisition cost of a prescription drug product that the entity manufactures or markets;

G. "medicare part D specialty-tier cost threshold" means the cost threshold set by the federal centers for medicare and medicaid services to determine which prescription drugs are in the specialty tier of the prescription drug benefit plan provided under part D of Title 18 of the federal Social Security Act;

H. "pharmacy benefits manager" means an entity licensed as a pharmacy benefits manager pursuant to the Pharmacy Benefits Manager Regulation Act;

I. "pharmacy services administrative organization" means an entity registered with the superintendent as a pharmacy services administrative organization pursuant to the Pharmacy Benefits Manager Regulation Act;

J. "prescription drug product" means any of the following products:

- (1) a biologic product produced or distributed in accordance with a biologics license application approved by the federal food and drug administration;
- (2) a biosimilar product;
- (3) a brand name drug; or
- (4) a generic drug;

K. "rebate" means a price concession paid by a manufacturer to a pharmacy benefits manager or authorized health insurer that is based on the:

- (1) actual or estimated use of a prescription drug; or
- (2) effectiveness of a prescription drug pursuant to the terms of a value-based or performance-based contract; and

L. "wholesale acquisition cost" means the manufacturer's list price for a prescription drug sold to wholesalers in the United States, not including discounts, rebates or reductions in price."

Chapter 33 Section 3 Laws 2024

SECTION 3. A new section of the New Mexico Insurance Code is enacted to read:

"PRESCRIPTION DRUG MANUFACTURER PRICE AND PRICE INCREASE REPORTING REQUIREMENTS.--

A. By May 1, 2025, and annually thereafter, each manufacturer shall submit data to the superintendent, in a form and manner prescribed by the superintendent, that includes the name and national drug code for each prescription drug product that has a wholesale acquisition cost of four hundred dollars (\$400) or more for a thirty-day supply or for a course of treatment that is less than thirty days and is a:

- (1) brand name drug that has increased in wholesale acquisition cost by ten percent or more in the previous calendar year;
- (2) brand name drug that has increased in wholesale acquisition cost by sixteen percent or more over the course of the previous two calendar years; or
- (3) generic drug or biosimilar product that has increased in wholesale acquisition cost by thirty percent or more in the previous calendar year.

B. For each prescription drug product that is reported to the superintendent, the manufacturer shall provide the following information that shall be verified, whenever possible, by the superintendent through the use of independent third-party resources:

- (1) the introductory wholesale acquisition cost of the prescription drug product when the prescription drug product was approved for marketing by the federal food and drug administration;
- (2) the annual increase in the prescription drug product's wholesale acquisition cost over the previous five calendar years;

- (3) the direct costs associated with manufacturing, marketing and distributing the prescription drug product;
- (4) the total revenue from the prescription drug product over the previous calendar year;
- (5) the net profit attributable to the prescription drug product over the previous calendar year;
- (6) the patent expiration date for the prescription drug product;
- (7) the ten highest government-negotiated prices of the prescription drug product in European Union countries and the United Kingdom;
- (8) any agreement between the manufacturer and another entity that involves a delay in marketing a generic version of the prescription drug product;
- (9) the names and prices of any generic equivalents of the prescription drug product;
- (10) the total amount of manufacturer-supported financial assistance provided to consumers of the prescription drug product; and
- (11) other information requested by the superintendent.

C. When a new brand name drug is introduced in the United States and has a price that is higher than the medicare part D specialty-tier threshold, the manufacturer of the brand name drug shall report the name of the drug to the superintendent within three days of the brand name drug's introduction.

D. When a new generic drug or biosimilar product is introduced in the United States with a price that is higher than the medicare part D specialty-tier threshold and a price that is not at least fifteen percent lower than the price of the brand name drug or biological product that the generic drug or biosimilar product is based on, the manufacturer of the generic drug or biosimilar product shall report the name of the generic drug or biosimilar product to the superintendent within three days of the generic drug or biosimilar product's introduction.

E. A manufacturer of a prescription drug product that is increasing in price enough to meet the reporting requirements of Subsection A of this section shall notify the superintendent on the price increase in writing no later than the date that the price increase becomes effective. The notice shall include:

- (1) the date of the price increase;

- (2) the current wholesale acquisition cost of the prescription drug product;
- (3) the dollar amount of any known future increase of the wholesale acquisition cost of the prescription drug product; and
- (4) a statement regarding whether a change or improvement in the prescription drug product necessitates the price increase, and if so, the manufacturer shall describe the change or improvement.

F. Except for the superintendent's reporting requirements in Section 7 of the Prescription Drug Price Transparency Act, the superintendent and a person acting on behalf of the superintendent, including staff and third-party contractors, shall keep confidential all of the information provided pursuant to this section, and the information shall not be subject to the requirements of the Inspection of Public Records Act. The superintendent shall include in every contract for services related to the Prescription Drug Price Transparency Act a requirement that contractors and subcontractors do not disclose confidential information to any persons other than the superintendent or a person acting on behalf of the superintendent."

Chapter 33 Section 4 Laws 2024

SECTION 4. A new section of the New Mexico Insurance Code is enacted to read:

"PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION REPORTING REQUIREMENTS.--

A. By June 30, 2025, and annually thereafter, except as provided by Subsection B of this section, each pharmacy services administrative organization that represents a pharmacy or chain of pharmacies that do business in this state shall submit data to the superintendent, in a form and manner prescribed by the superintendent, that includes a list of the:

- (1) negotiated reimbursement rate of the twenty-five prescription drug products with the highest reimbursement rate;
- (2) twenty-five prescription drug products with the highest year-to-year percentage change in reimbursement rate;
- (3) twenty-five prescription drug products with the highest year-to-year change in reimbursement rate based on the total dollar amount of change; and
- (4) schedule of fees charged to pharmacies for the services provided by the pharmacy services administrative organization.

B. A pharmacy services administrative organization that solely generates revenue from charging flat service fees to pharmacies and does not charge pharmacies for services based on prescription drug product prices or volume shall be exempt from the reporting requirements of this section.

C. Except for the superintendent's reporting requirements in Section 7 of the Prescription Drug Price Transparency Act, the superintendent and a person acting on behalf of the superintendent, including staff and third-party contractors, shall keep confidential all of the information provided pursuant to this section, and the information shall not be subject to the requirements of the Inspection of Public Records Act. The superintendent shall include in every contract for services related to the Prescription Drug Price Transparency Act a requirement that contractors and subcontractors do not disclose confidential information to any persons other than the superintendent or a person acting on behalf of the superintendent."

Chapter 33 Section 5 Laws 2024

SECTION 5. A new section of the New Mexico Insurance Code is enacted to read:

"AUTHORIZED HEALTH INSURER REPORTING REQUIREMENTS.--

A. By May 1, 2025, and annually thereafter, each authorized health insurer shall submit data to the superintendent, in a form and manner prescribed by the superintendent, that includes:

- (1) a list of the twenty-five most frequently prescribed prescription drug products;
- (2) a list of the twenty-five most costly prescription drug products by total annual plan spending;
- (3) a list of the twenty-five prescription drug products with the highest increase in total annual spending compared to the previous calendar year; and
- (4) an evaluation on the effect that the cost of prescription drug products has on health care premiums.

B. Except for the superintendent's reporting requirements in Section 7 of the Prescription Drug Price Transparency Act, the superintendent and a person acting on behalf of the superintendent, including staff and third-party contractors, shall keep confidential all of the information provided pursuant to this section, and the information shall not be subject to the requirements of the Inspection of Public Records Act. The superintendent shall include in every contract for services related to the Prescription Drug Price Transparency Act a requirement that contractors and subcontractors do not

disclose confidential information to any persons other than the superintendent or a person acting on behalf of the superintendent."

Chapter 33 Section 6 Laws 2024

SECTION 6. A new section of the New Mexico Insurance Code is enacted to read:

"PHARMACY BENEFITS MANAGER REPORTING REQUIREMENTS.--

A. By May 1, 2025, and annually thereafter, each pharmacy benefits manager shall provide data to the superintendent that includes the following information for the previous calendar year that is attributable to patient utilization of prescription drug products covered by authorized health insurers:

- (1) the aggregate rebates and fees collected from manufacturers; and
- (2) the aggregate dollar amount of rebates and fees collected from manufacturers that were:
 - (a) passed on to: 1) authorized health insurers; and 2) consumers at the point of sale of a prescription drug product; or
 - (b) retained by the pharmacy benefits manager.

B. A report submitted by a pharmacy benefits manager shall not disclose the identity of a specific authorized health insurer or consumer, the price charged for a specific prescription drug product or class of prescription drug products or the amount of any rebate or fee provided for a specific prescription drug product or class of prescription drug products.

C. Information provided to the superintendent pursuant to this section shall be kept confidential by the superintendent and any person acting on behalf of the superintendent, including staff and third-party contractors, and shall not be subject to the requirements of the Inspection of Public Records Act, except to the extent that the information is used on an aggregate basis across all pharmacy benefits managers, in accordance with the superintendent's reporting requirements in Section 7 of the Prescription Drug Price Transparency Act. The superintendent shall include in every contract for services related to the Prescription Drug Price Transparency Act a requirement that contractors and subcontractors do not disclose confidential information to any persons other than the superintendent or a person acting on behalf of the superintendent."

Chapter 33 Section 7 Laws 2024

SECTION 7. A new section of the New Mexico Insurance Code is enacted to read:

"SUPERINTENDENT OF INSURANCE LEGISLATIVE REPORTS.--

A. By December 31, 2025, and annually thereafter, the superintendent shall submit to the legislative finance committee and the legislative health and human services committee a report that includes:

(1) aggregate market trends for prescription drug products across the state and country;

(2) the impact of prescription drug product prices in the state, including the overall impact of prescription drug product costs on health care premiums;

(3) the geographic and demographic populations in the state most affected by high prescription drug product costs; and

(4) any recommendations the superintendent has on further action or legislation needed to make prescription drug products more affordable and reduce overall patient cost in the state.

B. By December 31, 2025, and annually thereafter, the superintendent shall aggregate the information collected from manufacturers, pharmacy services administrative organizations, authorized health insurers and pharmacy benefits managers and submit a report on the aggregate data to the legislative finance committee and the legislative health and human services committee. The superintendent shall hold an annual public meeting that is focused on discussing the contents of the report.

C. The superintendent shall make the reports required by this section available to the public on the superintendent's website.

D. The aggregate data included in the reports shall not disclose or tend to disclose proprietary or confidential information on any specific or individual manufacturer, pharmacy services administrative organization, authorized health insurer, pharmacy benefits manager or consumer."

Chapter 33 Section 8 Laws 2024

SECTION 8. A new section of the New Mexico Insurance Code is enacted to read:

"ENFORCEMENT AND PENALTIES.--

A. A manufacturer, pharmacy services administrative organization, authorized health insurer or pharmacy benefits manager may be subject to a penalty imposed by the superintendent in accordance with Section 59A-1-18 NMSA 1978 for:

- (1) failing to submit information or data;
- (2) failing to submit information or data on time; or
- (3) providing inaccurate or incomplete information or data.

B. The superintendent may audit the data submitted to the superintendent by a manufacturer, pharmacy services administrative organization, authorized health insurer or pharmacy benefits manager in a form and manner specified by the superintendent. The entity that submitted the data shall pay all costs associated with the audit."

Chapter 33 Section 9 Laws 2024

SECTION 9. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2025.

LAWS 2024, CHAPTER 34

House Bill 151, aa, w/cc
Approved March 1, 2024

AN ACT

RELATING TO STATE AND PRIVATE EDUCATIONAL INSTITUTIONS; REQUIRING STATE-FUNDED POST-SECONDARY EDUCATIONAL INSTITUTIONS TO ADOPT POLICIES AND PROCEDURES ADDRESSING AFFIRMATIVE CONSENT.

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

Chapter 34 Section 1 Laws 2024

SECTION 1. POLICIES AND PROCEDURES ADDRESSING AFFIRMATIVE CONSENT.--

A. A post-secondary educational institution shall adopt policies and procedures that shall:

- (1) reference an affirmative consent standard in the determination of whether consent was given by all parties to sexual activity;

(2) specify the requirement for the affirmative consent of all other parties engaged in that sexual activity; and

(3) specify that affirmative consent:

(a) can never be given by a party who is asleep, unconscious, incapacitated due to the influence of drugs, alcohol or medication or unable to communicate due to a mental or physical condition;

(b) cannot be implied, assumed or inferred from silence or lack of protest or resistance; and

(c) can be revoked at any time; and

(4) specify that the existence of a dating relationship or sexual relations shall not alone be affirmative consent.

B. Policies shall include:

(1) appropriate protections in any investigation of offending conduct of the parties and witnesses involved, including confidentiality;

(2) that all parties who participate as a complainant or witness in an investigation will not be subject to disciplinary sanctions for a violation of the post-secondary educational institution student conduct policy at or near the time of the incident, unless the post-secondary educational institution determines that the violation was egregious, including an action that places the health or safety of any other party at risk or involves plagiarism, cheating or academic dishonesty;

(3) requirements for a training program of employees or contractors involved in investigating allegations of offending conduct, counseling, health care and reporting to law enforcement; and

(4) implementing any awareness prevention programs, including primary prevention, bystander intervention and risk reduction programs that:

(a) include a range of prevention strategies, including empowerment programming, awareness-raising campaigns, primary prevention, bystander intervention and risk reduction;

(b) advise students of the policies and procedures on affirmative consent; and

(c) are included as part of every incoming student's orientation.

C. For purposes of this section:

(1) "affirmative consent" means affirmative, conscious and voluntary agreement to engage in sexual activity;

(2) "post-secondary educational institution" means a public, private, nonprofit or for-profit educational institution chartered, incorporated or otherwise operating in this state that is legally authorized to award a vocational or technical certificate or a degree at an associate level or above with a physical presence in this state;

(3) "student" means a person who is enrolled in a credit-bearing program through a post-secondary educational institution, whether enrolled part-time, full-time or in an extension program or who has taken a leave of absence or has withdrawn from the institution due to being a complainant;

(4) "trauma-informed policy" means a program or system that considers the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff and others involved with the system; responds by fully integrating knowledge about trauma into policies, procedures and practices; and seeks to actively resist re-traumatization; and

(5) "trauma-informed response" means a response involving an understanding of the complexities of dating violence, domestic violence, sexual assault and harassment or stalking through training centered on the neurobiological impact of trauma, the influence of societal myths and stereotypes surrounding the causes and impacts of trauma with an understanding of perpetration methodology and how to conduct an effective investigation.

LAWS 2024, CHAPTER 35

House Bill 165, aa
Approved March 1, 2024

AN ACT

RELATING TO PHARMACEUTICAL DRUGS; REQUIRING MEDICAID MANAGED CARE ORGANIZATIONS TO REIMBURSE COMMUNITY-BASED PHARMACY PROVIDERS FOR THE FULL COST OF PRESCRIPTION DRUGS PLUS A PROFESSIONAL DISPENSING FEE.

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

Chapter 35 Section 1 Laws 2024

SECTION 1. A new section of the Public Assistance Act, Section 27-2-12.34 NMSA 1978, is enacted to read:

"27-2-12.34. COMMUNITY-BASED PHARMACY REIMBURSEMENT.--

A. Each managed care organization that contracts with the department shall ensure that community-based pharmacy providers that provide services to medicaid recipients are reimbursed as follows:

(1) for the ingredient cost of a drug at a value that is at least equal to the national average drug acquisition cost for the prescription drug at the time that the drug is administered or dispensed, or if data for the national average drug acquisition is unavailable, the wholesale acquisition cost of the drug; and

(2) a professional dispensing fee.

B. The professional dispensing fee reimbursed to community-based pharmacy providers shall be no less than the professional dispensing fee reimbursed to community-based pharmacy providers for covered outpatient drugs in the medicaid fee-for-service program.

C. By January 1, 2025, and annually thereafter, the department shall compile a list of all community-based pharmacy providers in the state and publish the list on the department's website.

D. For the purposes of this section:

(1) "community-based pharmacy provider" means a pharmacy that is:

(a) open to the public for prescriptions to be filled, regardless of the facility or practice where the prescription was written;

(b) located in the state or near the state border, if the border town is a primary source of prescription drugs for medicaid recipients residing in the border area; and

(c) not: 1) government-owned; 2) hospital-owned; 3) owned by a corporation that owns hospitals; 4) an extension of a medical practice or special facility; 5) owned by a corporate chain of pharmacies with stores outside of the state; or 6) a mail-order pharmacy;

(2) "ingredient cost" means the actual amount paid to a community-based pharmacy provider for a prescription drug, not including the professional dispensing fee or cost sharing;

(3) "managed care organization" means a person or entity eligible to enter into risk-based prepaid capitation agreements with the department to provide health care and related services;

(4) "medicaid" means the medical assistance program established pursuant to Title 19 of the federal Social Security Act and regulations issued pursuant to that act;

(5) "medicaid recipient" means a person whom the department has determined to be eligible to receive medicaid-related services;

(6) "national average drug acquisition cost" means the national average of prices at which pharmacies purchase a prescription drug from manufacturers or wholesalers; and

(7) "wholesale acquisition cost" means a manufacturer's list price for a prescription drug sold to wholesalers in the United States, not including discounts, rebates or reductions in price."

Chapter 35 Section 2 Laws 2024

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 36

House Bill 181

Approved March 1, 2024

AN ACT

RELATING TO INSURANCE; AMENDING THE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS AS MEMBERS OF THE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION; REPEALING SECTION 59A-46-15 NMSA 1978 (BEING LAWS 1993, CHAPTER 266, SECTION 15).

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

Chapter 36 Section 1 Laws 2024

SECTION 1. Section 59A-42-3 NMSA 1978 (being Laws 2012, Chapter 9, Section 6, as amended) is amended to read:

"59A-42-3. DEFINITIONS.--As used in the Life and Health Insurance Guaranty Association Act:

A. "account" means either of the two accounts maintained pursuant to Section 59A-42-5 NMSA 1978;

B. "association" means the life and health insurance guaranty association created pursuant to Section 59A-42-5 NMSA 1978;

C. "authorized assessment", or the term "authorized" when used in the context of assessments, means that a resolution by the board has been passed whereby an assessment will be called immediately or in the future from member insurers for a specified amount. An assessment is authorized when the resolution is passed;

D. "benefit plan" means a specific employee, a union or an association of natural persons benefit plan;

E. "board" means the board of directors organized pursuant to Section 59A-42-6 NMSA 1978;

F. "called assessment", or the term "called" when used in the context of assessments, means that a notice has been issued by the association to member insurers requiring that an authorized assessment be paid within the time frame set forth within the notice. An authorized assessment becomes a called assessment when notice is mailed by the association to member insurers;

G. "contractual obligation" means an obligation under a policy or contract or a certificate under a group policy or contract, or portion thereof, for which coverage is provided pursuant to Section 59A-42-4 NMSA 1978;

H. "covered policy" and "covered contract" means a policy or contract or portion of a policy or contract for which coverage is provided pursuant to Section 59A-42-4 NMSA 1978;

I. "domiciliary state" means the state in which an insurer is incorporated or organized or, as to an alien insurer, the state in which at commencement of delinquency proceedings the larger amount of the insurer's assets are held in trust or on deposit for the benefit of its policyholders and creditors in the United States;

J. "extra-contractual claims" includes claims relating to bad faith in the payment of claims, punitive or exemplary damages or attorney fees and costs;

K. "health benefit plan" means any hospital or medical expense policy or certificate or health maintenance organization subscriber contract or any other similar health contract. "Health benefit plan" does not include:

- (1) accident-only insurance;
- (2) credit insurance;
- (3) dental-only insurance;

- (4) vision-only insurance;
- (5) medicare supplement insurance;
- (6) benefits for long-term care, home health care, community-based care or any combination thereof;
- (7) disability income insurance;
- (8) coverage for on-site medical clinics; or
- (9) specified disease, hospital confinement indemnity or limited benefit health insurance if the health benefit plans do not provide coordination of benefits and are provided under separate policies or contracts;

L. "impaired insurer" means a member insurer that, after the effective date of the Life and Health Insurance Guaranty Association Act, is not an insolvent insurer and is placed under an order of rehabilitation or conservation by a court of competent jurisdiction;

M. "insolvent insurer" means a member insurer that, after the effective date of the Life and Health Insurance Guaranty Association Act, is placed under an order of liquidation by a court of competent jurisdiction with a finding of insolvency;

N. "member insurer" means an insurer or health maintenance organization that is licensed or that holds a certificate of authority to transact in this state any kind of insurance or health maintenance organization business for which coverage is provided pursuant to Section 59A-42-4 NMSA 1978 and includes an insurer or health maintenance organization whose license or certificate of authority in this state may have been suspended, revoked, not renewed or voluntarily withdrawn, but does not include:

- (1) a health care plan, whether profit or nonprofit;
- (2) a prepaid dental plan;
- (3) a fraternal benefit society;
- (4) a mandatory state pooling plan;
- (5) a mutual assessment company or other person that operates on an assessment basis;
- (6) an insurance exchange;
- (7) a charitable organization that is in good standing with the superintendent pursuant to Section 59A-1-16.1 NMSA 1978;

(8) any insurer that was insolvent or unable to fulfill its contractual obligations as of April 9, 1975; or

(9) an entity similar to any of the above;

O. "Moody's corporate bond yield average" means the monthly average corporates as published by Moody's investors service, incorporated, or its successor;

P. "owner" of a policy or contract, "policy owner", "policy holder" and "contract owner" means the person who is identified as the legal owner under the terms of the policy or contract or who is otherwise vested with legal title to the policy or contract through a valid assignment completed in accordance with the terms of the policy or contract and properly recorded as the owner on the books of the member insurer. The terms "owner", "policy owner", "policy holder" and "contract owner" do not include persons with a mere beneficial interest in a policy or contract;

Q. "plan sponsor" means:

(1) the employer in the case of a benefit plan established or maintained by a single employer;

(2) the employee organization in the case of a benefit plan established or maintained by an employee organization; or

(3) the association, committee, joint board of trustees or other similar group of representatives of the parties who establish or maintain the benefit plan in the case of a benefit plan established or maintained by two or more employers or jointly by one or more employers and one or more employee organizations;

R. "premiums" means amounts or considerations, by whatever name used, received on covered policies or contracts less returned premiums, considerations and deposits and less dividends and experience credits. "Premiums" does not include:

(1) amounts or considerations received for policies or contracts or for the portions of policies or contracts for which coverage is not provided pursuant to Subsection E of Section 59A-42-4 NMSA 1978, except that assessable premiums shall not be reduced on account of Paragraph (3) of Subsection E of Section 59A-42-4 NMSA 1978, relating to interest limitations, or Paragraph (2) of Subsection F of Section 59A-42-4 NMSA 1978, relating to limitations, with respect to one individual, one participant, one policy holder or one contract owner;

(2) premiums in excess of five million dollars (\$5,000,000) on an unallocated annuity contract not issued under a governmental retirement benefit plan, or its trustee, established pursuant to Section 401, 403(b) or 457 of the federal Internal Revenue Code of 1986; or

(3) with respect to multiple non-group policies of life insurance owned by one owner, whether the policy holder or contract owner is an individual, firm, corporation or other person, and whether the persons insured are officers, managers, employees or other persons, premiums in excess of five million dollars (\$5,000,000) with respect to these policies or contracts, regardless of the number of policies or contracts held by the owner;

S. "principal place of business" means:

(1) in the case of a plan sponsor or a person other than a natural person, the single state in which the natural person who establishes a policy for the direction, control and coordination of the operations of the entity as a whole primarily exercises that function, as determined by the association in its reasonable judgment by considering the following factors:

(a) the state in which the primary executive and administrative headquarters of the entity is located;

(b) the state in which the principal office of the chief executive officer of the entity is located;

(c) the state in which the board, or similar governing person or persons, of the entity conducts the majority of its meetings;

(d) the state in which the executive or management committee of the board, or similar governing person or persons, of the entity conducts the majority of its meetings;

(e) the state from which the management of the overall operations of the entity is directed;

(f) in the case of a benefit plan sponsored by affiliated companies comprising a consolidated corporation, the state in which the holding company or controlling affiliate has its principal place of business as determined using the factors in this subsection; and

(g) in the case of a plan sponsor, if more than fifty percent of the participants in the benefit plan are employed in a single state, that state shall be deemed to be the principal place of business of the plan sponsor; and

(2) in the case of a plan sponsor of a benefit plan described in Paragraph (3) of Subsection Q of this section, the principal place of business of the association, committee, joint board of trustees or other similar group of representatives of the parties that establish or maintain the benefit plan that, in lieu of a specific or clear designation of a principal place of business, shall be deemed to be the principal place of

business of the employer or employee organization that has the largest investment in the benefit plan in question;

T. "receivership court" means the court in the insolvent or impaired insurer's domiciliary state having jurisdiction over the conservation, rehabilitation or liquidation of the member insurer;

U. "resident" means a person to whom a contractual obligation is owed and who resides in this state on the date of entry of a court order that determines a member insurer to be an impaired insurer or a court order that determines a member insurer to be an insolvent insurer. A person may be a resident of only one state, which, in the case of a person other than a natural person, shall be its principal place of business. Citizens of the United States that are either residents of foreign countries or residents of United States possessions, territories or protectorates that do not have an association similar to the association created by the Life and Health Insurance Guaranty Association Act shall be deemed residents of the state of domicile of the member insurer that issued the policies or contracts;

V. "structured settlement annuity" means an annuity purchased in order to fund periodic payments for a plaintiff or other claimant in payment for or with respect to personal injury suffered by the plaintiff or other claimant;

W. "structured settlement factoring transaction" means a transfer of structured settlement payment rights, including portions of structured settlement payments made for consideration by means of sale, assignment, pledge or other form of encumbrance or alienation;

X. "supplemental contract" means a written agreement entered into for the distribution of proceeds under a life, health or annuity policy or contract; and

Y. "unallocated annuity contract" means an annuity contract or group annuity certificate that is not issued to and owned by an individual, except to the extent of annuity benefits guaranteed to an individual by an insurer under the contract or certificate."

Chapter 36 Section 2 Laws 2024

SECTION 2. Section 59A-42-4 NMSA 1978 (being Laws 2012, Chapter 9, Section 7) is amended to read:

"59A-42-4. COVERAGE--LIMITATIONS.--

A. Coverage shall be provided for the policies and contracts specified in Subsection D of this section:

(1) to persons who, regardless of where they reside, except for nonresident certificate holders under group policies or contracts, are the beneficiaries, assignees or payees, including health care providers rendering services covered under health insurance policies or certificates, of the persons covered pursuant to Paragraph (2) of this subsection;

(2) to persons who are owners of, enrollees or certificate holders under the policies or contracts, other than unallocated annuity contracts and structured settlement annuities, and in each case who:

(a) are residents; or

(b) are not residents, but only under the following conditions: 1) the member insurer that issued the policies or contracts is domiciled in this state; 2) the states in which the persons reside have associations similar to this state's association; and 3) the persons are not eligible for coverage by an association in another state due to the fact that the member insurer or the health maintenance organization was not licensed in that state at the time specified in that state's guaranty association law;

(3) for unallocated annuity contracts specified in Subsection D of this section, to which Paragraphs (1) and (2) of this subsection shall not apply, and except as provided in Subsections B and C of this section:

(a) to persons who are the owners of the unallocated annuity contracts if the contracts are issued to or in connection with a specific benefit plan whose plan sponsor has its principal place of business in this state; and

(b) to persons who are the owners of unallocated annuity contracts issued to or in connection with government lotteries if the owners are residents; and

(4) for structured settlement annuities specified in Subsection D of this section, to which Paragraphs (1) and (2) of this subsection shall not apply, and except as provided in Subsections B and C of this section, to a person who is a payee under a structured settlement annuity, or a beneficiary of a payee if the payee is deceased, if the payee:

(a) is a resident, regardless of where the contract owner resides;

or

(b) is not a resident, but only under the following conditions: 1) the contract owner of the structured settlement annuity is a resident or is not a resident, but the insurer that issued the structured settlement annuity is domiciled in this state and the state in which the contract owner resides has an association similar to this state's association; and 2) neither the payee, the payee's beneficiary or the contract

owner is eligible for coverage by the association of the state in which the payee or contract owner resides.

B. Coverage shall not be provided to:

(1) a person who is a payee or beneficiary of a contract owner resident of this state, if the payee or beneficiary is afforded coverage by the association of another state;

(2) a person covered pursuant to Paragraph (3) of Subsection A of this section, if coverage is provided by the association of another state to that person; or

(3) a person who acquires rights to receive payments through a structured settlement factoring transaction.

C. Coverage is intended to be provided to a person who is a resident of this state and, in special circumstances, to a nonresident. In order to avoid duplicate coverage, if a person who would otherwise receive coverage pursuant to the Life and Health Insurance Guaranty Association Act is provided coverage under the laws of another state, the person shall not be provided coverage in this state. In determining the application of the provisions of this subsection in situations where a person could be covered by the association of more than one state, whether as an owner, payee, enrollee, beneficiary or assignee, the Life and Health Insurance Guaranty Association Act shall be construed in conjunction with other state laws to result in coverage by only one association.

D. Coverage shall be provided to the persons specified in Subsection A of this section for policies or contracts of direct, non-group life insurance, health insurance, which for the purposes of the Life and Health Insurance Guaranty Association Act includes health maintenance organization subscriber contracts and certificates, or annuities and supplemental contracts to any of these, for certificates under direct group policies and contracts and supplemental contracts to these and for unallocated annuity contracts issued by member insurers, except as limited by the Life and Health Insurance Guaranty Association Act. Annuity contracts and certificates under group annuity contracts include guaranteed investment contracts, deposit administration contracts, unallocated funding agreements, allocated funding agreements, structured settlement annuities, annuities issued to or in connection with government lotteries and immediate or deferred annuity contracts.

E. Coverage shall not be provided for:

(1) a portion of a policy or contract not guaranteed by the member insurer or under which the risk is borne by the policy or contract owner;

(2) a policy or contract of reinsurance, unless assumption certificates have been issued pursuant to the reinsurance policy or contract;

(3) a portion of a policy or contract, except for any portion of a policy or contract, including a rider, that provides long-term care or any other health insurance benefit, to the extent that the rate of interest on which it is based, or the interest rate, crediting rate or similar factor determined by use of an index or other external reference stated in the policy or contract employed in calculating returns or changes in value:

(a) averaged over the period of four years prior to the date on which the member insurer becomes an impaired or insolvent insurer pursuant to the Life and Health Insurance Guaranty Association Act, whichever is earlier, exceeds the rate of interest determined by subtracting two percentage points from Moody's corporate bond yield average averaged for that same four-year period or for such lesser period if the policy or contract was issued less than four years before the member insurer becomes an impaired or insolvent insurer under the Life and Health Insurance Guaranty Association Act, whichever is earlier; and

(b) on and after the date on which the member insurer becomes an impaired or insolvent insurer pursuant to the Life and Health Insurance Guaranty Association Act, whichever is earlier, exceeds the rate of interest determined by subtracting three percentage points from Moody's corporate bond yield average as most recently available;

(4) a portion of a policy or contract issued to a plan or program of an employer, association or other person to provide life, health or annuity benefits to its employees, members or others, to the extent that the plan or program is self-funded or uninsured, including but not limited to benefits payable by an employer, association or other person under:

(a) a multiple employer welfare arrangement;

(b) a minimum premium group insurance plan;

(c) a stop-loss group insurance plan; or

(d) an administrative services only contract;

(5) a portion of a policy or contract to the extent that it provides

for:

(a) dividends or experience rating credits;

(b) voting rights; or

(c) payment of fees or allowances to a person, including the policy or contract owner, in connection with the service to or administration of the policy or contract;

(6) a policy or contract issued in this state by a member insurer at a time when it was not licensed or did not have a certificate of authority to issue the policy or contract in this state;

(7) an unallocated annuity contract issued to or in connection with a benefit plan protected under the federal pension benefit guaranty corporation, regardless of whether that corporation has yet become liable to make payments with respect to the benefit plan;

(8) a portion of an unallocated annuity contract that is not issued to or in connection with a specific employee, union or association of natural persons benefit plan or a government lottery;

(9) a portion of a policy or contract to the extent that the assessments required by Section 59A-42-8 NMSA 1978 with respect to the policy or contract are preempted by federal or state law;

(10) an obligation that does not arise under the express written terms of the policy or contract issued by the member insurer to the enrollee, certificate holder, contract owner or policy owner, including without limitation:

(a) claims based on marketing materials;

(b) claims based on side letters, riders or other documents that were issued by the member insurer without meeting applicable policy or contract form filing or approval requirements;

(c) misrepresentations of or regarding policy or contract benefits;

(d) extra-contractual claims; or

(e) a claim for penalties or consequential or incidental damages;

(11) a contractual agreement that establishes the member insurer's obligations to provide a book value accounting guaranty for defined contribution benefit plan participants by reference to a portfolio of assets that is owned by the benefit plan or its trustee, which in each case is not an affiliate of the member insurer;

(12) a portion of a policy or contract to the extent that it provides for interest or other changes in value to be determined by the use of an index or other external reference stated in the policy or contract, but which have not been credited to the policy or contract, or as to which the policy or contract owner's rights are subject to forfeiture, as of the date the member insurer becomes an impaired or insolvent insurer pursuant to the Life and Health Insurance Guaranty Association Act, whichever is earlier. If a policy or contract's interest or changes in value are credited less frequently than annually, then for purposes of determining the values that have been credited and

that are not subject to forfeiture pursuant to this paragraph, the interest or change in value determined by using the procedures defined in the policy or contract will be credited as if the contractual date of crediting interest or changing values were the date of impairment or insolvency, whichever is earlier, and will not be subject to forfeiture;

(13) a policy or contract providing hospital, medical, prescription drug or other health care benefits pursuant to Part C or Part D of Subchapter 18 of Chapter 7 of Title 42 of the United States Code, commonly known as medicare Parts C and D, or Subchapter 19 of Chapter 7 of Title 42 of the United States Code, commonly known as medicaid, or any regulations promulgated pursuant to those acts; or

(14) structured settlement annuity benefits to which a payee or beneficiary has transferred the payee's or beneficiary's rights in a structured settlement factoring transaction.

F. The benefits that the association may become obligated to cover shall in no event exceed the lesser of:

(1) the contractual obligations for which the member insurer is liable or would have been liable if it were not an impaired or insolvent insurer;

(2) with respect to one person's life, regardless of the number of policies or contracts:

(a) for life insurance death benefits, three hundred thousand dollars (\$300,000) but not more than one hundred thousand dollars (\$100,000) in net cash surrender and net cash withdrawal values;

(b) for health insurance benefits: 1) one hundred thousand dollars (\$100,000) for coverages not constituting disability income insurance, health benefit plans or long-term care insurance, including net cash surrender and net cash withdrawal values; 2) three hundred thousand dollars (\$300,000) for disability income insurance; 3) three hundred thousand dollars (\$300,000) for long-term care insurance as defined in Section 59A-23A-4 NMSA 1978; and 4) five hundred thousand dollars (\$500,000) for health benefit plans; or

(c) for annuity benefits, two hundred fifty thousand dollars (\$250,000) in present value, including net cash surrender and net cash withdrawal values;

(3) with respect to each individual participating in a governmental retirement benefit plan established pursuant to Section 401, 403(b) or 457 of the federal Internal Revenue Code of 1986 covered by an unallocated annuity contract or the beneficiaries of each such individual if deceased, in the aggregate, two hundred fifty thousand dollars (\$250,000) in present value annuity benefits, including net cash surrender and net cash withdrawal values; or

(4) with respect to each payee of a structured settlement annuity, or beneficiary or beneficiaries of the payee if the payee is deceased, two hundred fifty thousand dollars (\$250,000) in present value annuity benefits, in the aggregate, including net cash surrender and net cash withdrawal values, if any.

G. In no event shall the association be obligated to cover:

(1) more than an aggregate of three hundred thousand dollars (\$300,000) in benefits with respect to one person's life pursuant to Paragraphs (2), (3) and (4) of Subsection F of this section, except with respect to benefits for health benefit plans pursuant to Subparagraph (b) of Paragraph (2) of Subsection F of this section, in which case the aggregate liability of the association shall not exceed five hundred thousand dollars (\$500,000) with respect to one person's life; or

(2) with respect to one owner of multiple non-group policies of life insurance, whether the policy holder or contract owner is an individual, firm, corporation or other person, and whether the persons insured are officers, managers, employees or other persons, more than five million dollars (\$5,000,000) in benefits, regardless of the number of policies and contracts held by the owner.

H. With respect to either one contract owner provided coverage pursuant to Subparagraph (b) of Paragraph (3) of Subsection A of this section or one plan sponsor whose plans own directly or in trust one or more unallocated annuity contracts not included in Paragraph (3) of Subsection F of this section, the benefits the association may become obligated to cover shall not exceed five million dollars (\$5,000,000) irrespective of the number of contracts with respect to the contract owner or plan sponsor. However, in the case where one or more unallocated annuity contracts are covered contracts pursuant to the Life and Health Insurance Guaranty Association Act and are owned by a trust or other entity for the benefit of two or more plan sponsors, coverage shall be afforded by the association if the largest interest in the trust or entity owning the contract or contracts is held by a plan sponsor whose principal place of business is in this state. In no event shall the association be obligated to cover more than five million dollars (\$5,000,000) in benefits with respect to all of these unallocated contracts.

I. The limitations set forth in Subsections F, G and H of this section are limitations on the benefits for which the association is obligated before taking into account either its subrogation and assignment rights or the extent to which those benefits could be provided out of the assets of the impaired or insolvent insurer attributable to covered policies. The costs of the association's obligations may be met by the use of assets attributable to covered policies or reimbursed to the association pursuant to its subrogation and assignment rights.

J. For purposes of the Life and Health Insurance Guaranty Association Act, benefits provided by a long-term care rider to a life insurance policy or annuity contract

shall be considered the same type of benefit as the base life insurance policy or annuity contract to which it relates.

K. In performing its obligations to provide coverage pursuant to this section and Section 59A-42-7 NMSA 1978, the association shall not be required to guarantee, assume, reinsure, reissue or perform, or cause to be guaranteed, assumed, reinsured, reissued or performed, the contractual obligations of the insolvent or impaired insurer under a covered policy or contract that do not materially affect the economic values or economic benefits of the covered policy or contract."

Chapter 36 Section 3 Laws 2024

SECTION 3. Section 59A-42-5 NMSA 1978 (being Laws 1984, Chapter 127, Section 754, as amended) is amended to read:

"59A-42-5. ORGANIZATION OF ASSOCIATION--PARTICIPATION.--

A. All insurers shall organize and remain members of the association as a condition of their authority to transact insurance or a health maintenance organization business covered by Section 59A-42-4 NMSA 1978. The association may take any appropriate form of legal entity available under the laws of this state and approved by the superintendent. The association shall perform its functions under the plan of operation established and approved pursuant to Section 59A-42-9 NMSA 1978 and shall exercise its powers through the board. For purposes of assessment and administration, the association shall maintain two accounts:

(1) the life insurance and annuity account, which includes the following subaccounts:

(a) a life insurance account;

(b) an annuity account, which includes annuity contracts owned by a governmental retirement benefit plan, or its trustee, established pursuant to Section 401, 403(b) or 457 of the federal Internal Revenue Code of 1986, but otherwise excludes unallocated annuities; and

(c) an unallocated annuity account, which excludes contracts owned by a governmental retirement benefit plan, or its trustee, established pursuant to Section 401, 403(b) or 457 of the federal Internal Revenue Code of 1986; and

(2) the health account.

B. The association shall be supervised by the superintendent and shall be subject to the applicable provisions of the insurance laws of New Mexico. Meetings or records of the association may be opened to the public upon majority vote of the board of the association."

Chapter 36 Section 4 Laws 2024

SECTION 4. Section 59A-42-6 NMSA 1978 (being Laws 1984, Chapter 127, Section 755, as amended) is amended to read:

"59A-42-6. BOARD OF DIRECTORS.--

A. The board of directors of the association shall consist of not less than seven nor more than eleven member insurers serving terms as established in the plan of operation. The insurer members of the board shall be selected by member insurers subject to the approval of the superintendent. In addition, two persons who are public representatives shall be appointed by the superintendent to the board. A public representative shall not be an officer, director or employee of an insurance company or a health maintenance organization or a person engaged in the business of insurance. Vacancies on the board shall be filled for the remaining period of the term by a majority vote of the remaining board members for member insurers, subject to approval of the superintendent, and by the superintendent for public representatives.

B. In approving insurer member selections, the superintendent shall consider among other things whether all member insurers are fairly represented.

C. Members of the board may be reimbursed from the assets of the association for reasonable and necessary expenses incurred by them as members of the board, but the amount of that reimbursement shall not exceed the guidelines provided by the approved plan of operation."

Chapter 36 Section 5 Laws 2024

SECTION 5. Section 59A-42-7 NMSA 1978 (being Laws 2012, Chapter 9, Section 10) is amended to read:

"59A-42-7. POWERS AND DUTIES OF THE ASSOCIATION.--

A. If a member insurer is an impaired insurer, the association may, in its discretion, and subject to conditions imposed by the association that do not impair the contractual obligations of the impaired insurer and that are approved by the superintendent:

(1) guarantee, assume, reissue or reinsure, or cause to be guaranteed, assumed, reissued or reinsured, any or all of the policies or contracts of the impaired insurer; and

(2) provide such money, pledges, loans, notes, guarantees or other means as are proper to effectuate Paragraph (1) of this subsection and assure payment of the contractual obligations of the impaired insurer pending action pursuant to Paragraph (1) of this subsection.

B. If a member insurer is an insolvent insurer, the association shall, in its discretion, either:

(1) guarantee, assume, reissue or reinsure, or cause to be guaranteed, assumed, reissued or reinsured, the policies or contracts of the insolvent insurer, or assure payment of the contractual obligations of the insolvent insurer, and provide money, pledges, loans, notes, guarantees or other means reasonably necessary to discharge the association's duties; or

(2) provide benefits and coverages in accordance with the following provisions:

(a) with respect to policies and contracts, assure payment of benefits that would have been payable under the policies or contracts of the insolvent insurer, for claims incurred: 1) with respect to group policies and contracts, not later than the earlier of the next renewal date under those policies or contracts or forty-five days, but in no event less than thirty days, from the date on which the association becomes obligated with respect to the policies and contracts; and 2) with respect to non-group policies, contracts and annuities, not later than the earlier of the next renewal date, if any, under the policies or contracts or one year, but in no event less than thirty days, from the date on which the association becomes obligated with respect to the policies or contracts;

(b) make diligent efforts to provide all known insureds, enrollees or annuitants, for non-group policies and contracts, or group policy holders or contract owners with respect to group policies and contracts, thirty days' notice of the termination, pursuant to Subparagraph (a) of this paragraph, of the benefits provided;

(c) with respect to non-group policies or contracts covered by the association, and with respect to an individual formerly insured, enrolled or formerly an annuitant under a group policy or contract who is not eligible for replacement group coverage, make available to each known insured, enrollee or annuitant, or owner if other than the insured, enrollee or annuitant, substitute coverage on an individual basis in accordance with the provisions of Subparagraph (d) of this paragraph if the insureds, enrollees or annuitants had a right under law or the terminated policy, contract or annuity to convert coverage to individual coverage or to continue an individual policy, contract or annuity in force until a specified age or for a specified time, during which the insurer or health maintenance organization had no right unilaterally to make changes in any provision of the policy, contract or annuity or had a right only to make changes in premium by class;

(d) in providing the substitute coverage required pursuant to Subparagraph (c) of this paragraph, the association may offer either to reissue the terminated coverage or to issue an alternative policy or contract at actuarially justified rates. Alternative or reissued policies or contracts shall be offered without requiring evidence of insurability and shall not provide for a waiting period or exclusion that would

not have applied under the terminated policy or contract. The association may reinsure an alternative or reissued policy or contract;

(e) alternative policies or contracts adopted by the association shall be subject to the approval of the superintendent. The association may adopt alternative policies or contracts of various types for future issuance without regard to a particular impairment or insolvency. Alternative policies or contracts shall contain at least the minimum statutory provisions required in this state and provide benefits that shall not be unreasonable in relation to the premium charged. The association shall set the premium in accordance with a table of rates that it shall adopt. The premium shall reflect the amount of insurance to be provided and the age and class of risk of each insured but shall not reflect changes in the health of the insured after the original policy or contract was last underwritten. An alternative policy or contract issued by the association shall provide coverage of a type similar to that of the policy or contract issued by the impaired or insolvent insurer, as determined by the association;

(f) if the association elects to reissue terminated coverage at a premium rate different from that charged under the terminated policy or contract, the premium shall be actuarially justified and set by the association in accordance with the amount of insurance provided and the age and class of risk, subject to the approval of the superintendent;

(g) the association's obligations with respect to coverage under a policy or contract of the impaired or insolvent insurer or under a reissued or alternative policy or contract shall cease on the date the coverage or policy is replaced by another similar policy by the policy owner, contract owner, enrollee, the insured or the association; and

(h) when proceeding under this subsection with respect to a policy or contract carrying guaranteed minimum interest rates, the association shall assure the payment or crediting of a rate of interest consistent with Paragraph (3) of Subsection E of Section 59A-42-4 NMSA 1978.

C. Nonpayment of premiums within thirty-one days after the date required under the terms of a guaranteed, assumed, alternative or reissued policy or contract or substitute coverage shall terminate the association's obligations under the policy, contract or coverage pursuant to the Life and Health Insurance Guaranty Association Act with respect to the policy, contract or coverage, except with respect to claims incurred or net cash surrender value that may be due in accordance with the provisions of that act.

D. Premiums due for coverage after entry of an order of liquidation of an insolvent insurer shall belong to and be payable at the direction of the association. If the liquidator of an insolvent insurer requests, the association shall provide a report to the liquidator regarding such premium collected by the association. The association shall be

liable for unearned premiums due to policy or contract owners arising after the entry of the order.

E. The protection provided by the Life and Health Insurance Guaranty Association Act shall not apply where guaranty protection is provided to residents of this state by the laws of the domiciliary state or jurisdiction of the impaired or insolvent insurer other than this state.

F. In carrying out its duties pursuant to Subsection B of this section, the association may:

(1) subject to approval by a court in this state, impose permanent policy or contract liens in connection with a guaranty, assumption or reinsurance agreement if the association finds that the amounts that can be assessed are less than the amounts needed to assure full and prompt performance of the association's duties, or if it finds that the economic or financial conditions as they affect member insurers are sufficiently adverse to render the imposition of such permanent policy or contract liens to be in the public interest; or

(2) subject to approval by a court in this state, impose temporary moratoriums or liens on payments of cash values and policy loans, or another right to withdraw funds held in conjunction with policies or contracts, in addition to contractual provisions for deferral of cash or policy loan value. In addition, in the event of a temporary moratorium or moratorium charge imposed by the receivership court on payment of cash values or policy loans, or on another right to withdraw funds held in conjunction with policies or contracts, out of the assets of the impaired or insolvent insurer, the association may defer the payment of cash values, policy loans or other rights by the association for the period of the moratorium or moratorium charge imposed by the receivership court, except for claims covered by the association to be paid in accordance with a hardship procedure established by the liquidator or rehabilitator and approved by the receivership court.

G. A deposit in this state, held pursuant to law or required by the superintendent for the benefit of creditors, including policy or contract owners, not turned over to the domiciliary liquidator upon the entry of a final order of liquidation or order approving a rehabilitation plan of a member insurer domiciled in this state or in a reciprocal state, pursuant to Chapter 59A, Article 10 NMSA 1978, shall be promptly paid to the association. The association is entitled to retain a portion of an amount paid to it equal to the percentage determined by dividing the aggregate amount of policy or contract owners' claims related to that insolvency for which the association has provided statutory benefits by the aggregate amount of all policy or contract owners' claims in this state related to that insolvency and shall remit to the domiciliary receiver the amount so paid to the association less the amount retained pursuant to this subsection. An amount paid to the association and retained by it shall be treated as a distribution of estate assets pursuant to the Insurers Conservation, Rehabilitation and Liquidation Law or similar provision of the state of domicile of the impaired or insolvent insurer.

H. If the association fails to act within a reasonable period of time with respect to an insolvent insurer, as provided in Subsection B of this section, the superintendent shall have the powers and duties of the association with respect to the insolvent insurer.

I. The association may render assistance and advice to the superintendent, upon the superintendent's request, concerning rehabilitation, payment of claims, continuance of coverage or the performance of other contractual obligations of an impaired or insolvent insurer.

J. The association shall have standing to appear or intervene before a court or agency in this state with jurisdiction over an impaired or insolvent insurer concerning which the association is or may become obligated pursuant to the Life and Health Insurance Guaranty Association Act or with jurisdiction over a person or property against which the association may have rights through subrogation or otherwise. Standing shall extend to all matters germane to the powers and duties of the association, including proposals for reinsuring, reissuing, modifying or guaranteeing the policies or contracts of the impaired or insolvent insurer and the determination of the policies or contracts and contractual obligations. The association shall also have the right to appear or intervene before a court or agency in another state with jurisdiction over an impaired or insolvent insurer for which the association is or may become obligated or with jurisdiction over a person or property against whom the association may have rights through subrogation or otherwise.

K. The association shall have subrogation rights under the Life and Health Insurance Guaranty Association Act as follows:

(1) a person receiving benefits pursuant to the Life and Health Insurance Guaranty Association Act shall be deemed to have assigned the rights under, and any causes of action against any person for losses arising pursuant to, resulting from or otherwise relating to, the covered policy or contract to the association to the extent of the benefits received, whether the benefits are payments of or on account of contractual obligations, continuation of coverage or provision of substitute or alternative policies, contracts or coverages. The association may require an assignment to it of those rights and causes of action by an enrollee, payee, policy or contract owner, beneficiary, insured or annuitant as a condition precedent to the receipt of a right or benefit conferred upon the person;

(2) the subrogation rights of the association pursuant to this subsection shall have the same priority against the assets of the impaired or insolvent insurer as that possessed by the person entitled to receive benefits;

(3) in addition to Paragraphs (1) and (2) of this subsection, the association shall have all common law rights of subrogation and any other equitable or legal remedy that would have been available to the impaired or insolvent insurer or

owner, beneficiary, enrollee or payee of a policy or contract with respect to the policy or contracts;

(4) if Paragraph (1), (2) or (3) of this subsection is invalid or ineffective with respect to a person or claim for any reason, the amount payable by the association with respect to the related covered obligations shall be reduced by the amount realized by another person with respect to the person or claim that is attributable to the policies or contracts, or to the portion of the policies or contracts, covered by the association; and

(5) if the association has provided benefits with respect to a covered obligation and a person recovers amounts as to which the association has rights as described in this subsection, the person shall pay to the association the portion of the recovery attributable to the policies or contracts, or to the portion of the policies or contracts, covered by the association.

L. In addition to its other rights and powers, the association may:

(1) enter into contracts that are necessary or proper to carry out the provisions and purposes of the Life and Health Insurance Guaranty Association Act;

(2) sue or be sued, including taking legal actions necessary or proper to recover unpaid assessments pursuant to Section 59A-42-8 NMSA 1978 and to settle claims or potential claims against it;

(3) borrow money to effect the purposes of the Life and Health Insurance Guaranty Association Act. Notes or other evidence of indebtedness of the association not in default shall be legal investments for domestic member insurers and may be carried as admitted assets;

(4) employ or retain those persons necessary or appropriate to handle the financial transactions of the association and to perform other functions as become necessary or proper;

(5) take legal action that may be necessary or appropriate to avoid or recover payment of improper claims;

(6) exercise, to the extent approved by the superintendent, the powers of a domestic life insurer, health maintenance organization or health insurer, but in no case may the association issue policies or contracts other than those issued to perform its obligations pursuant to the Life and Health Insurance Guaranty Association Act;

(7) organize itself as a corporation or in other legal form permitted by the laws of this state;

(8) request information from a person seeking coverage from the association in order to aid the association in determining its obligations with respect to that person, and that person shall promptly comply with the request;

(9) unless prohibited by law, in accordance with the terms and conditions of the policy or contract, file for an actuarially justified rate or premium increase for a policy or contract for which it provides coverage under the Life and Health Insurance Guaranty Association Act; and

(10) take other necessary or appropriate action to discharge its duties and obligations or to exercise its powers.

M. The association may join an organization of one or more other state associations with similar purposes to further the purposes and administer the powers and duties of the association.

N. The association may succeed to the rights and obligations of an insolvent insurer as follows:

(1) at any time within one hundred eighty days of the date of the order of liquidation, the association may elect to succeed to the rights and obligations of the ceding member insurer that relate to policies, contracts or annuities covered, in whole or in part, by the association, in each case under one or more reinsurance contracts entered into by the insolvent insurer and its reinsurers and selected by the association. The assumption shall be effective as of the date of the order of liquidation. The election shall be effected by the association or the national organization of life and health insurance guaranty associations on its behalf sending written notice, return receipt requested, to the affected reinsurers;

(2) to facilitate the earliest practicable decision about whether to assume any of the contracts of reinsurance, and in order to protect the financial position of the estate, the receiver and each reinsurer of the ceding member insurer shall make available, upon request, to the association or to the national organization of life and health insurance guaranty associations on its behalf, as soon as possible after commencement of formal delinquency proceedings:

(a) copies of in-force contracts of reinsurance and all related files and records relevant to the determination of whether those contracts should be assumed; and

(b) notices of defaults under the reinsurance contracts or a known event or condition that with the passage of time could become a default under the reinsurance contracts;

(3) the following shall apply to reinsurance contracts assumed by the association:

(a) the association shall be responsible for all unpaid premiums due under the reinsurance contracts for periods both before and after the date of the order of liquidation and shall be responsible for the performance of all other obligations to be performed after the date of the order of liquidation, in each case that relate to policies, contracts or annuities covered, in whole or in part, by the association. The association may charge policies, contracts or annuities covered in part by the association, through reasonable allocation methods, the costs for reinsurance in excess of the obligations of the association and shall provide notice and an accounting of these charges to the liquidator;

(b) the association shall be entitled to amounts payable by the reinsurer under the reinsurance contracts with respect to losses or events that occur in periods after the date of the order of liquidation and that relate to policies, contracts or annuities covered, in whole or in part, by the association, provided that, upon receipt of those amounts, the association shall be obliged to pay to the beneficiary under the policy, contract or annuity on account of which the amounts were paid a portion of the amount equal to the lesser of: 1) the amount received by the association; and 2) the excess of the amount received by the association over the amount equal to the benefits paid by the association on account of the policy, contract or annuity less the retention of the insurer applicable to the loss or event;

(c) within thirty days following the association's election, the association and each reinsurer under contracts assumed by the association shall calculate the net balance due to or from the association under each reinsurance contract as of the date of election with respect to policies, contracts or annuities covered, in whole or in part, by the association, which calculation shall give full credit to all items paid by either the member insurer or its receiver or the reinsurer prior to the election date. The reinsurer shall pay the receiver amounts due for losses or events prior to the date of the order of liquidation, subject to a setoff for premiums unpaid for periods prior to that date, and the association or reinsurer shall pay any remaining balance due the other, in each case within five days of the completion of the calculation described in this subparagraph. A dispute over the amounts due to either the association or the reinsurer shall be resolved by arbitration pursuant to the terms of the affected reinsurance contracts or, if the contract contains no arbitration clause, as otherwise provided by law. If the receiver has received amounts due the association pursuant to Subparagraph (b) of this paragraph, the receiver shall remit those amounts to the association as promptly as practicable; and

(d) if the association or receiver, on the association's behalf, within sixty days of the election described in Subparagraph (c) of this paragraph, pays the unpaid premiums due for periods both before and after the date of election that relate to policies, contracts or annuities covered, in whole or in part, by the association, the reinsurer shall not be entitled to terminate the reinsurance contracts for failure to pay premiums insofar as the reinsurance contracts relate to policies, contracts or annuities covered, in whole or in part, by the association, and the reinsurer shall not be

entitled to set off unpaid amounts due under other contracts, or unpaid amounts due from parties other than the association, against amounts due the association;

(4) during the period from the date of the order of liquidation, until the election date or, if the election does not occur, until one hundred eighty days after the date of the order of liquidation, neither the association nor the reinsurer shall have rights or obligations pursuant to reinsurance contracts that the association has the right to assume pursuant to Paragraphs (1), (2) and (3) of this subsection, whether for periods prior to or after the date of the order of liquidation, and the reinsurer, the receiver and the association shall, to the extent practicable, provide each other data and records reasonably requested; provided that once the association has elected to assume a reinsurance contract, the parties' rights and obligations shall be governed by Paragraphs (1), (2) and (3) of this subsection;

(5) if the association does not elect to assume a reinsurance contract by the election date pursuant to Paragraphs (1), (2) and (3) of this subsection, the association shall have no rights or obligations, in each case for periods both before and after the date of the order of liquidation, with respect to the reinsurance contract;

(6) when policies, contracts or annuities, or covered obligations with respect to those policies, contracts or annuities, are transferred to an assuming insurer, reinsurance on the policies or annuities may also be transferred by the association, in the case of contracts assumed pursuant to Paragraphs (1), (2) and (3) of this subsection, subject to the following:

(a) unless the reinsurer and the assuming insurer agree otherwise, the reinsurance contract transferred shall not cover new policies of insurance, contracts or annuities in addition to those transferred;

(b) the obligations described in Paragraphs (1), (2) and (3) of this subsection shall no longer apply with respect to matters arising after the effective date of the transfer; and

(c) notice shall be given in writing, return receipt requested, by the transferring party to the affected reinsurer not less than thirty days prior to the effective date of the transfer;

(7) the provisions of this subsection shall supersede the provisions of a state law or of an affected reinsurance contract that provides for or requires a payment of reinsurance proceeds, on account of losses or events that occur in periods after the date of the order of liquidation, to the receiver of the insolvent insurer or another person. The receiver shall remain entitled to amounts payable by the reinsurer under the reinsurance contracts with respect to losses or events that occur in periods prior to the date of the order of liquidation, subject to applicable setoff provisions; and

(8) except as otherwise provided in this subsection, the provisions of this subsection shall not:

(a) alter or modify the terms and conditions of a reinsurance contract;

(b) abrogate or limit the rights of a reinsurer to claim that it is entitled to rescind a reinsurance contract;

(c) give a policyholder, contract owner, enrollee, certificate holder or beneficiary an independent cause of action against a reinsurer that is not otherwise set forth in the reinsurance contract;

(d) limit or affect the association's rights as a creditor of the estate against the assets of the estate; or

(e) apply to reinsurance contracts covering property or casualty risks.

O. The board may exercise reasonable business judgment to determine the means by which the association is to provide the benefits of the Life and Health Insurance Guaranty Association Act in an economical and efficient manner.

P. Where the association has arranged or offered to provide benefits to a covered person under a plan or arrangement that fulfills the association's obligations, the person shall not be entitled to benefits from the association in addition to or other than those provided under the plan or arrangement.

Q. Venue in a suit against the association arising pursuant to the Life and Health Insurance Guaranty Association Act shall be in Santa Fe county. The association shall not be required to give an appeal bond in an appeal that relates to a cause of action arising pursuant to the Life and Health Insurance Guaranty Association Act.

R. In carrying out its duties in connection with guaranteeing, assuming, reissuing or reinsuring policies or contracts pursuant to Subsection A or B of this section, the association may issue substitute coverage for a policy or contract that provides an interest rate, crediting rate or similar factor determined by use of an index or other external reference stated in the policy or contract employed in calculating returns or changes in value by issuing an alternative policy or contract in accordance with the following provisions:

(1) in lieu of the index or other external reference provided for in the original policy or contract, the alternative policy or contract provides for a fixed interest rate, payment of dividends with minimum guarantees or a different method for calculating interest or changes in value;

(2) there is no requirement for evidence of insurability, waiting period or other exclusion that would not have applied under the replaced policy or contract; and

(3) the alternative policy or contract is substantially similar to the replaced policy or contract in all other material terms."

Chapter 36 Section 6 Laws 2024

SECTION 6. Section 59A-42-8 NMSA 1978 (being Laws 2012, Chapter 9, Section 11) is amended to read:

"59A-42-8. ASSESSMENTS.--

A. For the purpose of providing the funds necessary to carry out the powers and duties of the association, the board shall assess the member insurers, separately for each account, at a time and for amounts as the board finds necessary. Assessments shall be due not less than thirty days after prior written notice to the member insurers and shall accrue interest at six percent a year on and after the due date.

B. There shall be two classes of assessments as follows:

(1) class A assessments shall be authorized and called for the purpose of meeting administrative and legal costs and other expenses. Class A assessments may be authorized and called whether or not related to a particular impaired or insolvent insurer; and

(2) class B assessments shall be authorized and called to the extent necessary to carry out the powers and duties of the association with regard to an impaired or an insolvent insurer.

C. The amount of a class A assessment shall be determined by the board and may be authorized and called on a pro rata or non-pro rata basis. If the class A assessment is authorized and called on a pro rata basis, the board may provide that it be credited against future class B assessments. The amount of a class B assessment, except for assessments related to long-term care insurance, shall be allocated for assessment purposes between the accounts and among the subaccounts of the life insurance and annuity account pursuant to an allocation formula that may be based on the premiums or reserves of the impaired or insolvent insurer or another standard deemed by the board in its sole discretion as being fair and reasonable under the circumstances.

D. The amount of the class B assessment for long-term care insurance written by the impaired or insolvent insurer shall be allocated according to a methodology included in the plan of operation and approved by the superintendent. The methodology shall provide for fifty percent of the assessment to be allocated to accident

and health member insurers and fifty percent to be allocated to life and annuity member insurers.

E. Class B assessments against member insurers for each account and subaccount shall be in the proportion that the premiums received on business in this state by each assessed member insurer on policies or contracts covered by each account for the three most recent calendar years for which information is available preceding the year in which the member insurer became insolvent or, in the case of an assessment with respect to an impaired insurer, the three most recent calendar years for which information is available preceding the year in which the member insurer became impaired, bears to premiums received on business in this state for those calendar years by all assessed member insurers.

F. Assessments for funds to meet the requirements of the association with respect to an impaired or insolvent insurer shall not be authorized or called until necessary to implement the purposes of the Life and Health Insurance Guaranty Association Act. Classification of assessments pursuant to Subsection B of this section and computation of assessments pursuant to Subsections C and E of this section shall be made with a reasonable degree of accuracy, recognizing that exact determinations may not always be possible. The association shall notify each member insurer of its anticipated pro rata share of an authorized assessment not yet called within one hundred eighty days after the assessment is authorized.

G. The association may abate or defer, in whole or in part, the assessment of a member insurer if, in the opinion of the board, payment of the assessment would endanger the ability of the member insurer to fulfill its contractual obligations. In the event an assessment against a member insurer is abated, or deferred in whole or in part, the amount by which the assessment is abated or deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in this section. Once the conditions that caused a deferral have been removed or rectified, the member insurer shall pay all assessments that were deferred pursuant to a repayment plan approved by the association.

H. Subject to the provisions of Subsection I of this section, the total of all assessments authorized by the association with respect to a member insurer for each subaccount of the life insurance and annuity account and for the health insurance account shall not in one calendar year exceed two percent of that member insurer's average annual premiums received in this state on the policies and contracts covered by the subaccount or account during the three calendar years preceding the year in which the member insurer became an impaired or insolvent insurer.

I. If two or more assessments are authorized in one calendar year with respect to member insurers that become impaired or insolvent in different calendar years, the average annual premiums for purposes of the aggregate assessment percentage limitation referenced in Subsection H of this section shall be equal and

limited to the higher of the three-year average annual premiums for the applicable subaccount or account as calculated pursuant to this section.

J. If the maximum assessment, together with the other assets of the association in an account, does not provide in one year in either account an amount sufficient to carry out the responsibilities of the association, the necessary additional funds shall be assessed as soon thereafter as permitted by the Life and Health Insurance Guaranty Association Act.

K. The board may provide in the plan of operation a method of allocating funds among claims, whether relating to one or more impaired or insolvent insurers, when the maximum assessment will be insufficient to cover anticipated claims.

L. If the maximum assessment for a subaccount of the life and annuity account in one year does not provide an amount sufficient to carry out the responsibilities of the association, then pursuant to Subsection E of this section, the board shall access the other subaccounts of the life insurance and annuity account for the necessary additional amount, subject to the maximum stated in Subsections H, I and J of this section.

M. The board may, by an equitable method as established in the plan of operation, refund to member insurers, in proportion to the contribution of each member insurer to that account, the amount by which the assets of the account exceed the amount the board finds is necessary to carry out during the coming year the obligations of the association with regard to that account, including assets accruing from assignment, subrogation, net realized gains and income from investments. A reasonable amount may be retained in an account to provide funds for the continuing expenses of the association and for a future losses claim.

N. It shall be proper for a member insurer, in determining its premium rates and policyowner dividends as to any kind of insurance or health maintenance organization business within the scope of the Life and Health Insurance Guaranty Association Act, to consider the amount reasonably necessary to meet its assessment obligations under that act.

O. The association shall issue to each member insurer paying an assessment, other than a class A assessment, a certificate of contribution, in a form prescribed by the superintendent, for the amount of the assessment paid. All outstanding certificates shall be of equal dignity and priority without reference to amounts or dates of issue. A certificate of contribution may be shown by the member insurer in its financial statement as an asset in that form and for that amount, if any, and period of time as the superintendent may approve.

P. A protest to an assessment shall occur as follows:

(1) a member insurer that wishes to protest all or part of an assessment shall pay when due the full amount of the assessment as set forth in the notice provided by the association. The payment shall be available to meet association obligations during the pendency of the protest or a subsequent appeal. Payment shall be accompanied by a statement in writing that the payment is made under protest and setting forth a brief statement of the grounds for the protest;

(2) within sixty days following the payment of an assessment under protest by a member insurer, the association shall notify the member insurer in writing of its determination with respect to the protest unless the association notifies the member insurer that additional time is required to resolve the issues raised by the protest;

(3) within thirty days after a final decision has been made, the association shall notify the protesting member insurer in writing of that final decision. Within sixty days of receipt of notice of the final decision, the protesting member insurer may appeal that final action to the superintendent;

(4) in the alternative to rendering a final decision with respect to a protest based on a question regarding the assessment base, the association may refer protests to the superintendent for a final decision, with or without a recommendation from the association; and

(5) if the protest or appeal on the assessment is upheld, the amount paid in error or excess shall be returned to the member insurer. Interest on a refund due a protesting member insurer shall be paid at the rate actually earned by the association.

Q. The association may request information of member insurers in order to aid in the exercise of its power pursuant to this section, and member insurers shall promptly comply with a request."

Chapter 36 Section 7 Laws 2024

SECTION 7. Section 59A-42-10 NMSA 1978 (being Laws 1984, Chapter 127, Section 759, as amended) is amended to read:

"59A-42-10. DUTIES AND POWERS OF THE SUPERINTENDENT.--

A. The superintendent shall:

(1) notify the association of the existence of an insolvent insurer not later than three days after the superintendent receives notice of the determination of the insolvency;

(2) upon request of the board, provide the association with a statement of the premiums in this or another state of each member insurer; and

(3) when an impairment is declared and the amount of the impairment is determined, serve a demand upon the impaired insurer to make good the impairment within a reasonable time. Notice to the impaired insurer shall constitute notice to its shareholders, if any. The failure of the impaired insurer to promptly comply with the demand shall not excuse the association from the performance of its powers and duties pursuant to the Life and Health Insurance Guaranty Association Act.

B. The superintendent may:

(1) suspend or revoke, after notice and hearing, the certificate of authority to transact business in this state of a member insurer that fails to pay an assessment when due or that fails to comply with the plan of operation. As an alternative, the superintendent may levy a fine on a member insurer that fails to pay an assessment when due. The fine shall not exceed five percent of the unpaid assessment a month, except that no fine shall be less than one hundred dollars (\$100) a month; and

(2) revoke the designation of a servicing facility if the superintendent finds that claims are being handled unsatisfactorily."

Chapter 36 Section 8 Laws 2024

SECTION 8. Section 59A-42-11 NMSA 1978 (being Laws 1984, Chapter 127, Section 760, as amended) is amended to read:

"59A-42-11. PREVENTION OF INSOLVENCIES.--To aid in the detection and prevention of insurance insolvencies:

A. the superintendent shall:

(1) notify the superintendents in other states, within thirty days following the action taken or the date the action occurs, when the superintendent takes any of the following actions against a member insurer:

(a) revokes a license;

(b) suspends a license; or

(c) makes a formal order that the member insurer restrict its premium writing, obtain additional contributions to surplus, withdraw from the state, reinsure all or a part of its business or increase capital, surplus or another account for the security of policy owners, contract owners, certificate holders or creditors;

(2) report to the board when the superintendent has taken an action set forth in Paragraph (1) of this subsection or has received a report from another superintendent indicating that an action has been taken in another state. The report to

the board shall contain all significant details of the action taken or of the report received from another superintendent;

(3) report to the board when the superintendent has reasonable cause to believe from an examination, whether completed or in process, of a member insurer that the member insurer may be an impaired or insolvent insurer; and

(4) furnish to the board the national association of insurance commissioners' insurance regulatory information system ratios and listings of companies not included in the ratios developed by the national association of insurance commissioners. The board may use that information in carrying out its duties and responsibilities pursuant to this section. The report shall be kept confidential by the board until it is made public by the superintendent or other lawful authority;

B. the superintendent may seek the advice and recommendations of the board concerning a matter affecting the duties and responsibilities of the superintendent regarding the financial condition of member insurers or health maintenance organizations seeking admission to transact business in this state; and

C. the board may, upon majority vote:

(1) notify the superintendent of information indicating that a member insurer may be an impaired or insolvent insurer;

(2) make reports and recommendations to the superintendent upon any matter germane to the solvency, liquidation, rehabilitation or conservation of a member insurer or germane to the solvency of an insurer or health maintenance organization seeking to do business in this state. The reports and recommendations are not public documents; and

(3) make recommendations to the superintendent for the detection and prevention of member insurers' insolvencies."

Chapter 36 Section 9 Laws 2024

SECTION 9. Section 59A-42-13 NMSA 1978 (being Laws 1984, Chapter 127, Section 762, as amended) is amended to read:

"59A-42-13. MISCELLANEOUS PROVISIONS.--

A. The Life and Health Insurance Guaranty Association Act shall not be construed to reduce the liability for unpaid assessments of the insureds of an impaired or insolvent insurer operating under a plan with assessment liability.

B. Records shall be kept of all meetings of the board to discuss the activities of the association in carrying out its powers and duties. Records of the meetings with

respect to an impaired or insolvent insurer shall be made public only upon the termination of a liquidation, rehabilitation or conservation proceeding involving the impaired or insolvent insurer, upon the termination of the insolvency of the member insurer or upon the order of a court of competent jurisdiction. Nothing in this subsection limits the duty of the association to render the reports required by Section 59A-42-14 NMSA 1978.

C. For the purpose of carrying out its obligations, the association shall be deemed to be a creditor of the impaired or insolvent insurer to the extent of assets attributable to covered policies or contracts reduced by amounts to which the association is entitled as a subrogee pursuant to Subsection K of Section 59A-42-7 NMSA 1978. Assets of the impaired or insolvent insurer attributable to covered policies or contracts shall be used to continue all covered policies or contracts and pay all contractual obligations of the impaired or insolvent insurer. Assets attributable to covered policies or contracts, as used in this subsection, are that proportion of the assets that the reserves that should have been established for those policies or contracts bear to the reserves that should have been established for all policies of insurance or health benefit plans written by the impaired or insolvent insurer.

D. As a creditor of the impaired or insolvent insurer and consistent with the Insurers Conservation, Rehabilitation and Liquidation Law, the association and other similar associations shall be entitled to receive a disbursement of assets out of the marshaled assets, from time to time as the assets become available to reimburse it, as a credit against contractual obligations pursuant to the Life and Health Insurance Guaranty Association Act. If the liquidator has not, within one hundred twenty days of a final determination of insolvency of a member insurer by the receivership court, made an application to the court for the approval of a proposal to disburse assets out of marshaled assets to guaranty associations having obligations because of the insolvency, the association shall be entitled to make application to the receivership court for approval of its own proposal to disburse these assets.

E. Prior to the termination of a liquidation, rehabilitation or conservation proceeding, the court may take into consideration the contributions of the respective parties, including the association, the shareholders, contract owners, certificate holders, enrollees and policy owners of the insolvent insurer and any other party with a bona fide interest, in making an equitable distribution of the ownership rights of the insolvent insurer. In such a determination, consideration shall be given to the welfare of the policy owners, contract owners, certificate holders and enrollees of the continuing or successor member insurer.

F. No distribution to stockholders, if any, of an impaired or insolvent insurer shall be made until and unless the total amount of valid claims of the association with interest thereon for funds expended in carrying out its powers and duties with respect to the member insurer has been fully recovered by the association."

Chapter 36 Section 10 Laws 2024

SECTION 10. Section 59A-42-17 NMSA 1978 (being Laws 2012, Chapter 9, Section 20) is amended to read:

"59A-42-17. PROHIBITED ADVERTISEMENT--NOTICE TO POLICY OWNERS.-

A. No person, including a member insurer, agent or affiliate of a member insurer, shall make, publish, disseminate, circulate or place before the public, or cause directly or indirectly to be made, published, disseminated, circulated or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over a radio station or television station, or in any other way, an advertisement, announcement or statement, written or oral, that uses the existence of the association for the purpose of sales, solicitation or inducement to purchase insurance or other coverage covered by the Life and Health Insurance Guaranty Association Act. However, this subsection shall not apply to the association or any other entity that does not sell or solicit insurance or coverage by a health maintenance organization.

B. Within one hundred eighty days of the effective date of this act, the association shall prepare a summary document describing the general purposes and current limitations of that act and complying with Subsection C of this section. The document shall be submitted to the superintendent for approval. At the expiration of the sixtieth day after the date on which the superintendent approves the document, a member insurer shall not deliver a policy or contract to a policy owner, contract owner, certificate holder or enrollee unless the summary document is delivered to the policy owner, contract owner, certificate holder or enrollee at the time of delivery of the policy or contract. The document shall also be available upon request by a policy owner, contract owner, certificate holder or enrollee. The distribution, delivery or contents or interpretation of this document does not guarantee that either the policy or the contract or the policy owner, contract owner, certificate holder or enrollee is covered in the event of the impairment or insolvency of a member insurer. The description document shall be revised by the association as amendments to the Life and Health Insurance Guaranty Association Act may require. Failure to receive this document does not give the policy owner, contract owner, certificate holder or insured greater rights than those stated in the Life and Health Insurance Guaranty Association Act.

C. The document prepared pursuant to Subsection B of this section shall contain a clear and conspicuous disclaimer on its face. The superintendent shall establish the form and content of the disclaimer. The disclaimer shall:

(1) state the name and address of the association and insurance department;

(2) prominently warn the policy owner, contract owner, certificate holder or enrollee that the association may not cover the policy or contract, if coverage is available, that it will be subject to substantial limitations and exclusions and conditioned on continued residence in this state;

(3) state the types of policies or contracts for which guaranty funds will provide coverage;

(4) state that the member insurer and its agents are prohibited by law from using the existence of the association for the purpose of sales, solicitation or inducement to purchase any form of insurance or health maintenance organization coverage;

(5) state that the policy owner, contract owner, certificate holder or enrollee should not rely on coverage pursuant to the Life and Health Insurance Guaranty Association Act when selecting an insurer or health maintenance organization;

(6) explain rights available and procedures for filing a complaint to allege a violation of the provisions of the Life and Health Insurance Guaranty Association Act; and

(7) provide other information as directed by the superintendent, including sources for information about the financial condition of insurers, provided that the information is not proprietary and is subject to disclosure pursuant to the Inspection of Public Records Act.

D. A member insurer shall retain evidence of compliance with Subsection B of this section for as long as the policy or contract for which the notice is given remains in effect."

Chapter 36 Section 11 Laws 2024

SECTION 11. REPEAL.--Section 59A-46-15 NMSA 1978 (being Laws 1993, Chapter 266, Section 15) is repealed.

Chapter 36 Section 12 Laws 2024

SECTION 12. APPLICABILITY.--This act shall not apply to any member insurer that was insolvent or unable to fulfill the member insurer's contractual obligations prior to January 1, 2025.

Chapter 36 Section 13 Laws 2024

SECTION 13. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2025.

LAWS 2024, CHAPTER 37

House Bill 207, aa
Approved March 1, 2024

AN ACT

RELATING TO FINANCE; REQUIRING THE PUBLIC SCHOOL CAPITAL OUTLAY COUNCIL TO PROVIDE GRANTS FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND FOR LEASE ASSISTANCE.

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

Chapter 37 Section 1 Laws 2024

SECTION 1. Section 22-24-4 NMSA 1978 (being Laws 1975, Chapter 235, Section 4, as amended) is amended to read:

"22-24-4. PUBLIC SCHOOL CAPITAL OUTLAY FUND CREATED--USE.--

A. The "public school capital outlay fund" is created. Balances remaining in the fund at the end of each fiscal year shall not revert.

B. Except as provided in Subsections G and I through O of this section, money in the fund may be used only for capital expenditures deemed necessary by the council for an adequate educational program.

C. The council may authorize the purchase by the authority of portable classrooms to be loaned to school districts to meet a temporary requirement. Payment for these purchases shall be made from the fund. Title to and custody of the portable classrooms shall rest in the authority. The council shall authorize the lending of the portable classrooms to school districts upon request and upon finding that sufficient need exists. Application for use or return of state-owned portable classroom buildings shall be submitted by school districts to the council. Expenses of maintenance of the portable classrooms while in the custody of the authority shall be paid from the fund; expenses of maintenance and insurance of the portable classrooms while in the custody of a school district shall be the responsibility of the school district. The council may authorize the permanent disposition of the portable classrooms by the authority with prior approval of the state board of finance.

D. Applications for assistance from the fund shall be made by school districts to the council in accordance with requirements of the council. Except as provided in Subsection K of this section, the council shall require as a condition of application that a school district have a current five-year facilities plan that shall include a current preventive maintenance plan to which the school adheres for each public school in the school district.

E. The council shall review all requests for assistance from the fund and shall allocate funds only for those capital outlay projects that meet the criteria of the Public School Capital Outlay Act.

F. Money in the fund shall be disbursed by warrant of the department of finance and administration on vouchers signed by the secretary of finance and administration following certification by the council that an application has been approved or an expenditure has been ordered by a court pursuant to Section 22-24-5.4 NMSA 1978. At the discretion of the council, money for a project shall be distributed as follows:

(1) up to ten percent of the portion of the project cost funded with distributions from the fund or five percent of the total project cost, whichever is greater, may be paid to the school district before work commences with the balance of the grant award made on a cost-reimbursement basis; or

(2) the council may authorize payments directly to the contractor.

G. Balances in the fund may be annually appropriated for the core administrative functions of the authority pursuant to the Public School Capital Outlay Act, and, in addition, balances in the fund may be expended by the authority, upon approval of the council, for project management expenses; provided that:

(1) the total annual expenditures from the fund for the core administrative functions pursuant to this subsection shall not exceed five percent of the average annual grant assistance authorized from the fund during the five previous fiscal years; and

(2) any unexpended or unencumbered balance remaining at the end of a fiscal year from the expenditures authorized in this subsection shall revert to the fund.

H. The fund may be expended by the council for building system repair, renovation or replacement initiatives with projects to be identified by the council pursuant to Section 22-24-4.6 NMSA 1978; provided that money allocated pursuant to this subsection shall be expended within three years of the allocation.

I. The fund shall be expended annually by the council for grants to school districts for the purpose of making lease payments for facilities, including facilities leased by charter schools. The grants shall be made upon application by the school districts and pursuant to rules adopted by the council; provided that an application on behalf of a charter school shall be made by the school district, but, if the school district fails to make an application on behalf of a charter school, the charter school may submit its own application. The following criteria shall apply to the grants:

(1) the amount of a grant to a school district or charter school shall not exceed:

or (a) the actual annual lease payments owed for leasing a facility;

(b) seven hundred dollars (\$700) multiplied by the MEM using the leased facilities; provided that in fiscal year 2009 and in each subsequent fiscal year, this amount shall be adjusted by the percentage change between the penultimate calendar year and the immediately preceding calendar year of the consumer price index for the United States, all items, as published by the United States department of labor;

(2) a grant received for the lease payments of a charter school may be used by that charter school as a state match necessary to obtain federal grants pursuant to the federal Every Student Succeeds Act;

(3) at the end of each fiscal year, any unexpended or unencumbered balance of the grant shall revert to the fund;

(4) no grant shall be made for lease payments due pursuant to a financing agreement under which the facilities may be purchased for a price that is reduced according to the lease payments made unless:

(a) the agreement has been approved pursuant to the provisions of the Public School Lease Purchase Act; and

(b) the facilities are leased by a charter school;

(5) if the lease payments are made pursuant to a financing agreement under which the facilities may be purchased for a price that is reduced according to the lease payments made, neither a grant nor any provision of the Public School Capital Outlay Act creates a legal obligation for the school district or charter school to continue the lease from year to year or to purchase the facilities nor does it create a legal obligation for the state to make subsequent grants pursuant to the provisions of this subsection; and

(6) as used in this subsection:

(a) "MEM" means: 1) the average full-time-equivalent enrollment using leased facilities on the second and third reporting dates of the prior school year; or 2) in the case of an approved charter school that has not commenced classroom instruction, the estimated full-time-equivalent enrollment that will use leased facilities in the first year of instruction, as shown in the approved charter school application; provided that, after the second reporting date of the current school year, the MEM shall be adjusted to reflect the full-time-equivalent enrollment on that date; and

(b) "facilities" includes the space needed for school activities.

J. In addition to other authorized expenditures from the fund, up to one percent of the average grant assistance authorized from the fund during the three previous fiscal years may be expended in each fiscal year by the authority to pay the state fire marshal, the construction industries division of the regulation and licensing department and local jurisdictions having authority from the state to permit and inspect projects for expenditures made to permit and inspect projects funded in whole or in part under the Public School Capital Outlay Act. The authority may enter into contracts with the state fire marshal, the construction industries division or the appropriate local authorities to carry out the provisions of this subsection. Such a contract may provide for initial estimated payments from the fund prior to the expenditures if the contract also provides for additional payments from the fund if the actual expenditures exceed the initial payments and for repayments back to the fund if the initial payments exceed the actual expenditures. Money distributed from the fund to the state fire marshal or the construction industries division pursuant to this subsection shall be used to supplement, rather than supplant, appropriations to those entities.

K. Pursuant to guidelines established by the council, allocations from the fund may be made to assist school districts in developing and updating five-year facilities plans required by the Public School Capital Outlay Act; provided that:

(1) no allocation shall be made unless the council determines that the school district is willing and able to pay the portion of the total cost of developing or updating the plan that is not funded with the allocation from the fund. Except as provided in Paragraph (2) of this subsection, the portion of the total cost to be paid with the allocation from the fund shall be determined pursuant to the methodology in Subsection B of Section 22-24-5 NMSA 1978; or

(2) the allocation from the fund may be used to pay the total cost of developing or updating the plan if:

(a) the school district has fewer than an average of six hundred full-time-equivalent students on the second and third reporting dates of the prior school year; or

(b) the school district meets all of the following requirements: 1) the school district has fewer than an average of one thousand full-time-equivalent students on the second and third reporting dates of the prior school year; 2) the school district has at least seventy percent of its students eligible for free or reduced-fee lunch; 3) the state share of the total cost, if calculated pursuant to the methodology in Subsection B of Section 22-24-5 NMSA 1978, would be less than fifty percent; and 4) for all educational purposes, the school district has a residential property tax rate of at least seven dollars (\$7.00) on each one thousand dollars (\$1,000) of taxable value, as measured by the sum of all rates imposed by resolution of the local school board plus rates set to pay interest and principal on outstanding school district general obligation bonds.

L. Upon application by a school district, allocations from the fund may be made by the council for the purpose of demolishing abandoned school district facilities; provided that:

(1) the costs of continuing to insure an abandoned facility outweigh any potential benefit when and if a new facility is needed by the school district;

(2) there is no practical use for the abandoned facility without the expenditure of substantial renovation costs; and

(3) the council may enter into an agreement with the school district to fully fund the demolition of the abandoned school district facility if Paragraphs (1) and (2) of this subsection are satisfied.

M. Up to ten million dollars (\$10,000,000) of the fund may be expended each year for an education technology infrastructure deficiency corrections initiative pursuant to Section 22-24-4.5 NMSA 1978; provided that funding allocated pursuant to this section shall be expended within three years of its allocation.

N. The fund may be expended in each of fiscal years 2020 through 2024 for a pre-kindergarten classroom facilities initiative project in accordance with Section 22-24-12 NMSA 1978.

O. The council may fund pre-kindergarten classrooms with a qualifying, awarded standards-based project; provided that pre-kindergarten classroom space shall not be included in the project prioritization calculation adopted by the council pursuant to Section 22-24-5 NMSA 1978. The council shall develop pre-kindergarten classroom standards to use when funding pre-kindergarten space."

LAWS 2024, CHAPTER 38

SJC/Senate Bill 6, aa, w/cc

Approved March 1, 2024

AN ACT

RELATING TO CANNABIS REGULATION; CHANGING DEFINITIONS; PROVIDING POWERS AND DUTIES; PROVIDING PROCEDURES FOR CRIMINAL HISTORY BACKGROUND CHECKS; REMOVING THE PROHIBITION AGAINST A PERSON OWNING BOTH A CANNABIS LICENSE AND A LICENSE UNDER THE LIQUOR CONTROL ACT; PROHIBITING CO-LOCATION OF CANNABIS ACTIVITIES AND ALCOHOLIC BEVERAGE SALES OR SERVICE ACTIVITIES TO THE PUBLIC OR MEMBERS OF PRIVATE CLUBS; PROVIDING FOR INVESTIGATORY CONFIDENTIALITY; ALLOWING FOR LICENSEE CONVERSION FROM NONPROFIT TO FOR-PROFIT CORPORATE STATUS; CHANGING PACKAGING

REQUIREMENTS; REPLACING LICENSURE WITH REGISTRATION OF CANNABIS TRAINING AND EDUCATION PROGRAMS; INCLUDING THE CANNABIS REGULATION ACT IN THE RACKETEERING ACT, THE DELINQUENCY ACT AND THE UNIFORM LICENSING ACT; INCLUDING CANNABIS IN A LIST OF CONTRABAND IN JAILS, PRISONS AND JUVENILE DETENTION FACILITIES; CREATING CRIMES; PRESCRIBING PENALTIES; REPEALING A DELAYED REPEAL; AMENDING, REPEALING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Chapter 38 Section 1 Laws 2024

SECTION 1. Section 26-2C-1 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 1) is amended to read:

"26-2C-1. SHORT TITLE.--Chapter 26, Article 2C NMSA 1978 may be cited as the "Cannabis Regulation Act"."

Chapter 38 Section 2 Laws 2024

SECTION 2. Section 26-2C-2 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 2) is amended to read:

"26-2C-2. DEFINITIONS.--As used in the Cannabis Regulation Act:

A. "cannabis":

(1) means all parts of the plant genus Cannabis containing a delta-9-tetrahydrocannabinol concentration of more than three-tenths percent on a dry weight basis, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin; and

(2) does not include:

(a) the mature stalks of the plant; fiber produced from the stalks; oil or cake made from the seeds of the plant; any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil or cake; or the sterilized seed of the plant that is incapable of germination; or

(b) the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other product;

B. "cannabis consumption area" means an area of a licensed premises where cannabis products may be served and consumed;

C. "cannabis courier" means a person that transports commercial or medical cannabis products to consumers;

D. "cannabis establishment" means:

- (1) a cannabis testing laboratory;
- (2) a cannabis manufacturer;
- (3) a cannabis producer;
- (4) a cannabis retailer;
- (5) a cannabis research laboratory;
- (6) a vertically integrated cannabis establishment;
- (7) a cannabis producer microbusiness;
- (8) an integrated cannabis microbusiness; or
- (9) a cannabis consumption area;

E. "cannabis extract":

(1) means a product obtained by separating resins, tetrahydrocannabinols or other substances from cannabis by extraction methods approved by the division; and

(2) does not include the weight of any other ingredient combined with cannabis extract to prepare topical or oral administrations, food, drink or another product;

F. "cannabis flowers" means only the flowers of a cannabis plant;

G. "cannabis manufacturer" means a person that:

- (1) manufactures cannabis products;
- (2) packages cannabis products for resale; or
- (3) purchases, acquires, sells or transports wholesale cannabis products to other cannabis establishments;

H. "cannabis producer" means a person that:

- (1) cultivates cannabis plants;
 - (2) transports unprocessed cannabis only to other cannabis establishments; or
 - (3) sells cannabis wholesale;
- I. "cannabis producer microbusiness" means a cannabis producer at a single licensed premises that possesses no more than two hundred total mature cannabis plants at any one time;
- J. "cannabis product" means a product that is or that contains cannabis or cannabis extract, including edible or topical products that may also contain other ingredients;
- K. "cannabis research laboratory" means a facility that produces or possesses cannabis products and all parts of the plant genus *Cannabis* for the purpose of studying cannabis cultivation, characteristics or uses;
- L. "cannabis retailer" means a person that sells cannabis products to consumers;
- M. "cannabis testing laboratory" means a facility that samples, collects and tests cannabis products and transports cannabis products for the purpose of testing;
- N. "commercial cannabis activity":
- (1) means the cultivation, production, possession, manufacture, storage, testing, researching, packaging and labeling, transportation, couriating, purchase for resale, sale or consignment of cannabis products; and
 - (2) does not include activities related only to the medical cannabis program or to the personal cultivation or use of cannabis products;
- O. "consumer" means a person twenty-one years of age or older who legally purchases, acquires, owns, possesses or uses a commercial cannabis product not for resale or a person who holds a medical cannabis program registry identification card issued by the department of health or is a reciprocal participant;
- P. "contaminant" means pesticides and other foreign material, such as hair, insects or other similar adulterants, in harvested cannabis;
- Q. "controlling person":
- (1) means a person that controls a financial or voting interest of ten percent or more of, or an officer or board member of, a cannabis establishment; and

(2) does not include a bank or licensed lending institution;

R. "cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of cannabis;

S. "department" means the regulation and licensing department;

T. "director" means the director of the division;

U. "division" means the cannabis control division of the department;

V. "dry weight basis", when used in the context of regulation of commercial cannabis activity, means a process by which delta-9-tetrahydrocannabinol concentration is measured relative to the aggregate weight of all parts of the plant genus *Cannabis*, whether growing or not, including the leaves of the plant, the flowers and buds of the plant, the seeds of the plant, the resin of the plant and the stalks of the plant at the point of harvest by a licensee and with no moisture added to the harvested plant;

W. "facility" means a building, space or grounds licensed for the production, storage, testing, manufacturing, distribution, sale or consumption of cannabis products;

X. "financial consideration" means value that is given or received, directly or indirectly, through sales, barter, trade, fees, charges, dues, contributions or donations;

Y. "homegrown" or "homemade" means grown or made for purposes that are not for resale;

Z. "illegal cannabis product" means a cannabis product that is:

(1) produced or manufactured outside New Mexico;

(2) produced, manufactured, distributed or sold in New Mexico by a person not licensed to produce, manufacture, distribute or sell the cannabis product; or

(3) produced, manufactured, distributed or sold by a person acting outside the limits of the person's license;

provided that "illegal cannabis product" does not include homegrown or homemade cannabis products that comply with the provisions of the Cannabis Regulation Act;

AA. "immature cannabis plant" means a cannabis plant that has no observable flowers or buds;

BB. "industry standards" means the prevailing customary standards of business practice in the cannabis industry in jurisdictions within the United States;

CC. "integrated cannabis microbusiness" means a person that is licensed to conduct one or more of the following:

- (1) production of cannabis at a single licensed premises; provided that the person shall not possess more than two hundred total mature cannabis plants at any one time;
- (2) manufacture of cannabis products at a single licensed premises;
- (3) sales and transportation of cannabis products produced or manufactured by that person or another cannabis producer microbusiness or integrated cannabis microbusiness;
- (4) operation of only one retail establishment; and
- (5) couriering of cannabis products to consumers;

DD. "licensed premises" means a location that includes:

- (1) all enclosed public and private areas at the location that are used in the business and includes cannabis consumption areas, offices, kitchens, restrooms and storerooms;
- (2) all areas outside of a building that are specifically included in the license;
- (3) all areas of a standalone cannabis consumption area, including retail and other areas, whether in enclosed or outside spaces, and including private or members-only clubs where cannabis products are available for sale or consumption; and
- (4) with respect to a location that is specifically licensed for the production of cannabis outside of a building, the amount of land that the licensee owns, leases or has a right to occupy that is identified in the application for licensure for cultivation of cannabis; provided that the licensed premises may be decreased but shall not be increased without permission of the division;

EE. "local jurisdiction" means a municipality, including a home rule municipality, or county;

FF. "manufacture" means to compound, blend, extract, infuse, package and label or otherwise prepare a cannabis product;

GG. "medical cannabis" means cannabis products used by a qualified patient or reciprocal participant in accordance with the Lynn and Erin Compassionate Use Act;

HH. "medical cannabis program" means the program created pursuant to the Lynn and Erin Compassionate Use Act;

II. "medical cannabis registry" means the system by which the department of health approves or denies applications and issues and renews registry identification cards for qualified patients and primary caregivers;

JJ. "primary caregiver" means a resident of New Mexico who is at least eighteen years of age and who is responsible for managing the well-being of a qualified patient with respect to the medical use of cannabis pursuant to the Lynn and Erin Compassionate Use Act;

KK. "public space" means any place to which the general public has access;

LL. "qualified patient" means a resident of New Mexico who holds a registry identification card pursuant to the Lynn and Erin Compassionate Use Act;

MM. "reciprocal participant" means a person who is not a resident of New Mexico and who holds proof of enrollment by a governmental regulatory authority to participate in the medical cannabis program of another state of the United States, the District of Columbia or a territory or commonwealth of the United States in which the person resides or a person who holds proof of enrollment by a governmental regulatory authority of a New Mexico Indian nation, tribe or pueblo to participate in its medical cannabis program;

NN. "residence" or "household" means a housing unit and includes any place in or around the housing unit that is not a public space and at which an occupant of the housing unit produces, manufactures, keeps or stores homegrown or homemade cannabis products or stores legally purchased cannabis;

OO. "retail establishment" means a location at which cannabis products are sold directly to consumers;

PP. "superintendent" means the superintendent of regulation and licensing;

QQ. "unprocessed" means unaltered from an original, raw or natural state; and

RR. "vertically integrated cannabis establishment" means a person that is authorized to act as one or more of the following:

- (1) a cannabis courier;
- (2) a cannabis manufacturer;
- (3) a cannabis producer; and

- (4) a cannabis retailer."

Chapter 38 Section 3 Laws 2024

SECTION 3. Section 26-2C-6 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 6, as amended) is amended to read:

"26-2C-6. LICENSING CANNABIS ACTIVITIES--LIMITATIONS--MEDICAL CANNABIS LEGACY LICENSING--CANNABIS SHORTAGE FOR MEDICAL PROGRAM--CONVERSION OF NONPROFIT MEDICAL CANNABIS CORPORATIONS.--

A. The division shall regulate the following in accordance with the Uniform Licensing Act, unless otherwise provided in the Cannabis Regulation Act:

- (1) commercial cannabis activity;
- (2) the medical cannabis program, except for the medical cannabis registry; and
- (3) all aspects of cannabis relating to cannabis training and education programs.

B. The division may issue, renew, deny, suspend or revoke licenses or discipline licensees for the following:

- (1) cannabis consumption areas;
- (2) cannabis couriers;
- (3) cannabis manufacturers;
- (4) cannabis producer microbusinesses;
- (5) cannabis producers;
- (6) cannabis research laboratories;
- (7) cannabis retailers;
- (8) cannabis servers;
- (9) cannabis testing laboratories;
- (10) cannabis training and education programs;

- (11) integrated cannabis microbusinesses; and
- (12) vertically integrated cannabis establishments.

C. The division shall include a clear designation on all licenses that indicates whether the license is for medical cannabis activity, commercial cannabis activity or both.

D. The division shall issue a license to a cannabis retailer applicant at a discount if the applicant provides documentation of an agreement to accept cannabis products on consignment from a cannabis producer microbusiness or an integrated cannabis microbusiness.

E. A license is valid for twelve months from the date the license is issued and may be renewed annually. A licensee shall notify the division when the licensee begins or ends operations pursuant to the license.

F. The director shall not renew a license until the director receives notification from the secretary of taxation and revenue or the secretary's designee that on a certain date:

- (1) the licensee is not a delinquent taxpayer pursuant to Section 7-1-16 NMSA 1978 only with respect to the cannabis excise tax or the gross receipts tax; and
- (2) there are no unfiled tax returns due with respect to the cannabis excise tax or the gross receipts tax.

G. A license shall not be transferable or assignable from a licensee to another person. The division shall not allow a person that is licensed as any type of cannabis establishment other than a cannabis research laboratory to hold, directly or indirectly, a cannabis testing laboratory license.

H. A license shall not be subject to execution, attachment, a security transaction, liens or receivership.

I. Except for verification of age, the division shall not require licensees to request information from consumers or impose any residency requirement upon consumers for the purchase of commercial cannabis products. The division may require licensees to request information from consumers for the purchase of medical cannabis products, which may include the presentation of legal identification issued by an authorized governmental entity or other documents as required by the medical cannabis program.

J. Except as otherwise provided in the Cannabis Regulation Act, the division shall not limit the number of licensed premises a licensee may occupy or operate under a license. Multiple licensees may occupy a single licensed premises, and the division

shall not place any restriction or prohibition on the number of licensees occupying a single licensed premises or on the number of licensed premises of a cannabis establishment except as otherwise specifically provided for by that act. A licensee may conduct any lawful activity or any combination of lawful activities at a licensed premises except that a cannabis licensee shall not occupy any premises that also houses a business holding a license under the Liquor Control Act that allows the sale or giving away of alcoholic beverages by the glass or package, including growlers, to the public or to members of a private club or otherwise allows consumption of alcohol on the premises.

K. Smoking in a cannabis consumption area on a licensed premises shall be allowed only if the cannabis consumption area is in a designated smoking area or in a standalone building from which smoke does not infiltrate other indoor workplaces or other indoor public places where smoking is otherwise prohibited pursuant to the Dee Johnson Clean Indoor Air Act.

L. Licensees are specifically allowed to conduct other licensed activities, including activities pursuant to the Hemp Manufacturing Act and the Liquor Control Act except for co-location as specified in Subsection J of this section.

M. A person properly licensed and in good standing pursuant to the Lynn and Erin Compassionate Use Act on the effective date of the Cannabis Regulation Act may continue to operate pursuant to that license for medical cannabis until comparable licenses for commercial cannabis activity are available. The division shall determine when retail sales of commercial cannabis products begin, but no later than April 1, 2022. A facility of such a licensee, upon issuance of the applicable cannabis establishment license, shall constitute licensed premises of the licensee and the licensee shall be entitled to continued and uninterrupted operations of the licensed premises. As to activity under the medical cannabis program, the licensee shall continue to operate under rules promulgated for the medical cannabis program until the division promulgates rules for medical cannabis activity, and a qualified patient, primary caregiver or reciprocal participant shall not be prohibited from purchasing and obtaining cannabis products through the medical cannabis program.

N. To address a shortage of cannabis supply in the medical cannabis program, the division may:

(1) require all cannabis establishment licensees to ensure that at least ten percent of their cannabis in stock on a monthly basis is designated for sale to qualified patients, primary caregivers and reciprocal participants;

(2) initially take reasonable measures to expeditiously incentivize increased production of cannabis plants to remedy a shortage of cannabis supply in the medical cannabis program;

(3) after having first exhausted measures to increase production of cannabis plants to address the shortage of cannabis supply in the medical cannabis program, exclude commercial cannabis activity from the scope of new licenses issued to initial applicants for a vertically integrated cannabis establishment, cannabis producer, integrated cannabis microbusiness, cannabis producer microbusiness or cannabis manufacturer license, which limitation shall be in force for a period of at least six months; and

(4) require licensees who are licensed to produce cannabis to produce a specified quota of mature cannabis plants to be designated for use in the medical cannabis program; provided that:

(a) the division may require a licensee to devote no more than twenty-five percent of the licensee's cultivated cannabis plants on a monthly basis for use in the medical cannabis program; and

(b) the division may require specific tracking of cannabis plants.

O. As used in this section, "shortage of cannabis supply in the medical cannabis program" means that the average number of cannabis plants in production in the medical cannabis program per qualified patient after June 29, 2021 is substantially less than the average number of cannabis plants in production in the medical cannabis program per qualified patient as of June 29, 2021, where:

(1) the average number of cannabis plants in production after June 29, 2021 is measured over a period of three consecutive months; and

(2) the average number of cannabis plants in production as of June 29, 2021 is measured over a period of three consecutive months immediately preceding June 29, 2021.

P. A person who is a member of the New Mexico senate or the New Mexico house of representatives on the effective date of the Cannabis Regulation Act shall not apply for or be granted a license to engage in any commercial cannabis activity prior to July 1, 2026.

Q. A medical cannabis legacy nonprofit corporation that was required by the department of health to organize under the provisions of the Nonprofit Corporation Act in order to qualify for a medical cannabis license may be converted into a corporation under the Business Corporation Act, a limited liability company under the Limited Liability Company Act, a limited partnership under the Uniform Revised Limited Partnership Act or a partnership under the Uniform Partnership Act (1994) upon the nonprofit corporation's filing with the secretary of state of restated articles of incorporation, articles of organization, certificate of limited partnership or statement under Section 54-1A-105 NMSA 1978. The conversion shall be approved pursuant to

an agreement of conversion in the manner provided for the conversion of a limited liability company in Section 53-19-60.1 NMSA 1978."

Chapter 38 Section 4 Laws 2024

SECTION 4. Section 26-2C-7 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 7) is amended to read:

"26-2C-7. CANNABIS ACTIVITY LICENSING--APPLICATION--ISSUANCE AND DENIAL OF A LICENSE--SUSPENSION AND REVOCATION.--

A. In carrying out its commercial cannabis activity licensing duties, the division shall:

(1) no later than September 1, 2021, accept and begin processing license applications for cannabis producers, cannabis producer microbusinesses and any person properly licensed and in good standing as a licensed cannabis producer pursuant to the Lynn and Erin Compassionate Use Act;

(2) no later than January 1, 2022, accept and begin processing license applications for all license types;

(3) if a cannabis producer or cannabis producer microbusiness, require as a condition of licensing that the applicant demonstrate that the applicant has a legal right to a commercial water supply, water rights or other source of water sufficient to meet the water needs as determined by the division related to the license as evidenced by documentation from the office of the state engineer of a valid water right or from a water provider that the use of water for cannabis production is compliant with that water provider's rules; and

(4) for any type of cannabis producer or manufacturer license, require the applicant to submit a plan to use, or demonstrate to the division that the applicant cannot feasibly use, energy or water reduction opportunities, including:

- (a) for a cannabis producer, drip irrigation and water collection;
- (b) natural lighting and energy efficiency measures; and
- (c) renewable energy generation.

B. Once the division deems an application complete, the division has ninety days to issue or deny a license application.

C. The division shall deny an application for an initial license or renewal if the application does not include information required by the division or the applicant does

not meet the requirements of the Cannabis Regulation Act or rules promulgated in accordance with that act.

D. The division may refuse to issue, suspend or revoke a license in accordance with the Uniform Licensing Act of any person who does not meet the qualifications for licensure, who is not in compliance with the Cannabis Regulation Act or rules promulgated in accordance with that act or for whom one or more of the following are substantially related to the qualifications, functions or duties of the applicant's or licensee's business in New Mexico:

- (1) a tax lien related to cannabis activity in this or another state;
- (2) a pending investigation or a felony indictment or conviction of the applicant or licensee or a controlling person of the applicant or licensee in this state or another state or by the federal government involving fraud, deceit or embezzlement;
- (3) a pending investigation or a felony indictment or conviction of the applicant or licensee or a controlling person of the applicant or licensee involving producing, manufacturing, distributing, selling or giving away illegal cannabis products;
- (4) the denial, suspension or revocation of a cannabis license in another state that would have the same result if occurring in New Mexico;
- (5) a pending investigation or a felony indictment or conviction for hiring, employing or otherwise using a person younger than eighteen years of age or a person of any age who is a victim of trafficking, forced labor or other exploitation to produce, manufacture, transport or sell cannabis or a controlled substance;
- (6) a licensee or controlling person that after a notice of noncompliance issued by the division refuses to follow division licensing requirements, state or local operational rules, public health and safety laws or rules or other provisions of state law pertaining to cannabis products; or
- (7) any other governmental action pending or taken against an applicant, licensee or controlling person that in the division's determination makes the person unqualified to be licensed or involved in a cannabis business in New Mexico.

E. Production, manufacture, distribution, sale or possession of illegal cannabis product is grounds for denial, suspension or revocation of a license or for taking any other disciplinary action allowed by law or rule of the division.

F. If the division determines after a review of pertinent circumstances provided in Subsection D of this section that the applicant, licensee or controlling person otherwise meets the qualifications for licensure and that issuing a license does not compromise the state's cannabis program or the public health or safety, the division shall issue the license or close the suspension or revocation case.

G. A conviction for which the related sentence, including any term of probation or parole, has been completed for the production, possession, use, manufacture, distribution or sale or the possession with the intent to manufacture, distribute or sell cannabis is not considered substantially related to the qualifications, functions or duties of a person seeking a license and shall not be the sole ground on which an application is denied. The provisions of the Uniform Licensing Act and the Criminal Offender Employment Act shall govern consideration of criminal records required or permitted by the Cannabis Regulation Act.

H. The division shall deny an application if an applicant, a controlling person or the premises for which a license is sought does not qualify for licensure pursuant to the Cannabis Regulation Act.

I. The division shall not license a person who has had a license that was issued pursuant to the Cannabis Regulation Act or the Lynn and Erin Compassionate Use Act revoked by the division or the department of health in the three years immediately preceding the date on which the person filed a new application.

J. Unless otherwise provided in the Cannabis Regulation Act, a person whose license has been revoked may reapply for a license after a period of three years. The division may consider all of the circumstances resulting in the revocation in determining whether to issue a new license."

Chapter 38 Section 5 Laws 2024

SECTION 5. A new section of the Cannabis Regulation Act is enacted to read:

"CRIMINAL HISTORY BACKGROUND CHECKS--PROCESSES AND PROCEDURES.--

A. As used in this section:

(1) "director" means a person who serves on the corporate board of directors of a corporation licensed by the division as a cannabis establishment;

(2) "member and manager" includes those persons who are members in or managers of a limited liability company licensed by the division as a cannabis establishment and who are responsible for the operations of the limited liability company;

(3) "officer" means a president, one or more vice presidents, a secretary, a treasurer or a secretary-treasurer or a member of the executive committee, if different from these named officers, of a corporation licensed by the division as a cannabis establishment; and

(4) "partner" means a person who is a co-owner of a business licensed by the division as a cannabis establishment.

B. The division shall adopt rules providing the procedures to be followed for submission of an applicant's biometric data to the department of public safety to conduct a state criminal history background check and for its submission of the biometric data to the federal bureau of investigation to conduct a national criminal history background check for the following cannabis establishments:

- (1) cannabis courier;
- (2) cannabis manufacturer;
- (3) cannabis producer;
- (4) cannabis producer microbusiness;
- (5) cannabis research laboratory;
- (6) cannabis retailer;
- (7) cannabis testing laboratory;
- (8) integrated cannabis microbusiness;
- (9) vertically integrated cannabis establishment; and
- (10) cannabis consumption licensees if different from cannabis retailer.

C. The division shall require state and national criminal history background checks for the following persons:

- (1) if an applicant for licensure is a sole proprietor business, the sole proprietor;
- (2) if an applicant for licensure is a limited partnership, each partner of the limited partnership;
- (3) if the applicant for licensure is a limited liability company, each member and manager of the limited liability company;
- (4) if the applicant for licensure is a corporation, each director and officer of the corporation; and
- (5) any controlling person of the applicant for licensure, as defined in Section 26-2C-2 NMSA 1978.

D. The division shall use the information from the criminal history background check to evaluate the applicant's qualifications for licensure.

E. Arrest record information received from the federal bureau of investigation and the department of public safety shall be confidential, shall not be considered a public record pursuant to the Public Records Act and shall not be disclosed to persons not directly involved in the decision affecting the applicant."

Chapter 38 Section 6 Laws 2024

SECTION 6. Section 26-2C-10 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 10) is repealed and a new Section 26-2C-10 NMSA 1978 is enacted to read:

"26-2C-10. CANNABIS TRAINING AND EDUCATION PROGRAMS--REGISTRATION WITH DIVISION.--A New Mexico public post-secondary educational institution may offer a practical or academic curriculum designed to prepare students for participation in the cannabis industry. The institution shall register its cannabis training and education program with the division, which shall include the information about the program on its website."

Chapter 38 Section 7 Laws 2024

SECTION 7. Section 26-2C-17 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 17) is amended to read:

"26-2C-17. CANNABIS PRODUCTS--PACKAGING AND LABELING--DIVISION RULEMAKING.--

A. Cannabis or cannabis extract included in a cannabis product that is manufactured in compliance with applicable law is not considered to be an adulterant under state law.

B. The division shall promulgate rules consistent with industry standards for cannabis products that establish labeling and packaging requirements, including that:

(1) packages shall be resealable and child-resistant;

(2) packages and labels shall not be designed to be appealing to a child and shall not mimic the brand, design, name, logo or colorway of a non-cannabis consumer product marketed to children;

(3) packages and labels shall not use cartoons or symbols or images, including images of celebrities or celebrity likenesses, that are commonly used to market to children;

(4) packages containing edible cannabis products shall be opaque; and

(5) labels shall include:

(a) for a package containing only cannabis leaf or flower, the net weight of cannabis in the package;

(b) identification of the licensee or licensees that produced or manufactured the cannabis product, the date on which the cannabis was harvested, the type of cannabis product and the date on which the cannabis product was manufactured and packaged;

(c) potency and pesticide use;

(d) a list of pharmacologically active ingredients;

(e) for cannabis products containing non-cannabis ingredients, a list of all ingredients and a disclosure of nutritional information for the product or cannabis extract disclosed in the same manner required under federal law for nutritional labeling for food for human consumption;

(f) a warning if nuts or other known allergens are used in the item or in its manufacture;

(g) a logo designed by the division that is distinctive in design, color, size and location such that the logo notifies a reasonable person that the package contains cannabis;

(h) a warning of possible adverse effects of consumption and the New Mexico poison and drug information center phone number;

(i) an expiration date; and

(j) other information as required by rules promulgated in accordance with the Cannabis Regulation Act."

Chapter 38 Section 8 Laws 2024

SECTION 8. Section 26-2C-18 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 18) is amended to read:

"26-2C-18. TESTING CANNABIS PRODUCTS--HEALTH AND SAFETY OF EMPLOYEES AND CONSUMERS.--

A. A cannabis testing laboratory's testing of cannabis products shall comply with the requirements set forth in applicable law and rules.

B. In consultation with the department of environment and consistent with industry standards, the division shall promulgate rules to:

- (1) require all cannabis producers and cannabis manufacturers to have their cannabis products tested prior to distribution to cannabis retailers or for sales by integrated cannabis microbusinesses;
- (2) specify how often licensees shall test cannabis products;
- (3) specify which persons bear the cost of testing commercial or medical cannabis products;
- (4) provide for recordkeeping;
- (5) establish chain of custody protocols for the transportation of testing samples;
- (6) ensure that testing samples are transported and stored in a manner that prevents degradation, contamination, tampering or diversion;
- (7) specify protocols for testing sample collection that ensure accurate test results, including requiring that testing samples be collected by laboratory staff trained in the collection of testing samples; and
- (8) require destruction of a tested batch of cannabis products if the testing samples from the tested batch indicate noncompliance with applicable health and safety standards promulgated by the division, unless remedial measures can bring the cannabis products into compliance with the standards or the cannabis products can be used for research purposes.

C. Beginning no later than April 1, 2022, the division shall identify, in consultation with the department of environment, a set of updated certified reference materials that laboratory testing shall be measured against.

D. The division shall work cooperatively with the department of environment to implement inspection of cannabis establishments to ensure the health and safety of employees in accordance with the Occupational Health and Safety Act, to determine compliance with rules promulgated by the environmental improvement board and to protect the health and safety of consumers."

Chapter 38 Section 9 Laws 2024

SECTION 9. Section 26-2C-20 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 20) is amended to read:

"26-2C-20. ADVERTISING AND MARKETING RESTRICTIONS.--

A. As used in this section, "advertising" does not mean:

(1) a sign or outdoor display or other statement permanently affixed to a licensed premises that is intended to induce the sale of a cannabis product produced, manufactured or sold on the licensed premises;

(2) a label affixed to a cannabis product or the covering, wrapper or container of a cannabis product; or

(3) an editorial or other material printed in a publication when the publication of the editorial or material was not paid for by a licensee and was not intended to promote the sale of cannabis products by a particular brand or company.

B. The division shall promulgate rules consistent with industry standards that:

(1) prohibit the advertisement and marketing of cannabis products:

(a) on radio, television or other broadcast media, internet pop-ups and mass transit vehicles; provided that the division shall not prohibit advertising and marketing to: 1) subscribers of subscription-based radio, television or other broadcast media who are twenty-one years of age or older; or 2) persons twenty-one years of age or older who have solicited the advertising or marketing;

(b) that are false, deceptive or misleading, including making unproven health benefit claims;

(c) that are on billboards, posters, handbills or other visual media that are located or can be viewed within three hundred feet of a school, daycare center or church;

(d) that depict consumption by children or other persons who appear to be younger than twenty-one years of age;

(e) that use predatory marketing and advertising practices targeting minors; or

(f) that are designed using cartoon characters or to mimic any other product brand; and

(2) require:

(a) all advertisements and marketing to accurately and legibly identify all persons responsible for its content; and

(b) advertisements in print and digital communications to be placed only where the audience is reasonably expected to be twenty-one years of age or older as determined by reliable, current audience composition data."

Chapter 38 Section 10 Laws 2024

SECTION 10. Section 26-2C-28 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 28) is amended to read:

"26-2C-28. TRAFFICKING CANNABIS PRODUCTS--PENALTIES.--

A. As used in this section, "trafficking cannabis products" means to:

(1) produce, manufacture, distribute, courier or sell illegal cannabis products; or

(2) possess with intent to manufacture, distribute, courier or sell illegal cannabis products.

B. Trafficking cannabis products applies only to quantities of more than fifteen ounces of cannabis flower, one hundred twenty grams of cannabis extract or six grams of edibles.

C. Unless otherwise provided in the Cannabis Regulation Act or the Lynn and Erin Compassionate Use Act, it is unlawful for a person to intentionally traffic cannabis products.

D. In addition to the penalties provided in the Delinquency Act, a person under eighteen years of age who violates Subsection C of this section shall be subject to:

(1) attendance at a four-hour evidence-based drug education and legal rights program at no cost to the person; or

(2) four hours of community service.

E. Except as otherwise provided in Section 26-2C-14 NMSA 1978, a person between eighteen and twenty-one years of age who violates Subsection C of this section is guilty of a misdemeanor and shall be sentenced pursuant to the provisions of Section 31-19-1 NMSA 1978.

F. A person twenty-one years of age or older who traffics cannabis products is guilty of a fourth degree felony for a first offense. A person who traffics cannabis products is guilty of a third degree felony for a second and subsequent offense. Sentencing pursuant to this subsection shall be as provided in Section 31-18-15 NMSA 1978.

G. The provisions of the Forfeiture Act apply to the seizure, forfeiture and disposal of such property."

Chapter 38 Section 11 Laws 2024

SECTION 11. A new section of the Cannabis Regulation Act is enacted to read:

"WHEN CANNABIS PRODUCT DEEMED ADULTERATED.--A cannabis product is deemed to be adulterated if:

A. it bears or contains mold, mildew or other deleterious or poisonous substance that may render it injurious to health;

B. it consists in whole or in part of a diseased, contaminated, filthy, impure or infested ingredient or putrid or decomposed substance or if it is otherwise unfit for consumption;

C. it has been produced, prepared, packed or held under unsanitary conditions so that it may have been contaminated with filth or rendered diseased, unwholesome or injurious to health;

D. its container is composed in whole or in part of a poisonous or deleterious substance that may render the contents injurious to health;

E. a valuable constituent has been, in whole or in part, omitted or abstracted from the cannabis product;

F. a substance has been substituted in whole or in part that is contrary to the ingredient list on the package unless a notification of substitution is adhered to the packaging;

G. damage or inferiority has been concealed in any manner;

H. a substance has been added so as to increase the cannabis product's bulk or weight, reduce its quality or strength or make it appear better or of greater value than it is; or

I. the cannabis product is a confectionery, it contains alcohol or other non-nutritive article or substance except harmless coloring, flavoring, natural gum, pectin or resinous glaze not in excess of four-tenths of one percent; provided that a confectionery may include less than two and one-fourth percent by weight of alcohol derived solely from the use of flavoring extracts or to any chewing gum by reason of its containing harmless non-nutritive masticatory substances."

Chapter 38 Section 12 Laws 2024

SECTION 12. A new section of the Cannabis Regulation Act is enacted to read:

"WHEN CANNABIS DEEMED MISBRANDED.--Cannabis is deemed to be misbranded if:

- A. its labeling is false or misleading in any particular;
- B. it is offered for sale under the name of another cannabis product;
- C. it is an imitation of another cannabis product, unless its label bears, in type of uniform size and prominence, the word "imitation" and, immediately following, the name of the cannabis product imitated;
- D. its container is so made, formed or filled as to be misleading; or
- E. the label otherwise does not conform to the requirements of Section 26-2C-17 NMSA 1978 and labeling rules promulgated by the division."

Chapter 38 Section 13 Laws 2024

SECTION 13. Section 26-2C-36 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 4, Section 36) is amended to read:

"26-2C-36. PUBLIC RECORDS AND OPEN MEETINGS.--Records of the division are public records subject to the Inspection of Public Records Act, except as provided in this section and other applicable provisions of law; provided that the presence of nonpublic information that identifies confidential sources or confidential information may be redacted from a written record or digitally obscured in a visual or audio record. A source who communicates information is confidential if the identity of the source is disclosed in the context of reporting an alleged violation of the Cannabis Regulation Act to the division. Information is confidential if it is developed or obtained by the division during an enforcement investigation or inspection related to violations of the Cannabis Regulation Act. Sources and information cease to be confidential upon the issuance of a notice of contemplated action by the division. If a notice of contemplated action is not issued within thirty days of the disclosure of the identity of the source in the context of reporting an alleged violation of the Cannabis Regulation Act to the division, the source shall not be confidential. If a notice of contemplated action is not issued within thirty days of the initiation of an enforcement investigation or inspection related to violations of the Cannabis Regulation Act, the information developed or obtained by the division during the enforcement investigation or inspection shall not be confidential. Rulemaking and other hearings of the division are subject to the Open Meetings Act."

Chapter 38 Section 14 Laws 2024

SECTION 14. Section 30-22-14 NMSA 1978 (being Laws 1976, Chapter 15, Section 1, as amended) is amended to read:

"30-22-14. BRINGING CONTRABAND INTO PLACES OF IMPRISONMENT--PENALTIES--DEFINITIONS.--

A. Bringing contraband into a prison consists of knowingly and voluntarily carrying, transporting or depositing contraband onto the grounds of the penitentiary of New Mexico or any other institution designated by the corrections department for the confinement of adult prisoners. Whoever commits bringing contraband into a prison is guilty of a third degree felony.

B. Bringing contraband into a jail consists of knowingly and voluntarily carrying contraband into the confines of a county or municipal jail. Whoever commits bringing contraband into a jail is guilty of a fourth degree felony.

C. As used in this section, "contraband" means:

(1) a deadly weapon, as defined in Section 30-1-12 NMSA 1978, or an essential component part thereof, including ammunition, explosive devices and explosive materials, but does not include a weapon carried by a peace officer in the lawful discharge of duties;

(2) currency brought onto the grounds of the institution for the purpose of transfer to a prisoner, but does not include currency carried into areas designated by the warden as areas for the deposit and receipt of currency for credit to a prisoner's account before contact is made with the prisoner;

(3) an alcoholic beverage;

(4) a controlled substance, as defined in the Controlled Substances Act, or cannabis, as defined in the Cannabis Regulation Act, but does not include a controlled substance or medical cannabis carried into a prison through regular prison channels and pursuant to the direction or prescription of a licensed physician; or

(5) an electronic communication or recording device brought onto the grounds of the institution for the purpose of transfer to or use by a prisoner.

D. As used in this section, "electronic communication or recording device" means any type of instrument, device, machine or equipment that is designed to transmit or receive telephonic, electronic, digital, cellular, satellite or radio signals or communications or that is designed to have sound or image recording abilities or any part or component of such instrument, device, machine or equipment. "Electronic communication or recording device" does not include a device that is or will be used by

prison or jail personnel in the regular course of business or that is otherwise authorized by the warden.

E. Nothing in this section shall prohibit the use of hearing aids, voice amplifiers or other equipment necessary to aid prisoners who have documented hearing or speech deficiencies or their visitors. Rules for such devices shall be established by the warden or director of each jail, detention center and prison."

Chapter 38 Section 15 Laws 2024

SECTION 15. Section 30-22-14.1 NMSA 1978 (being Laws 1997, Chapter 44, Section 1) is amended to read:

"30-22-14.1. BRINGING CONTRABAND INTO A JUVENILE DETENTION FACILITY OR JUVENILE CORRECTIONAL FACILITY--PENALTY.--

A. Bringing contraband into a juvenile detention facility or juvenile correctional facility consists of carrying, transporting or depositing contraband onto the grounds of a facility designated by the children, youth and families department for the detention or commitment of children. Whoever commits bringing contraband into a juvenile correctional facility is guilty of a third degree felony. Whoever commits bringing contraband into a juvenile detention facility is guilty of a fourth degree felony.

B. As used in this section, "contraband" means:

(1) any deadly weapon, as defined in Section 30-1-12 NMSA 1978, or an essential component part thereof, including ammunition, explosive devices and explosive materials, but does not include a weapon carried by a peace officer in the lawful discharge of the officer's duties;

(2) currency brought onto the grounds of a juvenile detention facility or juvenile correctional facility and not declared upon entry to the facility for the purpose of transfer to a child detained in or committed to the facility, but does not include currency carried into areas designated by the facility administrator as areas for the deposit and receipt of currency for credit to a child's account before contact is made with any child;

(3) any alcoholic beverage brought within the physical confines of the juvenile detention or juvenile correctional facility; or

(4) any controlled substance, as defined in the Controlled Substances Act, or cannabis as defined in the Cannabis Regulation Act, but does not include a controlled substance or medical cannabis carried into a juvenile detention facility or juvenile correctional facility through regular facility channels and pursuant to the direction or prescription of a licensed physician."

Chapter 38 Section 16 Laws 2024

SECTION 16. Section 30-42-3 NMSA 1978 (being Laws 1980, Chapter 40, Section 3, as amended by Laws 2009, Chapter 253, Section 7 and by Laws 2009, Chapter 261, Section 7) is amended to read:

"30-42-3. DEFINITIONS.--As used in the Racketeering Act:

A. "racketeering" means any act that is chargeable or indictable under the laws of New Mexico and punishable by imprisonment for more than one year, involving any of the following cited offenses:

- (1) murder, as provided in Section 30-2-1 NMSA 1978;
- (2) robbery, as provided in Section 30-16-2 NMSA 1978;
- (3) kidnapping, as provided in Section 30-4-1 NMSA 1978;
- (4) forgery, as provided in Section 30-16-10 NMSA 1978;
- (5) larceny, as provided in Section 30-16-1 NMSA 1978;
- (6) fraud, as provided in Section 30-16-6 NMSA 1978;
- (7) embezzlement, as provided in Section 30-16-8 NMSA 1978;
- (8) receiving stolen property, as provided in Section 30-16-11 NMSA 1978;
- (9) bribery, as provided in Sections 30-24-1 through 30-24-3.1 NMSA 1978;
- (10) gambling, as provided in Sections 30-19-3, 30-19-13 and 30-19-15 NMSA 1978;
- (11) illegal kickbacks, as provided in Sections 30-41-1 and 30-41-2 NMSA 1978;
- (12) extortion, as provided in Section 30-16-9 NMSA 1978;
- (13) trafficking in controlled substances, as provided in Section 30-31-20 NMSA 1978;
- (14) arson and aggravated arson, as provided in Subsection A of Section 30-17-5 and Section 30-17-6 NMSA 1978;

- (15) promoting prostitution, as provided in Section 30-9-4 NMSA 1978;
- (16) criminal solicitation, as provided in Section 30-28-3 NMSA 1978;
- (17) fraudulent securities practices, as provided in the New Mexico Uniform Securities Act;
- (18) loan sharking, as provided in Sections 30-43-1 through 30-43-5 NMSA 1978;
- (19) distribution of controlled substances or controlled substance analogues, as provided in Sections 30-31-21 and 30-31-22 NMSA 1978;
- (20) a violation of the provisions of Section 30-51-4 NMSA 1978;
- (21) unlawful taking of a vehicle or motor vehicle, as provided in Section 30-16D-1 NMSA 1978;
- (22) embezzlement of a vehicle or motor vehicle, as provided in Section 30-16D-2 NMSA 1978;
- (23) fraudulently obtaining a vehicle or motor vehicle, as provided in Section 30-16D-3 NMSA 1978;
- (24) receiving or transferring stolen vehicles or motor vehicles, as provided in Section 30-16D-4 NMSA 1978;
- (25) altering or changing the serial number, engine number, decal or other numbers or marks of a vehicle or motor vehicle, as provided in Section 30-16D-6 NMSA 1978; and
- (26) trafficking cannabis products, as provided in Section 26-2C-28 NMSA 1978;

B. "person" means an individual or entity capable of holding a legal or beneficial interest in property;

C. "enterprise" means a sole proprietorship, partnership, corporation, business, labor union, association or other legal entity or a group of individuals associated in fact although not a legal entity and includes illicit as well as licit entities; and

D. "pattern of racketeering activity" means engaging in at least two incidents of racketeering with the intent of accomplishing any of the prohibited activities set forth in Subsections A through D of Section 30-42-4 NMSA 1978; provided at least one of the

incidents occurred after February 28, 1980 and the last incident occurred within five years after the commission of a prior incident of racketeering."

Chapter 38 Section 17 Laws 2024

SECTION 17. Section 32A-2-3 NMSA 1978 (being Laws 1993, Chapter 77, Section 32, as amended) is amended to read:

"32A-2-3. DEFINITIONS.--As used in the Delinquency Act:

A. "delinquent act" means an act committed by a child that would be designated as a crime under the law if committed by an adult, not including a violation of Section 30-9-2 NMSA 1978, including the following offenses:

(1) any of the following offenses pursuant to municipal traffic codes or the Motor Vehicle Code:

- (a) driving while under the influence of intoxicating liquor or drugs;
- (b) failure to stop in the event of an accident causing death, personal injury or damage to property;
- (c) unlawful taking of a vehicle or motor vehicle;
- (d) receiving or transferring of a stolen vehicle or motor vehicle;
- (e) homicide by vehicle;
- (f) injuring or tampering with a vehicle;
- (g) altering or changing of an engine number or other vehicle identification numbers;
- (h) altering or forging of a driver's license or permit or any making of a fictitious license or permit;
- (i) reckless driving;
- (j) driving with a suspended or revoked license; or
- (k) an offense punishable as a felony;

(2) buying, attempting to buy, receiving, possessing or being served any alcoholic liquor or being present in a licensed liquor establishment, other than a restaurant or a licensed retail liquor establishment, except in the presence of the child's

parent, guardian, custodian or adult spouse. As used in this paragraph, "restaurant" means an establishment where meals are prepared and served primarily for on-premises consumption and that has a dining room, a kitchen and the employees necessary for preparing, cooking and serving meals. "Restaurant" does not include an establishment, as defined in regulations promulgated by the director of the special investigations unit of the department of public safety, that serves only hamburgers, sandwiches, salads and other fast foods;

(3) a violation of Section 30-29-2 NMSA 1978, regarding the illegal use of a glue, aerosol spray product or other chemical substance;

(4) a violation of the Controlled Substances Act;

(5) escape from the custody of a law enforcement officer or a juvenile probation or parole officer or from any placement made by the department by a child who has been adjudicated a delinquent child;

(6) a violation of Section 30-15-1.1 NMSA 1978 regarding unauthorized graffiti on personal or real property;

(7) a violation of an order of protection issued pursuant to the provisions of the Family Violence Protection Act; or

(8) trafficking cannabis as provided in Section 26-2C-28 NMSA 1978;

B. "delinquent child" means a child who has committed a delinquent act;

C. "delinquent offender" means a delinquent child who is subject to juvenile sanctions only and who is not a youthful offender or a serious youthful offender;

D. "detention facility" means a place where a child may be detained under the Children's Code pending court hearing and does not include a facility for the care and rehabilitation of an adjudicated delinquent child;

E. "felony" means an act that would be a felony if committed by an adult;

F. "misdemeanor" means an act that would be a misdemeanor or petty misdemeanor if committed by an adult;

G. "restitution" means financial reimbursement by the child to the victim or community service imposed by the court and is limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical, psychiatric and psychological treatment for injury to a person and lost wages resulting from physical injury, which are a direct and proximate result of a delinquent act. "Restitution" does not include reimbursement for damages for mental anguish, pain and suffering or other intangible losses. As used in this subsection, "victim" means a person who is injured or

suffers damage of any kind by an act that is the subject of a complaint or referral to law enforcement officers or juvenile probation authorities. Nothing contained in this definition limits or replaces the provisions of Subsections A and B of Section 32A-2-27 NMSA 1978;

H. "serious youthful offender" means an individual fifteen to eighteen years of age who is charged with and indicted or bound over for trial for first degree murder. A "serious youthful offender" is not a delinquent child as defined pursuant to the provisions of this section;

I. "supervised release" means the release of a juvenile, whose term of commitment has not expired, from a facility for the care and rehabilitation of adjudicated delinquent children, with specified conditions to protect public safety and promote successful transition and reintegration into the community. A juvenile on supervised release is subject to monitoring by the department until the term of commitment has expired and may be returned to custody for violating conditions of release; and

J. "youthful offender" means a delinquent child subject to adult or juvenile sanctions who is:

(1) fourteen to eighteen years of age at the time of the offense and who is adjudicated for at least one of the following offenses:

(a) second degree murder, as provided in Section 30-2-1 NMSA 1978;

(b) assault with intent to commit a violent felony, as provided in Section 30-3-3 NMSA 1978;

(c) kidnapping, as provided in Section 30-4-1 NMSA 1978;

(d) aggravated battery, as provided in Subsection C of Section 30-3-5 NMSA 1978;

(e) aggravated battery against a household member, as provided in Subsection C of Section 30-3-16 NMSA 1978;

(f) aggravated battery upon a peace officer, as provided in Subsection C of Section 30-22-25 NMSA 1978;

(g) shooting at a dwelling or occupied building or shooting at or from a motor vehicle, as provided in Section 30-3-8 NMSA 1978;

(h) dangerous use of explosives, as provided in Section 30-7-5 NMSA 1978;

NMSA 1978;

- (i) criminal sexual penetration, as provided in Section 30-9-11
- (j) robbery, as provided in Section 30-16-2 NMSA 1978;
- (k) aggravated burglary, as provided in Section 30-16-4 NMSA 1978;
- (l) aggravated arson, as provided in Section 30-17-6 NMSA 1978; or
- (m) abuse of a child that results in great bodily harm or death to the child, as provided in Section 30-6-1 NMSA 1978;

(2) fourteen to eighteen years of age at the time of the offense, who is adjudicated for any felony offense and who has had three prior, separate felony adjudications within a three-year time period immediately preceding the instant offense. The felony adjudications relied upon as prior adjudications shall not have arisen out of the same transaction or occurrence or series of events related in time and location. Successful completion of consent decrees is not considered a prior adjudication for the purposes of this paragraph; or

(3) fourteen years of age and who is adjudicated for first degree murder, as provided in Section 30-2-1 NMSA 1978."

Chapter 38 Section 18 Laws 2024

SECTION 18. Section 61-1-2 NMSA 1978 (being Laws 1957, Chapter 247, Section 2, as amended) is amended to read:

"61-1-2. DEFINITIONS.--As used in the Uniform Licensing Act:

A. "board" means:

(1) the construction industries commission, the construction industries division and the electrical bureau, mechanical bureau and general construction bureau of the construction industries division of the regulation and licensing department;

(2) the manufactured housing committee and the manufactured housing division of the regulation and licensing department;

(3) the crane operators licensure examining council;

(4) a board, commission or agency that administers a profession or occupation licensed pursuant to Chapter 61 NMSA 1978;

(5) the cannabis control division of the regulation and licensing department; and

(6) any other state agency to which the Uniform Licensing Act is applied by law;

B. "applicant" means a person who has applied for a license;

C. "expedited license", whether by examination, endorsement, credential or reciprocity, means a license issued to a person in this state based on licensure in another state or territory of the United States, the District of Columbia or a foreign country, as applicable;

D. "initial license" means the first regular license received from a board for a person who has not been previously licensed;

E. "license" means a certificate, permit or other authorization to engage in a profession or occupation regulated by a board;

F. "licensing jurisdiction" means another state or territory of the United States, the District of Columbia or a foreign country, as applicable;

G. "party" means a respondent licensee, applicant or unlicensed person who is the subject of a disciplinary proceeding or the civil administrative prosecutor representing the state and the board;

H. "probation" means to allow, for a stated period of time, the conduct authorized by a license, subject to conditions or other restrictions that are reasonably related to the grounds for probation;

I. "regular license" means a license that is not issued as a temporary or provisional license;

J. "revocation" means to prohibit the conduct authorized by the license for an indefinite period of time; and

K. "suspension" means to prohibit, for a stated period of time, the conduct authorized by the license."

Chapter 38 Section 19 Laws 2024

SECTION 19. REPEAL.--Laws 2021 (1st S.S.), Chapter 4, Section 73 is repealed.

Chapter 38 Section 20 Laws 2024

SECTION 20. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 39

SHPAC/Senate Bill 14
Approved March 1, 2024

AN ACT

RELATING TO EXECUTIVE REORGANIZATION; AMENDING, REPEALING, ENACTING AND RECOMPILING SECTIONS OF THE NMSA 1978 TO CONFORM LAWS TO THE FUNCTIONS, POWERS AND DUTIES OF THE HEALTH CARE AUTHORITY AND OTHER STATE AGENCIES AFFECTED BY THE CREATION OF THE AUTHORITY; PRESCRIBING PENALTIES; MAKING AN APPROPRIATION.

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

Chapter 39 Section 1 Laws 2024

SECTION 1. Section 9-8-1 NMSA 1978 (being Laws 1977, Chapter 252, Section 1, as amended) is amended to read:

"9-8-1. SHORT TITLE.--Chapter 9, Article 8 NMSA 1978 may be cited as the "Health Care Authority Act"."

Chapter 39 Section 2 Laws 2024

SECTION 2. Section 9-8-2 NMSA 1978 (being Laws 1977, Chapter 252, Section 2, as amended) is amended to read:

"9-8-2. DEFINITIONS.--As used in the Health Care Authority Act:

- A. "authority" means the health care authority; and
- B. "secretary" means the secretary of health care authority."

Chapter 39 Section 3 Laws 2024

SECTION 3. Section 9-8-3 NMSA 1978 (being Laws 1977, Chapter 252, Section 3, as amended) is amended to read:

"9-8-3. PURPOSE.--The purpose of the Health Care Authority Act is to establish a single, unified department to administer laws and exercise functions relating to health facility licensure and health care purchasing and regulation."

Chapter 39 Section 4 Laws 2024

SECTION 4. Section 9-8-4 NMSA 1978 (being Laws 1977, Chapter 252, Section 4, as amended) is amended to read:

"9-8-4. AUTHORITY ESTABLISHED.--The "health care authority" is created in the executive branch. The authority is a cabinet department and consists of:

- A. the office of the secretary of health care authority;
- B. the administrative services division;
- C. the information technology division;
- D. the behavioral health services division;
- E. the developmental disabilities division;
- F. the health improvement division;
- G. the medical assistance division;
- H. the state health benefits division;
- I. the child support enforcement division; and
- J. the income support division."

Chapter 39 Section 5 Laws 2024

SECTION 5. Section 9-8-5 NMSA 1978 (being Laws 1977, Chapter 252, Section 6, as amended) is amended to read:

"9-8-5. SECRETARY OF HEALTH CARE AUTHORITY--APPOINTMENT.--

A. The administrative head of the health care authority is the "secretary of health care authority", who shall be appointed by the governor with the consent of the senate and who shall serve in the executive cabinet.

B. An appointed secretary shall serve and have all of the duties, responsibilities and authority of that office during the period of time prior to final action by the senate confirming or rejecting the appointed secretary's appointment."

Chapter 39 Section 6 Laws 2024

SECTION 6. Section 9-8-6 NMSA 1978 (being Laws 1977, Chapter 252, Section 7, as amended) is amended to read:

"9-8-6. SECRETARY--DUTIES AND GENERAL POWERS.--

A. The secretary is responsible to the governor for the operation of the authority. It is the secretary's duty to manage all operations of the authority and to administer and enforce the laws with which the secretary or the authority is charged.

B. To perform duties of office, the secretary has every power expressly enumerated in the laws, whether granted to the secretary or the authority or any division of the authority, except where authority conferred upon any division is explicitly exempted from the secretary's authority by statute. In accordance with these provisions, the secretary shall:

- (1) except as otherwise provided in the Health Care Authority Act, exercise general supervisory and appointing authority over all authority employees, subject to any applicable personnel laws and rules;
- (2) delegate authority to subordinates as the secretary deems necessary and appropriate, clearly delineating such delegated authority and the limitations thereto;
- (3) organize the authority into those organizational units the secretary deems will enable it to function most efficiently, subject to any provisions of law requiring or establishing specific organizational units;
- (4) within the limitations of available appropriations and applicable laws, employ and fix the compensation of those persons necessary to discharge the secretary's duties;
- (5) conduct background checks on authority employees and prospective authority employees that have or will have access to federal tax information; provided that:
 - (a) local law enforcement agency criminal history record checks shall be conducted on all employees, prospective employees, contractors, prospective contractors, subcontractors and prospective subcontractors with access to federal tax information;
 - (b) record checks for any identified arrests shall be conducted through local law enforcement agencies in jurisdictions where the subject has lived, worked or attended school within the last five years preceding the record check;

(c) federal bureau of investigation fingerprinting shall be conducted on all employees, prospective employees, contractors, prospective contractors, subcontractors and prospective subcontractors with access to federal tax information;

(d) for the purpose of conducting a national agency background check, the authority shall submit to the department of public safety and the federal bureau of investigation a fingerprint card for each of the following personnel who have or will have access to federal tax information: 1) employees; 2) prospective employees; 3) contractors; 4) prospective contractors; 5) subcontractors; and 6) prospective subcontractors;

(e) the authority shall conduct a check for eligibility to legally work as a citizen or legal resident of the United States on all employees, prospective employees, contractors, prospective contractors, subcontractors and prospective subcontractors with access to federal tax information. The authority shall complete a citizenship or residency check for each new employee and any employee with expiring employment eligibility and shall document and monitor the employee's citizenship or residency status for continued compliance;

(f) criminal history records obtained by the authority pursuant to the provisions of this paragraph and the information contained in those records are confidential, shall not be used for any purpose other than conducting background checks for the purpose of determining eligibility for employment and shall not be released or disclosed to any other person or agency except pursuant to a court order or with the written consent of the person who is the subject of the records;

(g) a person who releases or discloses criminal history records or information contained in those records in violation of the provisions of this paragraph is guilty of a misdemeanor and shall be sentenced pursuant to the provisions of Section 31-19-1 NMSA 1978;

(h) the secretary shall adopt and promulgate rules to establish procedures to provide for background checks; provided that background checks shall not be evaluated for any purpose other than a person's authority-related activities, and criteria according to which background checks are evaluated, for all present and prospective personnel identified in the provisions of this paragraph;

(i) contractors, prospective contractors, subcontractors and prospective subcontractors shall bear any costs associated with ordering or conducting background checks pursuant to this paragraph; and

(j) an authority employee or prospective authority employee who is denied employment or whose employment is terminated based on information obtained in a background check shall be entitled to review the information obtained pursuant to this paragraph and to appeal the decision;

(6) take administrative action by issuing orders and instructions, not inconsistent with the law, to assure implementation of and compliance with the provisions of law for whose administration or execution the secretary is responsible and to enforce those orders and instructions by appropriate administrative action in the courts;

(7) conduct research and studies that will improve the operations of the authority and the provision of services to the citizens of the state;

(8) provide courses of instruction and practical training for employees of the authority and other persons involved in the administration of programs with the objective of improving the operations and efficiency of administration;

(9) prepare an annual budget of the authority;

(10) provide cooperation, at the request of heads of administratively attached agencies, in order to:

(a) minimize or eliminate duplication of services and jurisdictional conflicts;

(b) coordinate activities and resolve problems of mutual concern;
and

(c) resolve by agreement the manner and extent to which the authority shall provide budgeting, recordkeeping and related clerical assistance to administratively attached agencies; and

(11) appoint, with the governor's consent, a "director" for each division. These appointed positions are exempt from the provisions of the Personnel Act. Persons appointed to these positions shall serve at the pleasure of the secretary, except as provided in Section 9-8-9 NMSA 1978.

C. The secretary may apply for and receive, with the governor's approval, in the name of the authority, any public or private funds, including United States government funds, available to the authority to carry out its programs, duties or services.

D. Where functions of departments overlap or a function assigned to one department could better be performed by another department, the secretary may recommend appropriate legislation to the next session of the legislature for its approval.

E. The secretary may make and adopt such reasonable procedural rules as may be necessary to carry out the duties of the authority and its divisions. No rule promulgated by the director of any division in carrying out the functions and duties of the division shall be effective until approved by the secretary unless otherwise provided by

statute. Unless otherwise provided by statute, no rule affecting any person or agency outside the authority shall be adopted, amended or repealed without a public hearing on the proposed action before the secretary or a hearing officer designated by the secretary. The public hearing shall be held in Santa Fe unless otherwise permitted by statute. Notice of the subject matter of the rule, the action proposed to be taken, the time and place of the hearing, the manner in which interested persons may present their views and the method by which copies of the proposed rule or proposed amendment or repeal of an existing rule may be obtained shall be published once at least thirty days prior to the hearing date in a newspaper of general circulation and mailed at least thirty days prior to the hearing date to all persons who have made a written request for advance notice of hearing.

F. In the event the secretary anticipates that adoption, amendment or repeal of a rule will be required by a cancellation, reduction or suspension of federal funds or order by a court of competent jurisdiction:

(1) if the secretary is notified by appropriate federal authorities at least sixty days prior to the effective date of such cancellation, reduction or termination of federal funds, the authority is required to promulgate rules through the public hearing process to be effective on the date mandated by the appropriate federal authority; or

(2) if the secretary is notified by appropriate federal authorities or court less than sixty days prior to the effective date of such cancellation, reduction or suspension of federal funds or court order, the authority is authorized without a public hearing to promulgate interim rules effective for a period not to exceed ninety days. Interim rules shall not be promulgated without first providing a written notice twenty days in advance to providers of medical or behavioral health services and beneficiaries of authority programs. At the time of the promulgation of the interim rules, the authority shall give notice of the public hearing on the final rules in accordance with Subsection E of this section.

G. If the secretary certifies to the secretary of finance and administration and gives contemporaneous notice of such certification through the human services register that the authority has insufficient state funds to operate any of the programs it administers and that reductions in services or benefit levels are necessary, the secretary may engage in interim rulemaking. Notwithstanding any provision to the contrary in the State Rules Act, interim rulemaking shall be conducted pursuant to Subsection E of this section, except:

(1) the period of notice of public hearing shall be fifteen days;

(2) the authority shall also send individual notices of the interim rulemaking and of the public hearing to affected providers and beneficiaries;

(3) rules promulgated pursuant to the provisions of this subsection shall be in effect not less than five days after the public hearing;

(4) rules promulgated pursuant to the provisions of this subsection shall not be in effect for more than ninety days; and

(5) if final rules are necessary to replace the interim rules, the authority shall give notice of intent to promulgate final rules at the time of notice. The final rules shall be promulgated not more than forty-five days after the public hearing and filed in accordance with the State Rules Act.

H. At the time of the promulgation of the interim rules, the authority shall give notice of the public hearing on the final rules in accordance with Subsection E of this section.

I. The secretary shall ensure that any behavioral health services, including mental health and substance abuse services, provided, contracted for or approved are in compliance with the requirements of Section 24A-3-1 NMSA 1978.

J. All rules shall be filed in accordance with the State Rules Act."

Chapter 39 Section 7 Laws 2024

SECTION 7. Section 9-8-7 NMSA 1978 (being Laws 1977, Chapter 252, Section 8, as amended) is amended to read:

"9-8-7. ORGANIZATIONAL UNITS OF AUTHORITY--POWERS AND DUTIES SPECIFIED BY LAW--ACCESS TO INFORMATION.--Those organizational units of the authority and the officers of those units specified by law shall have all of the powers and duties enumerated in the specific laws involved. However, the carrying out of those powers and duties shall be subject to the direction and supervision of the secretary, and the secretary shall retain the final decision-making authority and responsibility for the administration of any such laws as provided in Subsection B of Section 9-8-6 NMSA 1978. The authority shall have access to all records, data and information of other state departments, agencies and institutions, including its own organizational units, not specifically held confidential by law."

Chapter 39 Section 8 Laws 2024

SECTION 8. Section 9-8-7.1 NMSA 1978 (being Laws 2007, Chapter 325, Section 4, as amended) is amended to read:

"9-8-7.1. BEHAVIORAL HEALTH SERVICES DIVISION--POWERS AND DUTIES OF THE AUTHORITY.--Subject to appropriation, the authority shall:

A. contract for behavioral health treatment and support services, including mental health, alcoholism and other substance abuse services;

B. establish standards for the delivery of behavioral health services, including quality management and improvement, performance measures, accessibility and availability of services, utilization management, credentialing and recredentialing, rights and responsibilities of providers, preventive behavioral health services, clinical treatment and evaluation and the documentation and confidentiality of client records;

C. ensure that all behavioral health services, including mental health and substance abuse services, that are provided, contracted for or approved are in compliance with the requirements of Section 24A-3-1 NMSA 1978;

D. assume responsibility for and implement adult mental health and substance abuse services in the state in coordination with the children, youth and families department;

E. create, implement and continually evaluate the effectiveness of a framework for targeted, individualized interventions for persons who are incarcerated in a county or municipal correctional facility and adult and juvenile offenders who have behavioral health diagnoses, which framework shall address those persons' behavioral health needs while they are incarcerated and connect them to resources and services immediately upon release;

F. establish criteria for determining individual eligibility for behavioral health services; and

G. maintain a management information system in accordance with standards for reporting clinical and fiscal information."

Chapter 39 Section 9 Laws 2024

SECTION 9. Section 9-8-7.2 NMSA 1978 (being Laws 2013, Chapter 54, Section 9, as amended) is amended to read:

"9-8-7.2. COOPERATION WITH THE NEW MEXICO HEALTH INSURANCE EXCHANGE.--The medical assistance division of the authority shall cooperate with the New Mexico health insurance exchange to share information and facilitate transitions in enrollment between the exchange and medicaid."

Chapter 39 Section 10 Laws 2024

SECTION 10. Section 9-8-8 NMSA 1978 (being Laws 1977, Chapter 252, Section 9, as amended) is amended to read:

"9-8-8. ADMINISTRATIVELY ATTACHED AGENCIES.--The following agencies are administratively attached to the authority:

A. the commission on the status of women; and

B. the group benefits committee."

Chapter 39 Section 11 Laws 2024

SECTION 11. Section 9-8-9 NMSA 1978 (being Laws 1977, Chapter 252, Section 10, as amended) is amended to read:

"9-8-9. DIRECTORS.--The secretary shall appoint with the approval of the governor "directors" of divisions established within the authority and a director of communications. The positions so appointed are exempt from the Personnel Act."

Chapter 39 Section 12 Laws 2024

SECTION 12. Section 9-8-10 NMSA 1978 (being Laws 1977, Chapter 252, Section 11, as amended) is amended to read:

"9-8-10. BUREAUS--CHIEFS.--The secretary shall establish within each division such bureaus as the secretary deems necessary to carry out the provisions of the Health Care Authority Act. The secretary shall employ a chief to be administrative head of any such bureau. The chief and all subsidiary employees of the authority shall be covered by the Personnel Act unless otherwise provided by law."

Chapter 39 Section 13 Laws 2024

SECTION 13. Section 9-8-11 NMSA 1978 (being Laws 1977, Chapter 252, Section 12, as amended) is amended to read:

"9-8-11. ADVISORY COMMITTEES.--

A. The governor shall appoint advisory committees to the authority's income support division and may appoint other advisory committees as needed. Creation of the advisory committees shall be in accordance with the provisions of the Executive Reorganization Act. If the existence of a committee, representational membership requirements or other matters are required or specified under any federal law, regulation or order as a condition of receiving federal funding for a particular program administered by the authority, the governor shall comply with those requirements in the creation of the advisory committee.

B. All members of the advisory committees appointed under the authority of this section are entitled to receive as their sole remuneration for service as a member those amounts authorized under the Per Diem and Mileage Act."

Chapter 39 Section 14 Laws 2024

SECTION 14. Section 9-8-12 NMSA 1978 (being Laws 1977, Chapter 252, Section 13, as amended) is amended to read:

"9-8-12. COOPERATION WITH THE FEDERAL GOVERNMENT--AUTHORITY OF SECRETARY--SINGLE STATE AGENCY STATUS.--

A. The authority is authorized to cooperate with the federal government in the administration of health care and human services programs in which financial or other participation by the federal government is authorized or mandated under federal laws, regulations or orders. The secretary may enter into agreements with agencies of the federal government to implement these health care or human services programs subject to availability of appropriated state funds and any provisions of state laws applicable to such agreements or participation by the state.

B. The governor or the secretary may by appropriate order designate the authority or any organizational unit of the authority as the single state agency for the administration of any health care or human services program when such designation is a condition of federal financial or other participation in the program under applicable federal law, regulation or order. Whether or not a federal condition exists, the governor may designate the authority or any organizational unit of the authority as the single state agency for the administration of any health care or human services program. No designation of a single state agency under the authority granted in this section shall be made in contravention of state law."

Chapter 39 Section 15 Laws 2024

SECTION 15. Section 10-7B-2 NMSA 1978 (being Laws 1989, Chapter 231, Section 2, as amended) is amended to read:

"10-7B-2. DEFINITIONS.--As used in the Group Benefits Act:

- A. "committee" means the group benefits committee;
- B. "director" means the director of the state health benefits division of the health care authority;
- C. "employee" means a salaried officer, employee or legislator of the state; a salaried officer or an employee of a local public body; or an elected or appointed supervisor of a soil and water conservation district;
- D. "local public body" means any New Mexico municipality, county or school district;

E. "professional claims administrator" means any person or legal entity that has at least five years of experience handling group benefits claims, as well as such other qualifications as the director may determine from time to time with the committee's advice;

F. "small employer" means a person having for-profit or nonprofit status that employs an average of fifty or fewer persons over a twelve-month period; and

G. "state" or "state agency" means the state of New Mexico or any of its branches, agencies, departments, boards, instrumentalities or institutions."

Chapter 39 Section 16 Laws 2024

SECTION 16. Section 10-7B-6 NMSA 1978 (being Laws 1989, Chapter 231, Section 6, as amended) is amended to read:

"10-7B-6. STATE EMPLOYEES GROUP BENEFITS SELF-INSURANCE PLAN--
AUTHORIZATION--LOCAL PUBLIC BODY PARTICIPATION.--

A. The state health benefits division of the health care authority may, with the prior advice of the committee, establish and administer a group benefits self-insurance plan, providing life, vision, health, dental and disability coverages, or any combination of such coverages, for employees of the state and of participating local public bodies. Any such group benefits self-insurance plan shall afford coverage for employees' dependents at each employee's option. Any such group benefits self-insurance plan may consist of self-insurance or a combination of self-insurance and insurance; provided that particular coverages or risks may be fully insured, fully self-insured or partially insured and partially self-insured.

B. The director, with the advice of the committee, shall establish by rule the types, extent, nature and description of coverages, the eligibility rules for participation, the deductibles, rates and all other matters reasonably necessary to carry on or administer a group benefits self-insurance plan established pursuant to Subsection A of this section.

C. The contribution of each participating state agency to the cost of any such group benefits self-insurance plan shall not exceed that percentage provided for state group benefits insurance plans as provided by law. The contribution of a participating local public body to the cost of any such group benefits self-insurance plan shall not exceed that percentage provided for local public body group benefits insurance plans as provided by law.

D. Except as provided in Subsection E of this section, public employees' contributions to the cost of any group benefits self-insurance plan may be deducted from their salaries and paid directly to the group self-insurance fund; provided that

where risks are insured or reinsured, the director may authorize payment of the costs of such insurance or reinsurance directly to the insurer or reinsurer.

E. A legislator and the legislator's covered dependents and a soil and water conservation district supervisor and the supervisor's covered dependents are eligible to participate in and receive benefits from the group benefits self-insurance plan if the legislator or supervisor pays monthly premiums in amounts that equal one hundred percent of the cost of the insurance. The premiums shall be paid directly to the group self-insurance fund; provided that where risks are insured or reinsured, the director may authorize payment of the premiums directly to the insurer or reinsurer.

F. Local public bodies and state agencies that are not participating in the state group benefits insurance plan or self-insurance plan may elect to participate in any group benefits self-insurance plan established pursuant to Subsection A of this section by giving written notice to the director on a date set by the director, which date shall not be later than ninety days prior to the date participation is to begin. The director shall determine an initial rate for the electing entity in accordance with a letter of administration setting forth written guidelines established by the director with the committee's advice. The initial rate shall be based on the claims experience of the electing entity's group for the three immediately preceding continuous years. If three years of continuous experience are not available, a rate fixed for the entity by the director with the committee's advice shall apply, and the electing entity's group shall be ratered on the first premium anniversary following the date one full year of experience for the group becomes available. Any such election may be terminated effective not earlier than June 30 of the third calendar year succeeding the year in which the election became effective or on any June 30 thereafter. Notice of termination shall be made in writing to the director not later than April 1 immediately preceding the June 30 on which participation will terminate. A reelection to participate in the plan following a termination shall not be made effective for at least three full years following the effective date of termination.

G. As soon as practicable, the director with the committee's advice shall establish an experience rating plan for state agencies and local public bodies participating in any group benefits self-insurance plan created pursuant to Subsection A of this section. Rates applicable to state agencies and participating local public bodies shall be based on such experience rating plan. Any such experience rating plan may provide separate rates for individual state agencies and individual local public bodies or for such other experience centers as the director may determine."

Chapter 39 Section 17 Laws 2024

SECTION 17. Section 10-7B-7 NMSA 1978 (being Laws 1989, Chapter 231, Section 7) is amended to read:

"10-7B-7. GROUP SELF-INSURANCE FUND CREATED.--

A. The "group self-insurance fund" is created. The fund and any income produced by the fund shall be held in trust for the benefit of participating state agencies and their employees and local public bodies and their employees, deposited in a segregated account and invested by the director with the advice of the committee. Money in the fund shall be used solely for the purposes of the fund and shall not be used to pay any general or special obligation or debt of the state, other than as authorized by this section. Balances in the fund in excess of amounts needed for the purposes of the fund shall not be used to pay dividends or refunds, however described, to individual public employees or their dependents, but may be used, in the director's discretion, to reduce future contributions, to provide additional benefits or as a reserve to stabilize premiums.

B. The fund shall consist of money appropriated to the fund, income from investment of the fund, employers' contributions, employees' contributions, insurance or reinsurance proceeds and other funds received by gift, grant, bequest or otherwise for deposit in the fund, including but not limited to refunds of amounts from prior state group life, vision, dental, health and disability insurance plans, all of which are hereby appropriated to and for the purposes of the fund.

C. Disbursements from the fund shall be made by warrant signed by the secretary of finance and administration upon vouchers signed by the director. Lump sum disbursements from the fund may be advanced, in the manner described in this subsection, to a professional claims administrator to be used to pay benefits. Such lump sum disbursements may be made not more than weekly in advance. The professional claims administrator shall keep any such lump sum advance in a segregated account and shall hold the advance in trust for the benefit of participating employees. On or before the last day of each month, the professional claims administrator shall prepare a request for replenishment of the lump sum disbursement in the amount actually paid out for benefits during the month. Not more than thirty days after the last day of each month, the professional claims administrator shall make and submit to the director a detailed report of expenditures of any such lump sum advance during the month.

D. Money in the fund may be used by and is appropriated to the state health benefits division of the health care authority:

(1) to purchase life, vision, health, dental and disability insurance, or any combination of these, for state and local public body employees participating in the group self-insurance plan and their covered dependents, from an insurance company determined to be the best responsible bidder, as defined in the Procurement Code, after:

(a) requesting sealed proposals from three or more insurance agents licensed in New Mexico; or

(b) requesting sealed proposals in accordance with the provisions of the Procurement Code;

- (2) to contract with and pay one or more professional claims administrators;
- (3) to contract with and pay private attorneys or law firms for advice and for defense of contested claims determinations;
- (4) to contract with and pay qualified independent actuaries, financial auditors and claims management and procedures auditors;
- (5) to contract with and pay consultants, financial advisors and investment advisors for independent consulting and advice;
- (6) to pay reasonable investment commissions and expenses;
- (7) to make lump sum advances to any person or firm acting as a professional claims administrator, such advances to be used exclusively to pay benefits to participating employees;
- (8) to pay benefits to or for participating employees and their dependents;
- (9) to pay any other costs and expenses incurred in carrying out this section; and
- (10) as otherwise provided by law.

E. The fund shall be maintained in actuarially sound condition as evidenced by the annual written certification of an actuary qualified for such work that as of June 30 of the current year the fund was actuarially sound.

F. Annually on or before January 15, the director shall submit to the legislature a report on any group self-insurance plan created pursuant to Subsection A of Section 10-7B-6 NMSA 1978, a financial audit of the fund and a claims management and procedures audit by a qualified claims auditor for the one-year period ending on June 30 immediately preceding the report. With respect to claims files, the claims audit may, in the director's discretion, be limited to a random sampling."

Chapter 39 Section 18 Laws 2024

SECTION 18. Section 10-7C-6 NMSA 1978 (being Laws 1990, Chapter 6, Section 6, as amended) is amended to read:

"10-7C-6. BOARD CREATED--MEMBERSHIP--AUTHORITY.--

A. The "board of the retiree health care authority" is created. The board shall be composed of not more than thirteen members.

B. The board shall include:

- (1) one member who is not employed by or on behalf of or contracting with an employer participating in or eligible to participate in the Retiree Health Care Act and who shall be appointed by the governor to serve at the pleasure of the governor;
- (2) the educational retirement director or the educational retirement director's designee;
- (3) one member to be selected by the New Mexico coalition of school administrators;
- (4) one member who is a teacher who is certified and teaching in elementary or secondary education to be selected by a committee composed of one person designated by the New Mexico association of classroom teachers, one person designated by the national education association of New Mexico and one person designated by the American federation of teachers New Mexico;
- (5) one member who is an eligible retiree of a public school and who is selected by the New Mexico association of educational retirees;
- (6) the executive secretary of the public employees retirement association or the executive secretary's designee;
- (7) one member who is an eligible retiree receiving a benefit from the public employees retirement association and who is selected by the retired public employees of New Mexico;
- (8) one member who is an elected official or employee of a municipality participating in the Retiree Health Care Act and who is selected by the New Mexico municipal league;
- (9) the state treasurer or the state treasurer's designee;
- (10) one member who is a classified state employee selected by the personnel board; and
- (11) the director of the state benefits division of the health care authority.

C. The board, in accordance with the provisions of Paragraph (3) of Subsection D of Section 10-7C-9 NMSA 1978, shall include, if they qualify:

- (1) one member who is an eligible retiree of an institution of higher education participating in the Retiree Health Care Act and who is selected by the New Mexico association of educational retirees; and

(2) one member who is an elected official or employee of a county participating in the Retiree Health Care Act and who is selected by the New Mexico association of counties.

D. Every member of the board shall serve at the pleasure of the party that selected that member.

E. The members of the board shall begin serving their positions on the board on the effective date of the Retiree Health Care Act or upon their selection, whichever occurs last, unless that member's corresponding position on the board has been eliminated pursuant to Subsection D of Section 10-7C-9 NMSA 1978.

F. The board shall elect from its membership a president, vice president and secretary.

G. The board may appoint such officers and advisory committees as it deems necessary. The board may enter into contracts or arrangements with consultants, professional persons or firms as may be necessary to carry out the provisions of the Retiree Health Care Act.

H. The members of the board and its advisory committees shall receive per diem and mileage as provided in the Per Diem and Mileage Act but shall receive no other compensation, perquisite or allowance."

Chapter 39 Section 19 Laws 2024

SECTION 19. Section 13-7-3 NMSA 1978 (being Laws 1997, Chapter 74, Section 3) is amended to read:

"13-7-3. DEFINITIONS.--As used in the Health Care Purchasing Act:

A. "consolidated purchasing" means a single process for the procurement of and contracting for all health care benefits by the publicly funded insurance agencies in compliance with the Procurement Code and includes associated activities related to the procurement such as actuarial, cost containment, benefits consultation and analysis; and

B. "publicly funded health care agency" means the:

(1) state health benefits division and the group benefits committee of the health care authority;

(2) retiree health care authority;

(3) public school insurance authority; and

(4) publicly funded health care program of any public school district with a student enrollment in excess of sixty thousand students."

Chapter 39 Section 20 Laws 2024

SECTION 20. Section 24-14A-2 NMSA 1978 (being Laws 1989, Chapter 29, Section 2, as amended) is amended to read:

"24-14A-2. DEFINITIONS.--As used in the Health Information System Act:

A. "aggregate data" means data that are obtained by combining like data elements in a manner that precludes specific identification of a single client;

B. "data source" or "data provider" means a person that possesses health information, including the health care authority, any public or private sector licensed health care practitioner, primary care clinic, ambulatory surgery center, ambulatory urgent care center, ambulatory dialysis unit, home health agency, long-term care facility, hospital, pharmacy, third-party payer and any public entity that has health information;

C. "department" means the department of health;

D. "health information" or "health data" means any data relating to health care; health status, including environmental, social and economic factors; the health system; or health costs and financing;

E. "hospital" means any general or special hospital licensed by the health care authority, whether publicly or privately owned;

F. "long-term care facility" means any skilled nursing facility or nursing facility licensed by the health care authority, whether publicly or privately owned;

G. "record-level data" means a medical record that contains unique and nonaggregated data elements that relate to a single identifiable individual; and

H. "third-party payer" means any public or private payer of health care services and includes health maintenance organizations and health insurers."

Chapter 39 Section 21 Laws 2024

SECTION 21. Section 24-14A-6 NMSA 1978 (being Laws 1989, Chapter 29, Section 6, as amended) is amended to read:

"24-14A-6. HEALTH INFORMATION SYSTEM--ACCESS.--

A. Access to data in the health information system shall be provided in accordance with rules adopted by the department pursuant to the Health Information System Act.

B. A data provider may obtain data it has submitted to the system, as well as aggregate data, but, except as provided in Subsection D of this section, it shall not have access to data submitted by another provider that are limited only to that provider unless those data are aggregated data and publicly disseminated by the department. Except as provided in Subsection D of this section, in no event may a data provider obtain data regarding an individual patient except in instances where the data were originally submitted by the requesting provider. Prior to the release of any data, in any form, data sources shall be permitted the opportunity to verify the accuracy of the data pertaining to that data source. Data identified in writing as inaccurate shall be corrected prior to the data's release. Time limits shall be set for the submission and review of data by data sources, and penalties shall be established for failure to submit and review the data within the established time.

C. Any person may obtain any aggregate data publicly disseminated by the department.

D. Through a secure delivery or transmission process, the department may share record-level data with the health care authority or a federal agency that is authorized to collect, analyze or disseminate health information. The department shall remove identifiable individual or provider information from the record-level data prior to its disclosure to the federal agency. In providing hospital information under an agreement or arrangement with a federal agency, the department shall ensure that any identifiable hospital information disclosed is necessary for the agency's authorized use and that its disclosure meets with state and federal privacy and confidentiality laws, rules and regulations."

Chapter 39 Section 22 Laws 2024

SECTION 22. A new Section 24A-1-1 NMSA 1978 is enacted to read:

"24A-1-1. SHORT TITLE.--Chapter 24A NMSA 1978 may be cited as the "Health Care Code"."

Chapter 39 Section 23 Laws 2024

SECTION 23. A new Section 24A-1-2 NMSA 1978 is enacted to read:

"24A-1-2. DEFINITIONS.--As used in the Health Care Code:

A. "authority" means the health care authority;

B. "crisis triage center" means a health facility that:

(1) is licensed by the authority; and

(2) provides stabilization of behavioral health crises and may include residential and nonresidential stabilization;

C. "health care provider" means a person licensed to provide health care in the ordinary course of business, except as otherwise defined in the Health Care Code;

D. "health facility" means a public hospital; profit or nonprofit private hospital; general or special hospital; outpatient facility; crisis triage center; freestanding birth center; adult daycare facility; nursing home; intermediate care facility; assisted living facility; boarding home not under the control of an institution of higher learning; shelter care home; diagnostic and treatment center; rehabilitation center; infirmary; community mental health center that serves both children and adults or adults only; or a health service organization operating as a freestanding hospice or a home health agency. The designation of freestanding hospices or home health agencies as health facilities is only for the purposes of definition in the Health Care Code and does not imply that a freestanding hospice or a home health agency is considered a health facility for the purposes of other provisions of state or federal laws. "Health facility" includes those facilities that by federal regulation must be licensed by the state to obtain or maintain full or partial, permanent or temporary federal funding. "Health facility" does not include the offices and treatment rooms of licensed private practitioners; and

E. "secretary" means the secretary of health care authority."

Chapter 39 Section 24 Laws 2024

SECTION 24. A new Section 24A-1-3 NMSA 1978 is enacted to read:

"24A-1-3. POWERS AND DUTIES.--

A. The authority may:

(1) bring action in court for the enforcement of laws and rules pertaining to the authority's powers and duties;

(2) enter into joint powers agreements to carry out the powers and duties of the authority;

(3) cooperate and enter into contracts or agreements with the federal government or any other person to carry out the powers and duties of the authority;

(4) cooperate and enter into contracts or agreements with Native American nations, tribes and pueblos and off-reservation groups to coordinate the provision of essential physical, mental and behavioral health services and functions;

(5) adopt, promulgate and enforce such rules as may be necessary to carry out the provisions of the Health Care Code;

(6) sue and, with the consent of the legislature, be sued;

(7) request and inspect, while maintaining federal and state confidentiality requirements, copies of:

(a) medical and clinical records reasonably required for the authority's quality assurance and quality improvement activities; and

(b) medical and clinical records pertaining to a person whose death is the subject of inquiry by the department of health's mortality review activities; and

(8) do all other things necessary to carry out its duties as defined by law and rules promulgated in accordance with law.

B. The authority shall:

(1) promulgate and enforce rules for the licensure of health facilities under its jurisdiction;

(2) license and inspect health facility premises to ensure compliance with laws, rules and public safety; and

(3) carry out such other duties as provided by law.

C. The authority and the office of the state long-term care ombud shall have prompt access to all files and records in the possession of the department of health that are related to any health facility investigation; provided that a person who discloses confidential information protected by federal or state law is guilty of a petty misdemeanor."

Chapter 39 Section 25 Laws 2024

SECTION 25. A new Section 24A-1-4 NMSA 1978 is enacted to read:

"24A-1-4. RECORDS CONFIDENTIAL.--

A. The files and records of the authority giving identifying information about persons who have received or are receiving from the authority treatment, diagnostic services or preventive care for diseases, disabilities or physical injuries are confidential and are not open to inspection except:

(1) where permitted by rule of the authority;

(2) as provided in Subsection B of this section; and

(3) to the secretary or to an employee of the authority authorized by the secretary to obtain such information, but the information shall only be revealed for use in connection with a governmental function of the secretary or the authorized employee.

B. The files and records of the authority are subject to subpoena for use in a pending cause in an administrative proceeding or in any of the courts of the state, unless otherwise provided by law.

C. A person who discloses confidential information in violation of this section is guilty of a petty misdemeanor."

Chapter 39 Section 26 Laws 2024

SECTION 26. A new Section 24A-1-5 NMSA 1978 is enacted to read:

"24A-1-5. LICENSURE OF HEALTH FACILITIES--HEARINGS--APPEALS.--

A. A health facility shall not be operated without a license issued by the authority. If a health facility is found to be operating without a license, in order to protect human health or safety, the secretary may issue a cease-and-desist order. The health facility may request a hearing that shall be held in the manner provided in this section. The authority may also proceed pursuant to the Health Facility Receivership Act.

B. The authority is authorized to make inspections and investigations and to prescribe rules it deems necessary or desirable to promote the health, safety and welfare of persons using health facilities.

C. Except as provided in Subsection F of this section, upon receipt of an application for a license to operate a health facility, the authority shall promptly inspect the health facility to determine if it is in compliance with all rules of the authority. Applications for hospital licenses shall include evidence that the bylaws or rules of the hospital apply equally to osteopathic and medical physicians. The authority shall consolidate the applications and inspections for a hospital that also operates as a hospital-based primary care clinic.

D. Upon inspection of a health facility, if the authority finds a violation of its rules, the authority may deny the application for a license, whether initial or renewal, or it may issue a temporary license. A temporary license shall not be issued for a period exceeding one hundred twenty days, nor shall more than two consecutive temporary licenses be issued.

E. A one-year nontransferable license shall be issued to any health facility complying with all rules of the authority. The license shall be renewable for successive one-year periods, upon filing of a renewal application, if the authority is satisfied that the

health facility is in compliance with all rules of the authority or, if not in compliance with a rule, has been granted a waiver or variance of that rule by the authority pursuant to procedures, conditions and guidelines adopted by rule of the authority. Licenses shall be posted in a conspicuous place on the licensed premises.

F. A health facility that has been inspected and licensed by the authority, that has received certification for participation in federal reimbursement programs and that has been fully accredited by a national accrediting organization approved by the federal centers for medicare and medicaid services or the authority shall be granted a license renewal based on that accreditation. A freestanding birth center that has been inspected and licensed by the authority and is accredited by the commission for accreditation of birth centers or its successor accreditation body shall be granted a license renewal based on that accreditation. Health facilities receiving less than full accreditation by an approved accrediting body may be granted a license renewal based on that accreditation. License renewals shall be issued upon application submitted by the health facility upon forms prescribed by the authority. This subsection does not limit in any way the authority's various duties and responsibilities under other provisions of law, including any of the authority's responsibilities for the health and safety of the public.

G. The authority may charge a reasonable fee not to exceed twelve dollars (\$12.00) per bed for an inpatient health facility or three hundred dollars (\$300) for any other health facility for each license application, whether initial or renewal, of an annual license or the second consecutive issuance of a temporary license. Fees collected shall not be refundable. All fees collected pursuant to licensure applications shall be deposited with the state treasurer for credit in a designated authority recurring account for use in health facility licensure and certification operations.

H. The authority may revoke or suspend the license of a health facility or may impose on a health facility an intermediate sanction and a civil monetary penalty provided in Section 24A-1-6 NMSA 1978 after notice and an opportunity for a hearing before a hearing officer designated by the authority to hear the matter and, except for child care centers and facilities, may proceed pursuant to the Health Facility Receivership Act upon a determination that the health facility is not in compliance with any rule of the authority. If immediate action is required to protect human health and safety, the secretary may suspend a license or impose an intermediate sanction pending a hearing, provided the hearing is held within five working days of the suspension or imposition of the sanction, unless waived by the licensee, and, except for child care centers and facilities, may proceed ex parte pursuant to the Health Facility Receivership Act.

I. The authority shall schedule a hearing pursuant to Subsection H of this section if the authority receives a request for a hearing from a licensee:

(1) within ten working days after receipt by the licensee of notice of suspension, revocation, imposition of an intermediate sanction or civil monetary penalty or denial of an initial or renewal application;

(2) within four working days after receipt by the licensee of an emergency suspension order or emergency intermediate sanction imposition and notice of hearing if the licensee wishes to waive the early hearing scheduled and request a hearing at a later date; or

(3) within five working days after receipt of a cease-and-desist order.

J. The authority shall also provide timely notice to the licensee of the date, time and place of the hearing, identity of the hearing officer, subject matter of the hearing and alleged violations.

K. A hearing held pursuant to provisions of this section shall be conducted in accordance with adjudicatory hearing rules and procedures adopted by rule of the authority. The licensee has the right to be represented by counsel, to present all relevant evidence by means of witnesses and books, papers, documents, records, files and other evidence and to examine all opposing witnesses who appear on any matter relevant to the issues. The hearing officer has the power to administer oaths on request of any party and issue subpoenas and subpoenas duces tecum prior to or after the commencement of the hearing to compel discovery and the attendance of witnesses and the production of relevant books, papers, documents, records, files and other evidence. Documents or records pertaining to abuse, neglect or exploitation of a resident, client or patient of a health facility or other documents, records or files in the custody of the authority or the office of the state long-term care ombudsman at the aging and long-term services department that are relevant to the alleged violations are discoverable and admissible as evidence in any hearing.

L. Any party may appeal the final decision of the authority pursuant to the provisions of Section 39-3-1.1 NMSA 1978.

M. A complaint about a health facility received by the authority pursuant to this section shall be promptly investigated and appropriate action shall be taken if substantiated. The authority shall develop a health facilities protocol in conjunction with the protective services division of the children, youth and families department, the office of the state long-term care ombudsman and other appropriate agencies to ensure the health, safety and rights of individuals in health facilities licensed by the authority. The health facilities protocol shall require:

(1) cross-reference among agencies pursuant to this subsection of an allegation of abuse, neglect or exploitation;

(2) an investigation, within the strict priority time frames established by each protocol member's rules, of an allegation or referral of abuse, neglect or exploitation after the authority has made a good cause determination that abuse, neglect or exploitation occurred;

(3) an agency to share its investigative information and findings with other agencies, unless otherwise prohibited by law; and

(4) require the receiving agency to accept the information provided pursuant to Paragraph (3) of this subsection as potential evidence to initiate and conduct investigations.

N. A complaint received by the authority pursuant to this section shall not be disclosed publicly in a manner as to identify any individuals or health facilities if upon investigation the complaint is unsubstantiated.

O. The name and information regarding the person making a complaint pursuant to this section shall not be disclosed absent the consent of the informant or a court order."

Chapter 39 Section 27 Laws 2024

SECTION 27. A new Section 24A-1-6 NMSA 1978 is enacted to read:

"24A-1-6. HEALTH FACILITIES--INTERMEDIATE SANCTIONS--CIVIL PENALTY.--

A. Upon a determination that a health facility is not in compliance with any licensing requirement of the authority, the authority, subject to the provisions of this section and Section 24A-1-5 NMSA 1978, may:

(1) impose any intermediate sanction established by rule, including but not limited to:

- (a) a directed plan of correction;
- (b) facility monitors;
- (c) denial of payment for new medicaid admissions to the facility;
- (d) temporary management or receivership; and
- (e) restricted admissions;

(2) assess a civil monetary penalty, with interest, for each day the facility is or was out of compliance. Civil monetary penalties shall not exceed a total of five thousand dollars (\$5,000) per day. Penalties and interest amounts assessed under this paragraph and recovered on behalf of the state shall be remitted to the state treasurer and deposited to the credit of the current school fund. The civil monetary penalties contained in this paragraph are cumulative and may be imposed in addition to any other fines or penalties provided by law; and

(3) with respect to health facilities other than child care centers or facilities, proceed pursuant to the Health Facility Receivership Act.

B. The secretary shall adopt and promulgate rules specifying the criteria for imposition of any intermediate sanction and civil monetary penalty. The criteria shall provide for more severe sanctions for a violation that results in any abuse, neglect or exploitation of residents, clients or patients as defined in the rules or that places one or more residents, clients or patients of a health facility at substantial risk of serious physical or mental harm.

C. The provisions of this section for intermediate sanctions and civil monetary penalties shall apply to certified nursing facilities except when a federal agency has imposed the same remedies, sanctions or penalties for the same or similar violations.

D. Rules adopted by the authority shall permit sanctions pursuant to Paragraphs (1) and (2) of Subsection A of this section for a specific violation in a certified nursing facility if:

(1) the state statute or rule is not duplicated by a federal certification rule; or

(2) the authority determines intermediate sanctions are necessary if sanctions permitted pursuant to Paragraphs (1) and (2) of Subsection A of this section do not duplicate a sanction imposed under the authority of 42 U.S.C. 1395 or 1396 for a particular deficiency.

E. A health facility is liable for the reasonable costs of a directed plan of correction, facility monitors, temporary management or receivership imposed pursuant to this section and Section 24A-1-5 NMSA 1978. The authority may take all necessary and appropriate legal action to recover these costs from a health facility. All money recovered from a health facility pursuant to this subsection shall be paid into the general fund."

Chapter 39 Section 28 Laws 2024

SECTION 28. Section 24-1-5.8 NMSA 1978 (being Laws 2003, Chapter 426, Section 1) is recompiled as Section 24A-1-7 NMSA 1978 and is amended to read:

"24A-1-7. LEGISLATIVE FINDINGS--DEFINITIONS--LICENSING REQUIREMENTS FOR CERTAIN HOSPITALS.--

A. The legislature finds that:

(1) acute care general hospitals throughout New Mexico operate emergency departments and provide vital emergency medical services to patients requiring immediate medical care; and

(2) federal and state laws require hospitals that operate an emergency department to provide certain emergency services and care to any person, regardless of that person's ability to pay. Accordingly, these hospitals encounter significant financial losses when treating uninsured or underinsured patients.

B. As used in this section:

(1) "limited service hospital" means a hospital that limits admissions according to medical or surgical specialty, type of disease or medical condition, or a hospital that limits its inpatient hospital services to surgical services or invasive diagnostic and treatment procedures; provided, however, that a "limited service hospital" does not include:

- (a) a hospital licensed by the authority as a special hospital;
- (b) an eleemosynary hospital that does not bill patients for services provided; or
- (c) a hospital that has been granted a license prior to January 1, 2003; and

(2) "low-income patient" means a patient whose family or household income does not exceed two hundred percent of the federal poverty level.

C. The authority shall issue a license to an acute-care or general hospital or a limited services hospital that agrees to:

- (1) continuously maintain and operate an emergency department that provides emergency medical services as determined by the authority;
- (2) participate in the medicaid, medicare and county indigent care programs;
- (3) require a physician owner to disclose a financial interest in the hospital before referring a patient to the hospital;
- (4) comply with the same quality standards applied to other hospitals;
- (5) provide emergency services and general health care to nonpaying patients and low-income reimbursed patients in the same proportion as the patients are treated in acute-care general hospitals in the local community, as determined by the authority in consultation with a statewide hospital organization, the government of the county in which the facilities are located and the affected hospitals; provided that:

(a) a hospital may appeal the determination of the authority as a final agency decision as provided in Section 39-3-1.1 NMSA 1978; and

(b) the annual cost of the care required to be provided pursuant to this paragraph shall not exceed an amount equal to five percent of the hospital's annual revenue; and

(6) require a health care provider to disclose a financial interest before referring a patient to the hospital."

Chapter 39 Section 29 Laws 2024

SECTION 29. Section 24-1-5.9 NMSA 1978 (being Laws 2004, Chapter 44, Section 2 and Laws 2004, Chapter 50, Section 2) is recompiled as Section 24A-1-8 NMSA 1978 and is amended to read:

"24A-1-8. REPORTING REQUIREMENTS.--

A. A hospital, a long-term care facility or a primary care clinic shall provide information sufficient for the authority to make a reasonable assessment based on clear and convincing evidence of its financial viability, sustainability and potential impact on health care access. Information provided to the authority pursuant to this section shall remain confidential, is exempt from the Inspection of Public Records Act, unless disclosure or use is mandated by the state or federal law, and shall not be used as a basis for suspension, revocation or issuance of a license. The hospital, long-term care facility or primary care clinic shall provide this information to the authority at least sixty days before the anticipated effective date of a proposed licensure, closure, disposition or acquisition of the hospital, the long-term care facility or the primary care clinic or its essential services.

B. The secretary shall issue a notice of finding to the facility within sixty days of receiving information from the facility.

C. For the purposes of this section:

(1) "hospital" means a facility providing emergency or urgent care, inpatient medical care and nursing care for acute illness, injury, surgery or obstetrics. "Hospital" includes a facility licensed by the authority as a critical access hospital, general hospital, long-term acute care hospital, psychiatric hospital, rehabilitation hospital, limited services hospital and special hospital;

(2) "long-term care facility" means a nursing home licensed by the authority to provide intermediate or skilled nursing care; and

(3) "primary care clinic" means a community-based clinic that provides the first level of basic or general health care for a person's health needs, including diagnostic and treatment services and, if integrated into the clinic's service array, mental health services."

Chapter 39 Section 30 Laws 2024

SECTION 30. Section 24-1-5.10 NMSA 1978 (being Laws 2004, Chapter 47, Section 1) is recompiled as Section 24A-1-9 NMSA 1978 and is amended to read:

"24A-1-9. FEDERAL PARTICIPATION REQUIRED--EXCEPTION.--

A. Except as provided in Subsection B of this section, all programs, clinics, hospitals and other health-related centers and entities, including those identified by the authority pursuant to Paragraph (3) of Subsection A of Section 27-2-12.13 NMSA 1978, that are eligible under Section 340B of the federal Public Health Service Act, including hospitals and clinics licensed under the state Health Care Code, shall participate in that Section 340B federal prescription drug price discount program.

B. If an entity described in Subsection A of this section can demonstrate to the satisfaction of the authority that the prescription drug price discount it receives other than through the Section 340B program results in greater savings to the state, the entity may be granted an exception to the requirements of this section."

Chapter 39 Section 31 Laws 2024

SECTION 31. Section 24-1-5.12 NMSA 1978 (being Laws 2023, Chapter 109, Section 1) is recompiled as Section 24A-1-10 NMSA 1978 and is amended to read:

"24A-1-10. RURAL EMERGENCY HOSPITAL LICENSURE--LICENSING REQUIREMENTS.--

A. The authority shall promulgate rules to establish a rural emergency hospital license that enables certain hospitals to apply to receive federal health care reimbursement as rural emergency hospitals.

B. The authority shall only issue a rural emergency hospital license to a health facility that:

(1) on December 27, 2020, was:

(a) designated as a critical access hospital by the centers for medicare and medicaid services; or

(b) licensed as a hospital with less than fifty licensed beds and located in a county in a rural area as defined in Section 1886(d)(2)(D) or Section 1886(d)(8)(E) of the federal Social Security Act;

(2) provides rural emergency hospital services in the facility twenty-four hours per day and is staffed twenty-four hours per day, seven days per week with a physician, nurse practitioner, clinical nurse specialist or physician assistant;

- (3) has a transfer agreement in effect with a level 1 or level 2 trauma center;
- (4) does not have an annual average patient length of stay over twenty-four hours; and
- (5) meets any other requirements that the authority finds necessary to implement state licensure and satisfy centers for medicare and medicaid services requirements for reimbursement as a rural emergency hospital.

C. A health facility that applies to the authority for licensure as a rural emergency hospital shall include with the licensure application:

- (1) an action plan for initiating rural emergency hospital services, including a detailed transition plan that lists the specific services that the facility will retain, modify, add and discontinue;
- (2) a description of services that the facility intends to provide on an outpatient basis; and
- (3) any other information required by rules of the authority.

D. A rural emergency hospital shall not have inpatient beds, but a rural emergency hospital may have a unit that is a distinct part of the hospital that is licensed as a skilled nursing facility and provides post-hospital extended care services.

E. For the purposes of this section,

"rural emergency hospital" means a health facility that provides emergency and observational care and meets the licensure requirements outlined in Subsection B of this section."

Chapter 39 Section 32 Laws 2024

SECTION 32. Section 24-1-37 NMSA 1978 (being Laws 2015, Chapter 155, Section 1) is recompiled as Section 24A-1-11 NMSA 1978 and is amended to read:

"24A-1-11. LAY CAREGIVER--AFTERCARE--DESIGNATION.--

A. A hospital shall provide each patient or the patient's legal guardian with an opportunity to designate one lay caregiver following the patient's admission into a hospital and before the patient's discharge to the patient's residence.

B. As soon as practicable, a hospital shall attempt to consult with a designated lay caregiver to prepare the lay caregiver to provide aftercare. The hospital

shall provide the lay caregiver with a discharge plan for the patient that describes the patient's aftercare needs. This discharge plan:

- (1) may include, but is not limited to:
 - (a) culturally competent training on how to provide care and tasks;
 - (b) medication management guidelines;
 - (c) aftercare guidelines; and
 - (d) an identification of tasks that the discharging health care provider specifies;
- (2) shall reflect the active engagement of a patient or lay caregiver in the discharge planning process and incorporate a patient's goals and preferences as much as possible; and
- (3) shall educate a lay caregiver in a manner that is consistent with current accepted practices and is based on an assessment of the lay caregiver's learning needs.

C. A hospital shall allow a patient to change the patient's designation of a lay caregiver in the event that the originally designated lay caregiver becomes unavailable, unwilling or unable to care for the patient.

D. Designation of an individual as a lay caregiver pursuant to this section does not obligate that person to accept the role of lay caregiver for the patient.

E. The provisions of this section shall not be construed to require a patient to designate a lay caregiver.

F. In the event that a patient or a patient's legal guardian declines to designate a lay caregiver pursuant to this section, a hospital shall promptly document this refusal to designate a lay caregiver in the patient's medical record.

G. A hospital shall not allow the process of appointing or refusal or failure to appoint a lay caregiver for a patient to interfere with, delay or otherwise affect the services that the hospital provides to a patient.

H. In the event that a hospital is unable to contact a designated lay caregiver, this lack of contact shall not interfere with or otherwise affect an appropriate discharge of the patient.

I. The provisions of this section shall not be construed to:

(1) create a private right of action against a hospital, hospital employee, contractor having a contractual relationship with a hospital or duly authorized agent of a hospital; or

(2) remove the obligation of a third-party payer to cover any health care item or service that the third-party payer is obligated to provide to a patient pursuant to the terms of a valid agreement, insurance policy, plan or certificate of coverage or health maintenance organization contract.

J. A hospital, hospital employee, contractor having a contractual relationship with a hospital or duly authorized agent of a hospital shall not be held liable in any way for an act or omission of a lay caregiver.

K. As used in this section:

(1) "aftercare" means assistance provided in a private home by a designated lay caregiver to a patient after the patient's discharge from a hospital. "Aftercare" includes exclusively those tasks related to a patient's condition at the time of discharge that do not require the lay caregiver performing the tasks to be a licensed, certified or otherwise authorized health care provider;

(2) "discharge" means a patient's exit or release from a hospital to that patient's residence following an inpatient stay;

(3) "hospital" means a health facility licensed as a general acute hospital by the authority;

(4) "lay caregiver" means a person who is eighteen years of age or older, who has been designated as a lay caregiver pursuant to this section and who provides aftercare to a patient in the patient's residence; and

(5) "residence" means a dwelling considered by a patient to be the patient's home, not including a hospital, nursing home or group home or assisted living facility."

Chapter 39 Section 33 Laws 2024

SECTION 33. Section 24-1-5.7 NMSA 1978 (being Laws 2003, Chapter 190, Section 1, as amended) is recompiled as Section 24A-1-12 NMSA 1978 and is amended to read:

"24A-1-12. METHADONE CLINICS--REGULATION BY THE AUTHORITY.--

A. The federal government requires the state to approve the establishment of all new methadone clinics. In an effort to maintain compliance with the federal

requirement, the authority shall regulate the establishment and continuance of methadone clinics in New Mexico in accordance with its powers and duties.

B. In regulating methadone clinics, the authority shall perform an assessment of the need for clinics and develop clinical and administrative standards as required by federal law. The authority may consider other factors it deems necessary to ensure the provision of drug abuse treatment services and the protection of the health and safety of New Mexico residents.

C. For the purposes of this section, "methadone clinic" means a public or private facility that dispenses methadone for the detoxification treatment or maintenance treatment of narcotic addicts."

Chapter 39 Section 34 Laws 2024

SECTION 34. Section 24-1-41 NMSA 1978 (being Laws 2019, Chapter 129, Section 1) is recompiled as Section 24A-1-13 NMSA 1978 and is amended to read:

"24A-1-13. HEALTH FACILITIES--CERTIFIED NURSE PRACTITIONERS--
CERTIFIED NURSE-MIDWIVES--PRIVILEGES--PARITY WITH PHYSICIANS.--

A. Unless required by federal law, a health facility shall establish the same criteria for granting patient admitting or discharge privileges or in authorizing continuing patient care for certified nurse practitioners, certified nurse-midwives and clinical nurse specialists as the health facility has established for physicians.

B. A health facility shall ensure that certified nurse practitioners, certified nurse-midwives and clinical nurse specialists acting in accordance with these professionals' respective scopes of practice under New Mexico law are:

- (1) eligible to serve on the health facility's medical staff;
- (2) credentialed under the same procedures as the health facility has established for physicians; and
- (3) authorized to conduct peer review of their professional colleagues.

C. As used in this section:

(1) "certified nurse-midwife" means a person licensed as a registered nurse pursuant to the Nursing Practice Act and licensed by the department of health as a certified nurse-midwife;

(2) "certified nurse practitioner" means a registered nurse who is licensed by the board of nursing for advanced practice as a certified nurse practitioner pursuant to the Nursing Practice Act;

(3) "clinical nurse specialist" means a registered nurse who is licensed by the board of nursing for advanced practice as a clinical nurse specialist and whose name and pertinent information are entered on the list of clinical nurse specialists maintained by the board of nursing;

(4) "health facility" means a health facility licensed by the authority; and

(5) "physician" means a person licensed to practice as a medical doctor or an osteopathic physician."

Chapter 39 Section 35 Laws 2024

SECTION 35. Section 24-1K-3 NMSA 1978 (being Laws 2021, Chapter 87, Section 3) is recompiled as Section 24A-1-14 NMSA 1978 and is amended to read:

"24A-1-14. PRIMARY CARE COUNCIL CREATED--DUTIES.--

A. The secretary shall create the "primary care council" to:

(1) develop a shared description of primary care practitioners and services;

(2) analyze annually the proportion of health care delivery expenditures allocated to primary care statewide;

(3) review national and state models of optimal primary care investment with the objectives of increasing access to primary care, improving the quality of primary care services and lowering the cost of primary care delivery statewide;

(4) review New Mexico state and county data and information about barriers to accessing primary care services faced by New Mexico residents;

(5) recommend policies, rules and legislation to increase access to primary care, improve the quality of primary care services and lower the cost of primary care delivery while reducing overall health care costs;

(6) coordinate efforts with the graduate medical education expansion review board and other primary care workforce development initiatives to devise a plan that addresses primary care workforce shortages within the state;

(7) report annually to the interim legislative health and human services committee and the legislative finance committee on ways that primary care investment could increase access to primary care, improve the quality of primary care services, lower the cost of primary care delivery, address the shortage of primary care providers and reduce overall health care costs; and

(8) develop and present to the secretary a five-year plan to determine how primary care investment could increase access to primary care, improve the quality of primary care services, lower the cost of primary care delivery, address the shortage of primary care providers and reduce overall health care costs.

B. The primary care council shall include nine voting members and thirteen advisory members, appointed by the secretary, and shall consist of:

(1) one member from the authority;

(2) one member from the department of health;

(3) one member from the office of superintendent of insurance;

(4) one member from a statewide organization representing federally qualified health centers in New Mexico;

(5) five members from statewide organizations representing primary care providers or statewide health professional societies or associations; and

(6) thirteen nonvoting members representing health care and other stakeholders, in an advisory capacity.

C. The chair of the primary care council shall be elected by the voting members of the council.

D. The council shall meet at the call of the chair.

E. Members of the council shall not be paid per diem and mileage or other compensation for their services.

F. The authority shall provide staff support for the council in the performance of its duties.

G. A simple majority of the voting members of the council constitutes a quorum.

H. The council shall hold its first meeting no later than October 1, 2021."

Chapter 39 Section 36 Laws 2024

SECTION 36. Section 24-1-34 NMSA 1978 (being Laws 2012, Chapter 4, Section 1, as amended) is recompiled as Section 24A-1-15 NMSA 1978 and is amended to read:

"24A-1-15. PRIMARY STROKE CENTERS--COMPREHENSIVE STROKE CENTERS--ACUTE STROKE CAPABLE CENTERS--AUTHORITY CERTIFICATION--RULEMAKING.--

A. In accordance with authority rules, the authority shall certify any acute care hospital as a primary stroke center, comprehensive stroke center or acute stroke capable center if that hospital has been accredited by the joint commission or any other nationally recognized accrediting body as a primary stroke center, comprehensive stroke center or acute stroke capable center. The authority shall post information regarding certification on the authority's website. If a hospital loses accreditation as a primary stroke center, comprehensive stroke center or acute stroke capable center, the secretary shall also remove that hospital's certification.

B. In accordance with authority rules, the emergency medical systems bureau of the department of health shall work in coordination with all local and regional emergency medical services authorities statewide on the development of pre-hospitalization protocols related to the assessment, treatment and transport of stroke patients by licensed emergency medical services providers. These protocols shall include, at a minimum, plans for the triage and transport of stroke patients to the closest comprehensive or primary stroke center or, when appropriate, to an acute stroke capable center.

C. The secretary may adopt rules to assist and encourage primary stroke centers to enter into coordinated stroke care agreements with other health care facilities throughout the state to provide appropriate access to care for acute stroke patients."

Chapter 39 Section 37 Laws 2024

SECTION 37. Section 24-1-35 NMSA 1978 (being Laws 2013, Chapter 114, Section 1) is recompiled as Section 24A-1-16 NMSA 1978 and is amended to read:

"24A-1-16. ASSISTED LIVING FACILITIES CONTRACTS--LIMIT ON CHARGES AFTER RESIDENT DEATH.--

A. The contract for each resident of an assisted living facility shall include a refund policy to be implemented at the time of a resident's death. The refund policy shall provide that the resident's estate or responsible party is entitled to a prorated refund based on the calculated daily rate for any unused portion of payment beyond the termination date after all charges have been paid to the licensee. For the purpose of this section, the termination date shall be the date the unit is vacated by the resident due to the resident's death and cleared of all personal belongings.

B. If a resident's belongings are not removed within one week of the resident's death and the amount of belongings does not preclude renting the unit, the facility may clear the unit and charge the resident's estate for moving and storing the items at a rate equal to the actual cost to the facility, not to exceed ten percent of the

regular rate for the unit; provided that the responsible party for the resident is given notice at least one week before the resident's belongings are removed. If the resident's belongings are not claimed within forty-five days after notification, the facility may dispose of them.

C. For the purposes of this section, "assisted living facility" means a facility required to be licensed as an assisted living facility for adults by the authority."

Chapter 39 Section 38 Laws 2024

SECTION 38. A new Section 24A-1-17 NMSA 1978 is enacted to read:

"24A-1-17. RURAL HEALTH CARE DELIVERY FUND--GRANTS--APPLICATIONS--AWARDS.--

A. The "rural health care delivery fund" is created as a nonreverting fund in the state treasury. The fund consists of appropriations, gifts, grants, donations, income from investment of the fund and any other revenue credited to the fund. The authority shall administer the fund, and money in the fund is appropriated to the authority to carry out the provisions of this section. Expenditures shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary or the secretary's authorized representative.

B. A rural health care provider or rural health care facility may apply to the authority for a grant to defray operating losses, including rural health care provider or rural health care facility start-up costs, incurred in providing inpatient, outpatient, primary, specialty or behavioral health care services to New Mexico residents. The authority may award a grant from the rural health care delivery fund to a rural health care provider or rural health care facility that is providing a new or expanded health care service as approved by the authority that covers operating losses for the new or expanded health care service, subject to the following conditions and limitations:

(1) the rural health care provider or rural health care facility meets state licensing requirements to provide health care services and is an enrolled medicaid provider that actively serves medicaid recipients;

(2) grants are for one year and for no more than the first five years of operation as a newly constructed rural health care facility or the operation of a new or expanded health care service;

(3) grants are limited to covering operating losses for which recognized revenue is not sufficient;

(4) the rural health care provider or rural health care facility provides adequate cost data, as defined by rule of the authority, based on financial and statistical records that can be verified by qualified auditors and which data are based on an

approved method of cost finding and the accrual basis of accounting and can be confirmed as having been delivered through review of claims;

(5) grant award amounts shall be reconciled by the authority to audited operating losses after the close of the grant period;

(6) in the case of a rural health care provider, the provider commits to:

(a) a period of operation equivalent to the number of years grants are awarded; and

(b) actively serve medicaid recipients throughout the duration of the grant period; and

(7) in prioritizing grant awards, the authority shall consider the health needs of the state and the locality and the long-term sustainability of the new or expanded service.

C. As used in this section:

(1) "allowable costs" means necessary and proper costs defined by rule of the authority based on medicare reimbursement principles, including reasonable direct expenses, but not including general overhead and management fees paid to a parent corporation;

(2) "health care services" means services for the diagnosis, prevention, treatment, cure or relief of a physical, dental, behavioral or mental health condition, substance use disorder, illness, injury or disease and for medical or behavioral health ground transportation;

(3) "medicaid" means the medical assistance program established pursuant to Title 19 of the federal Social Security Act and rules issued pursuant to that act;

(4) "medicaid provider" means a person that provides medicaid-related services to medicaid recipients;

(5) "medicaid recipient" means a person whom the authority has determined to be eligible to receive medicaid-related services in the state;

(6) "operating losses" means the projected difference between recognized revenue and allowable costs for a grant request period;

(7) "recognized revenue" means operating revenue, including revenue directly related to the rendering of patient care services and revenue from nonpatient care services to patients and persons other than patients; the value of donated

commodities; supplemental payments; distributions from the safety net care pool fund; and distributions of federal funds;

(8) "rural health care facility" means a health care facility licensed in the state that provides inpatient or outpatient physical or behavioral health services or programmatic services in a county that has a population of one hundred thousand or fewer according to the most recent federal decennial census;

(9) "rural health care provider" means an individual health professional licensed by the appropriate board, a medical or behavioral health ground transportation entity licensed by the public regulation commission or a health facility organization licensed by the authority to provide health care diagnosis and treatment of physical or behavioral health or programmatic services in a county that has a population of one hundred thousand or fewer according to the most recent federal decennial census; and

(10) "start-up costs" means the planning, development and operation of rural health care services, including legal fees; accounting fees; costs associated with leasing equipment, a location or property; depreciation of equipment costs; and staffing costs. "Start-up costs" does not mean the construction or purchase of land or buildings."

Chapter 39 Section 39 Laws 2024

SECTION 39. Section 24-1E-1 NMSA 1978 (being Laws 1996, Chapter 35, Section 4, as amended) is recompiled as Section 24A-2-1 NMSA 1978 and is amended to read:

"24A-2-1. SHORT TITLE.--Chapter 24A, Article 2 NMSA 1978 may be cited as the "Health Facility Receivership Act"."

Chapter 39 Section 40 Laws 2024

SECTION 40. Section 24-1E-2 NMSA 1978 (being Laws 1996, Chapter 35, Section 5, as amended) is recompiled as Section 24A-2-2 NMSA 1978 and is amended to read:

"24A-2-2. DEFINITIONS.--As used in the Health Facility Receivership Act:

A. "health facility" includes community-based programs providing services funded, directly or indirectly, in whole or in part, by the home and community-based medicaid waiver program or by developmental disabilities, traumatic brain injury or other medical disabilities programs; and

B. "receiver" means the secretary, upon appointment pursuant to the Health Facility Receivership Act."

Chapter 39 Section 41 Laws 2024

SECTION 41. Section 24-1E-3 NMSA 1978 (being Laws 1996, Chapter 35, Section 6) is recompiled as Section 24A-2-3 NMSA 1978 and is amended to read:

"24A-2-3. HEALTH FACILITY RECEIVERSHIPS AUTHORIZED--VENUE.--

A. The secretary may file a verified petition in the district court seeking appointment as receiver of a health facility if the facility:

- (1) is being operated without a valid license from the authority;
- (2) will be closed within sixty days and adequate arrangements to relocate its residents have not been submitted to and approved by the secretary;
- (3) has been abandoned, its residents have been abandoned or such abandonment is imminent; or
- (4) presents a situation, physical condition, practice or method of operation that the secretary finds presents an imminent danger of death or significant mental or physical harm to its residents or other persons.

B. The proceedings shall be governed by, and the receiver's powers and duties shall be as specified in, the Receivership Act, supplemented as provided in the Health Facility Receivership Act.

C. Venue shall be laid in the district court for Santa Fe county or any other county in which the health facility or any of its satellite facilities is located.

D. Service of process shall be made in any manner provided by the Rules of Civil Procedure for the District Courts. If personal service cannot practicably or promptly be made as so provided, service may be made by delivery of the summons with the petition attached to any person in charge of the health facility at the time service is made.

E. The health facility shall file a responsive pleading within ten days after the date service is made or within such time as directed by the district court."

Chapter 39 Section 42 Laws 2024

SECTION 42. Section 24-1E-3.1 NMSA 1978 (being Laws 2001, Chapter 225, Section 4) is recompiled as Section 24A-2-4 NMSA 1978 and is amended to read:

"24A-2-4. RULEMAKING.--The secretary shall promulgate rules to implement the provisions of the Health Facility Receivership Act. As a minimum, the rules shall establish:

- A. conditions under which a petition for a health facility receivership may be filed;
- B. the duties, authority and responsibilities of the deputy receiver and the health facility;
- C. the specific authority of the deputy receiver to impose financial conditions and requirements on the health facility;
- D. minimum qualifications for deputy receivers; and
- E. provisions that will be requested for inclusion in district court orders entered pursuant to the Health Facility Receivership Act."

Chapter 39 Section 43 Laws 2024

SECTION 43. Section 9-7-6.4 NMSA 1978 (being Laws 2004, Chapter 46, Section 8, as amended) is recompiled as Section 24A-3-1 NMSA 1978 and is amended to read:

"24A-3-1. INTERAGENCY BEHAVIORAL HEALTH PURCHASING COLLABORATIVE.--

A. The "interagency behavioral health purchasing collaborative" is created, consisting of the secretaries of health care authority, aging and long-term services, Indian affairs, health, corrections, children, youth and families, early childhood education and care, finance and administration, workforce solutions, public education and transportation or their designees; the directors of the administrative office of the courts, the retiree health care authority, the governor's commission on disability, the developmental disabilities council, the instructional support and vocational education division of the public education department and the New Mexico health policy commission or their designees; and the governor's health policy coordinator. The collaborative shall be chaired by the secretary of health care authority with the respective secretaries of health and children, youth and families alternating annually as co-chairs.

B. The collaborative shall meet regularly and at the call of either co-chair and shall:

(1) identify behavioral health needs statewide, with an emphasis on that hiatus between needs and services set forth in the authority's gap analysis and in ongoing needs assessments, and develop a master plan for statewide delivery of services;

(2) give special attention to regional differences, including cultural, rural, frontier, urban and border issues;

(3) inventory all expenditures for behavioral health, including mental health and substance abuse;

(4) plan, design and direct a statewide behavioral health system, ensuring both availability of services and efficient use of all behavioral health funding, taking into consideration funding appropriated to specific affected departments; and

(5) contract for operation of one or more behavioral health entities to ensure availability of services throughout the state.

C. The plan for delivery of behavioral health services shall include specific service plans to address the needs of infants, children, adolescents, adults and seniors, as well as to address workforce development and retention and quality improvement issues. The plan shall be revised every two years and shall be adopted by the authority as part of the statewide health plan.

D. The plan shall take the following principles into consideration, to the extent practicable and within available resources:

(1) services should be individually centered and family-focused based on principles of individual capacity for recovery and resiliency;

(2) services should be delivered in a culturally responsive manner in a home- or community-based setting, where possible;

(3) services should be delivered in the least restrictive and most appropriate manner;

(4) individualized service planning and case management should take into consideration individual and family circumstances, abilities and strengths and be accomplished in consultation with appropriate family, caregivers and other persons critical to the individual's life and well-being;

(5) services should be coordinated, accessible, accountable and of high quality;

(6) services should be directed by the individual or family served to the extent possible;

(7) services may be consumer- or family-provided, as defined by the collaborative;

(8) services should include behavioral health promotion, prevention, early intervention, treatment and community support; and

(9) services should consider regional differences, including cultural, rural, frontier, urban and border issues.

E. The collaborative shall seek and consider suggestions of Native American representatives from Indian nations, tribes and pueblos and the urban Indian population, located wholly or partially within New Mexico, in the development of the plan for delivery of behavioral health services.

F. Pursuant to the State Rules Act, the collaborative shall adopt rules through the authority for:

(1) standards of delivery for behavioral health services provided through contracted behavioral health entities, including:

- (a) quality management and improvement;
- (b) performance measures;
- (c) accessibility and availability of services;
- (d) utilization management;
- (e) credentialing of providers;
- (f) rights and responsibilities of consumers and providers;
- (g) clinical evaluation and treatment and supporting documentation; and
- (h) confidentiality of consumer records; and

(2) approval of contracts and contract amendments by the collaborative, including public notice of the proposed final contract.

G. The collaborative shall, through the authority, submit a separately identifiable consolidated behavioral health budget request. The consolidated behavioral health budget request shall account for requested funding for the behavioral health services program at the authority and any other requested funding for behavioral health services from agencies identified in Subsection A of this section that will be used pursuant to Paragraph (5) of Subsection B of this section. Any contract proposed, negotiated or entered into by the collaborative is subject to the provisions of the Procurement Code.

H. The collaborative shall, with the consent of the governor, appoint a "director of the collaborative". The director is responsible for the coordination of day-to-

day activities of the collaborative, including the coordination of staff from the collaborative member agencies.

I. The collaborative shall provide a quarterly report to the legislative finance committee on performance outcome measures. The collaborative shall submit an annual report to the legislative finance committee and the interim legislative health and human services committee that provides information on:

(1) the collaborative's progress toward achieving its strategic plans and goals;

(2) the collaborative's performance information, including contractors and providers; and

(3) the number of people receiving services, the most frequently treated diagnoses, expenditures by type of service and other aggregate claims data relating to services rendered and program operations."

Chapter 39 Section 44 Laws 2024

SECTION 44. Section 24-1-28 NMSA 1978 (being Laws 2004, Chapter 46, Section 2, as amended) is recompiled as Section 24A-3-2 NMSA 1978 and is amended to read:

"24A-3-2. BEHAVIORAL HEALTH PLANNING COUNCIL CREATED--POWERS AND DUTIES--MEMBERSHIP.--

A. The "behavioral health planning council" is created. The council consists of the following members, all of whom shall be appointed by and serve at the pleasure of the governor:

(1) consumers of behavioral health services and consumers of substance abuse services, as follows:

(a) adults with serious mental illness;

(b) seniors;

(c) family members of adults with serious mental illness and of children with serious emotional or neurobiological disorders; and

(d) persons with co-occurring disorders;

(2) Native American representatives from a pueblo, an Apache tribe, the Navajo Nation and an urban Native American population;

- (3) providers;
- (4) state agency representation from agencies responsible for:
 - (a) adult mental health and substance abuse;
 - (b) children's mental health and substance abuse;
 - (c) education;
 - (d) vocational rehabilitation;
 - (e) criminal justice;
 - (f) juvenile justice;
 - (g) housing;
 - (h) medicaid and social services;
 - (i) health policy planning;
 - (j) developmental disabilities planning; and
 - (k) disabilities issues and advocacy;

(5) such other members as the governor may appoint to ensure appropriate cultural and geographic representation; and

(6) advocates.

B. Providers and state agency representatives together may not constitute more than forty-nine percent of the council membership.

C. The council shall:

(1) advocate for adults, children and adolescents with serious mental illness or severe emotional, neurobiological and behavioral disorders, as well as those with mental illness or emotional problems, including substance abuse and co-occurring disorders;

(2) report annually to the governor and the legislature on the adequacy and allocation of mental health services throughout the state;

(3) encourage and support the development of a comprehensive, integrated, community-based behavioral health system of care, including mental health and substance abuse services, and services for persons with co-occurring disorders;

(4) advise state agencies responsible for behavioral health services for children and adults, as those agencies are charged in Section 24A-3-1 NMSA 1978;

(5) meet regularly and at the call of the chair, who shall be selected by the council membership from among its members;

(6) establish subcommittees, to meet at least quarterly, as follows:

(a) a medicaid subcommittee, chaired by the secretary of health care authority or a designee, which may also serve as a subcommittee of the medicaid advisory committee;

(b) a child and adolescent subcommittee, chaired by the secretary of children, youth and families or a designee;

(c) an adult subcommittee, chaired by the secretary of health care authority or a designee;

(d) a substance abuse subcommittee, chaired by the secretary of health or a designee, which shall include DWI issues and shall include representation from local DWI councils;

(e) a Native American subcommittee, chaired by the secretary of Indian affairs or a designee; and

(f) other subcommittees as may be established by the chair of the council to address specific issues. All subcommittees may include nonvoting members appointed by the chair for purposes of providing expertise necessary to the charge of the respective subcommittee;

(7) review and make recommendations for the comprehensive mental health state block grant and the substance abuse block grant applications, the state plan for medicaid services and any other plan or application for federal or foundation funding for behavioral health services; and

(8) replace the governor's mental health planning council and act in accordance with Public Law 102-321 of the federal Public Health Service Act."

Chapter 39 Section 45 Laws 2024

SECTION 45. Section 9-8-7.3 NMSA 1978 (being Laws 2019, Chapter 222, Section 2, as amended) is recompiled as Section 24A-3-3 NMSA 1978 and is amended to read:

"24A-3-3. INCARCERATED PERSONS--BEHAVIORAL HEALTH SERVICES--COUNTY FUNDING PROGRAM.--To carry out the provisions of Subsection E of Section 9-8-7.1 NMSA 1978 and to provide behavioral health services to persons who are incarcerated in a county correctional facility:

A. the secretary shall adopt and promulgate rules:

(1) pursuant to which a county may apply for and be awarded funding through the authority; and

(2) to establish priorities and guidelines for the award of funding to counties; and

B. the authority shall distribute funds, as funding permits, to the county health care assistance funds of those counties:

(1) that apply for behavioral health services funding in accordance with authority rules; and

(2) whose proposed utilization of funding pursuant to this section meets the priorities and guidelines for the awarding of behavioral health services funding established in authority rules."

Chapter 39 Section 46 Laws 2024

SECTION 46. Section 24-17A-1 NMSA 1978 (being Laws 1998, Chapter 82, Section 1) is recompiled as Section 24A-5-1 NMSA 1978 and is amended to read:

"24A-5-1. SHORT TITLE.--Chapter 24A, Article 5 NMSA 1978 may be cited as the "Long-Term Care Services Act"."

Chapter 39 Section 47 Laws 2024

SECTION 47. Section 24-17A-3 NMSA 1978 (being Laws 1998, Chapter 82, Section 3) is recompiled as Section 24A-5-3 NMSA 1978 and is amended to read:

"24A-5-3. INTERAGENCY COMMITTEE CREATED--COORDINATED SERVICE DELIVERY SYSTEM--LEAD AGENCY--SERVICE DELIVERY SYSTEM.--

A. The "interagency committee on long-term care" is created.

B. Members of the interagency committee on long-term care shall be the heads of the following agencies or their designated representatives:

- (1) the authority;
- (2) the aging and long-term services department;
- (3) the department of health;
- (4) the children, youth and families department;
- (5) the workforce solutions department;
- (6) the governor's commission on disability;
- (7) the developmental disabilities council; and
- (8) the office of superintendent of insurance.

C. The interagency committee on long-term care shall design and implement a coordinated service delivery system that fulfills the legislative mandate to develop a coordinated long-term care system.

D. The governor shall appoint a chairperson from the membership of the interagency committee on long-term care."

Chapter 39 Section 48 Laws 2024

SECTION 48. Section 24-17B-1 NMSA 1978 (being Laws 2021, Chapter 111, Section 1) is recompiled as Section 24A-6-1 NMSA 1978 and is amended to read:

"24A-6-1. SHORT TITLE.--Chapter 24A, Article 6 NMSA 1978 may be cited as the "Long-Term Care Facility Dementia Training Act"."

Chapter 39 Section 49 Laws 2024

SECTION 49. Section 24-17B-2 NMSA 1978 (being Laws 2021, Chapter 111, Section 2, as amended) is recompiled as Section 24A-6-2 NMSA 1978 and is amended to read:

"24A-6-2. DEFINITIONS.--As used in the Long-Term Care Facility Dementia Training Act:

A. "direct care service" means services provided to long-term care facility residents that maintain or improve the health and quality of life of the residents;

B. "direct care service staff member" means a person employed by or contracted with a long-term care facility to provide in-person direct care services to long-term care facility residents. "Direct care service staff member" does not include a registered nurse licensed pursuant to the Nursing Practice Act or a physician licensed pursuant to the Medical Practice Act who has received specialized training or education in geriatric care; and

C. "long-term care facility" means a long-term care facility licensed by the state that is not otherwise required to provide at least four hours of dementia care training under state or federal law. "Long-term care facility" does not include a facility licensed pursuant to the Health Care Code as an intermediate care facility for persons with intellectual disabilities."

Chapter 39 Section 50 Laws 2024

SECTION 50. Section 24-17B-3 NMSA 1978 (being Laws 2021, Chapter 111, Section 3, as amended) is recompiled as Section 24A-6-3 NMSA 1978 and is amended to read:

"24A-6-3. TRAINING REQUIRED.--

A. Each long-term care facility that is subject to the Long-Term Care Facility Dementia Training Act shall provide at least four hours of dementia training to each direct care service staff member that it employs on:

- (1) recognizing and treating Alzheimer's disease and dementia;
- (2) person-centered care;
- (3) activities of daily living;
- (4) an overview of the different types of dementia;
- (5) strategies to manage the behavior of people who have dementia;

and

(6) strategies to effectively communicate with people who have dementia.

B. Training may be online or in-person and shall be a training program of at least four hours. Each long-term care facility shall submit the training program that it uses or proposes to use to the authority for review. If the authority finds that the training program does not satisfy the purposes of the Long-Term Care Facility Dementia Training Act, it shall require the long-term care facility to submit a new proposed training program.

C. A person designing the training shall have at least two years of work experience related to Alzheimer's disease, dementia, health care, gerontology or other related field.

D. Every direct care service staff member shall complete the requirements for and obtain a training certificate. A direct care service staff member:

(1) hired after January 1, 2022 shall complete the training required within ninety days of the start of employment;

(2) hired prior to January 1, 2022 who has not received training equivalent to the requirements set forth in the Long-Term Care Facility Dementia Training Act shall complete training within sixty days of January 1, 2022;

(3) hired prior to January 1, 2022 who received training within the past twenty-four months equivalent to the requirements set forth in that act shall be issued a training certificate by the long-term care facility that employs the direct care service staff member; and

(4) who has successfully obtained a training certificate but has had a lapse of dementia-related direct care service employment for twenty-four consecutive months or more shall complete training within ninety days of the start of employment.

E. A long-term care facility that contracts for the services of a direct care service staff member may include a requirement in the contract that the direct care service staff member is required to receive dementia care training that satisfies the requirements of the Long-Term Care Facility Dementia Training Act."

Chapter 39 Section 51 Laws 2024

SECTION 51. Section 24-17B-4 NMSA 1978 (being Laws 2021, Chapter 111, Section 4, as amended) is recompiled as Section 24A-6-4 NMSA 1978 and is amended to read:

"24A-6-4. AUTHORITY OVERSIGHT AND RULEMAKING.--In consultation with the aging and long-term services department, the authority shall:

A. identify, publish a list of and periodically review online or in-person standardized training programs that meet the requirements of the Long-Term Care Facility Dementia Training Act;

B. develop and periodically review required evaluation instruments that demonstrate competency and knowledge gained in training topics;

C. promulgate rules to carry out the provisions of the Long-Term Care Facility Dementia Training Act, including:

(1) for evaluation on the training topics for treatment and care of persons with Alzheimer's disease or dementia; and

(2) requiring one hour of dementia care training to be included as part of an annual continuing education training requirement for direct care service staff members at long-term care facilities, unless additional time is necessitated to address changing standards of care;

D. issue interpretative guidance as necessary to ensure compliance with the Long-Term Care Facility Dementia Training Act;

E. review all long-term care facility dementia training programs related to the Long-Term Care Facility Dementia Training Act; and

F. give notice of the requirements of the Long-Term Care Facility Dementia Training Act to long-term care facilities within ninety days of June 18, 2021."

Chapter 39 Section 52 Laws 2024

SECTION 52. Section 24-17B-5 NMSA 1978 (being Laws 2021, Chapter 111, Section 5, as amended) is recompiled as Section 24A-6-5 NMSA 1978 and is amended to read:

"24A-6-5. DEMENTIA TRAINING CERTIFICATES.--The training provider shall issue a certificate to staff upon completion of initial training. The certificate shall be valid so long as the certificate holder meets the requirements set forth by the authority pursuant to the Long-Term Care Facility Dementia Training Act and the certificate holder has not had a lapse of dementia-related direct care service employment for twenty-four consecutive months or more. The certificate shall be valid among long-term care facilities. Each long-term care facility and long-term care facility contractor that is subject to that act shall be responsible for maintaining documentation regarding completed dementia training and evaluation for each direct care service staff member."

Chapter 39 Section 53 Laws 2024

SECTION 53. Section 24-33-1 NMSA 1978 (being Laws 2019, Chapter 141, Section 1) is recompiled as Section 24A-7-1 NMSA 1978 and is amended to read:

"24A-7-1. SHORT TITLE.--Chapter 24A, Article 7 NMSA 1978 may be cited as the "Graduate Medical Education Expansion Grant Program Act"."

Chapter 39 Section 54 Laws 2024

SECTION 54. Section 24-33-2 NMSA 1978 (being Laws 2019, Chapter 141, Section 2) is recompiled as Section 24A-7-2 NMSA 1978 and is amended to read:

"24A-7-2. DEFINITION.--As used in the Graduate Medical Education Expansion Grant Program Act, "graduate medical education training program" means a program that has received approval or is in the process of seeking approval to operate as a graduate medical education training program sponsor from the appropriate professional association that evaluates and accredits medical residency and internship programs, including:

- A. a licensed and accredited hospital;
 - B. an academic medical education institution;
 - C. a new freestanding graduate medical education program;
 - D. an established or new graduate medical education training consortium;
- and
- E. a federally qualified health center."

Chapter 39 Section 55 Laws 2024

SECTION 55. Section 24-33-3 NMSA 1978 (being Laws 2019, Chapter 141, Section 3) is recompiled as Section 24A-7-3 NMSA 1978 and is amended to read:

"24A-7-3. GRADUATE MEDICAL EDUCATION EXPANSION GRANT PROGRAM--FUND--DISTRIBUTIONS--APPLICATION REQUIREMENTS--PRIORITIES FOR AWARDS--REPORTING REQUIREMENTS.--

A. The "graduate medical education expansion grant program fund" is created as a nonreverting fund in the state treasury. The fund consists of appropriations, gifts, grants and donations. The authority shall administer the fund, and money in the fund is appropriated to the authority to administer the provisions of the Graduate Medical Education Expansion Grant Program Act. Money in the fund may be used to secure federal and private matching funds as determined by the secretary. Money in the fund shall be disbursed on warrants signed by the secretary of finance and administration pursuant to vouchers signed by the secretary of health care authority or the secretary's authorized representative.

B. To receive a grant, a graduate medical education training program shall apply to the graduate medical education expansion grant program as provided by rules promulgated by the authority. Grant amounts shall be determined by each applicant's grant application. Funds from the graduate medical education expansion grant program fund shall be distributed to graduate medical education training programs to develop and implement graduate medical education training programs. The application shall include the applicant's plan to receive accreditation for the positions within the graduate medical education training program.

C. The authority may provide one-time planning grants to graduate medical education training programs as provided by rule.

D. The authority may provide graduate medical education grants to:

(1) establish new graduate medical education training programs with first-year positions;

(2) fund unfilled, accredited first-year positions within a graduate medical education training program;

(3) expand the number of first-year positions within an existing graduate medical education training program; and

(4) fund existing graduate medical education training programs.

E. The authority may prioritize applications that emphasize the following:

(1) developing new or expanded programs with specialties of psychiatry, family medicine, pediatric medicine and internal medicine;

(2) increasing positions for medical specialties having shortages within the state, with preference being given to the primary care specialties of family medicine, pediatric medicine and internal medicine; and

(3) increasing primary care positions in medically underserved areas within the state.

F. Each award recipient shall report annually to the graduate medical education expansion review board on the:

(1) expenditures of grant funds; and

(2) plans for unexpended funds."

Chapter 39 Section 56 Laws 2024

SECTION 56. Section 24-33-4 NMSA 1978 (being Laws 2019, Chapter 141, Section 4) is recompiled as Section 24A-7-4 NMSA 1978 and is amended to read:

"24A-7-4. GRADUATE MEDICAL EDUCATION EXPANSION REVIEW BOARD--
CREATED--DUTIES.--

A. The "graduate medical education expansion review board" is created to:

(1) develop a state strategic plan for expanding graduate medical education training programs;

(2) review grant applications; and

(3) review the grants awarded pursuant to the Graduate Medical Education Expansion Grant Program Act.

B. The graduate medical education expansion review board shall consist of nine members who shall be appointed by the authority. The review board shall include representation from each accredited osteopathic and allopathic medical school and from the following groups:

(1) the authority;

(2) the higher education department;

(3) hospitals, primary care consortiums and medical organizations; and

(4) osteopathic and allopathic medical professional societies and associations.

C. The chair of the review board shall be elected by the review board. The review board shall meet at the call of the chair.

D. Members of the review board shall not be paid per diem and mileage or other compensation for their services.

E. The authority shall provide staff support for the review board in the performance of its duties.

F. A simple majority of the review board members constitutes a quorum. A member of the review board shall abstain from voting or the member's vote shall be disqualified on any matter in which the member has a pecuniary interest.

G. The health care authority and the higher education department shall assist the graduate medical education expansion review board in developing a strategic plan for the expansion of graduate medical education training programs, which shall include the following:

(1) a statement describing the objectives and goals of the review board, the strategies by which those goals will be achieved and a time line for achieving those goals;

(2) a summary of the current graduate medical education training programs throughout the state;

(3) a five-year plan for expanding graduate medical education training programs in the state;

(4) an evaluation of the standards and curriculum guidelines for graduate medical education training programs;

(5) an ongoing evaluation process of funds distributed through the graduate medical education expansion grant program that is overseen by the review board; and

(6) a plan to ensure long-term sustainability.

H. The graduate medical education expansion review board shall review applications to the graduate medical education expansion grant program and provide recommendations to the secretary."

Chapter 39 Section 57 Laws 2024

SECTION 57. Section 26-4-1 NMSA 1978 (being Laws 2020, Chapter 45, Section 1) is amended to read:

"26-4-1. SHORT TITLE.--Chapter 26, Article 4 NMSA 1978 may be cited as the "Wholesale Prescription Drug Importation Act"."

Chapter 39 Section 58 Laws 2024

SECTION 58. Section 26-4-2 NMSA 1978 (being Laws 2020, Chapter 45, Section 2) is amended to read:

"26-4-2. DEFINITIONS.--As used in the Wholesale Prescription Drug Importation Act:

A. "Canadian supplier" means a manufacturer, wholesale distributor or pharmacy that is appropriately licensed or permitted under Canadian federal or provincial laws and rules to manufacture, distribute or dispense prescription drugs;

B. "committee" means the prescription drug importation advisory committee;

C. "department" or "authority" means the health care authority department;

D. "eligible prescription drug" means a drug eligible for importation that:

(1) meets the United States food and drug administration's standards related to safety, effectiveness, misbranding and adulteration;

(2) does not violate federal patent laws;

(3) is expected to generate cost savings; and

(4) is not a controlled substance;

E. "program" means the wholesale prescription drug importation program;
and

F. "state drug wholesaler" means a licensed wholesale drug distributor that contracts with the state to import eligible prescription drugs from a Canadian supplier."

Chapter 39 Section 59 Laws 2024

SECTION 59. Section 26-4-3 NMSA 1978 (being Laws 2020, Chapter 45, Section 3) is amended to read:

"26-4-3. ADVISORY COMMITTEE CREATED--MEMBERSHIP--DUTIES.--

A. The "prescription drug importation advisory committee" is created as an interagency advisory committee of the health care authority. The committee consists of:

(1) the secretary of health care authority, who shall serve as the chair of the committee;

(2) the executive director of the board of pharmacy;

(3) the superintendent of insurance;

(4) the secretary of health; and

(5) the secretary of general services.

B. Members may appoint designees.

C. The committee shall advise the health care authority in developing and implementing the program. The committee shall consult with interested stakeholders and appropriate federal officials as necessary in shaping its advice to the authority. The health care authority shall hold a public hearing on the proposed program prior to submitting the program for federal approval."

Chapter 39 Section 60 Laws 2024

SECTION 60. Section 27-1-1 NMSA 1978 (being Laws 1977, Chapter 252, Section 16) is amended to read:

"27-1-1. DEFINITIONS.--As used in Articles 1 and 2 of Chapter 13 NMSA 1953, "department", "department of public welfare", "state department of public welfare", "New

Mexico department of public welfare", "state board of public welfare", "board of public welfare", "state board", "state department", "health and social services department", "department of health and social services", "health and social services board", "board" and "human services department" mean the health care authority."

Chapter 39 Section 61 Laws 2024

SECTION 61. Section 27-1-2 NMSA 1978 (being Laws 1937, Chapter 18, Section 3, as amended) is amended to read:

"27-1-2. POWERS OF HEALTH CARE AUTHORITY.--

A. The health care authority is an agency of the state and shall at all times be under the exclusive control of this state. The management and control of the health care authority is vested in the secretary of health care authority.

B. Subject to the constitution of New Mexico, the health care authority has the power to:

- (1) sue and, with the consent of the legislature, be sued;
- (2) adopt and use a corporate seal;
- (3) have succession in its corporate name;
- (4) make contracts as authorized in Chapter 27 NMSA 1978 to carry out the purposes of that chapter;
- (5) adopt, amend and repeal bylaws and rules;
- (6) purchase, lease and hold real and personal property necessary or convenient for the carrying out of its powers and duties, to exercise the right of eminent domain to acquire such real property in the same manner as the state now exercises that right and to dispose of any property acquired in any manner;
- (7) have such powers as may be necessary or appropriate for the exercise of the powers specifically conferred upon it in Chapter 27 NMSA 1978;
- (8) receive and have custody for protection and administration, disburse, dispose of and account for funds, commodities, equipment, supplies and any kind of property given, granted, loaned or advanced to the state for public assistance, public welfare, social security or any other similar purpose;
- (9) enter into reciprocal agreements with public welfare agencies of other states relative to the provision for relief or assistance to transients and nonresidents;

(10) establish and administer programs of old age assistance and temporary assistance for needy families and persons with a visual impairment;

(11) establish and administer a program of services for children with a disability or who have a condition that may lead to a disability, and to supervise the administration of those services that are not administered directly by it;

(12) establish, extend and strengthen public welfare services for children; and

(13) establish and administer a program for general relief."

Chapter 39 Section 62 Laws 2024

SECTION 62. Section 27-1-3 NMSA 1978 (being Laws 1937, Chapter 18, Section 4, as amended) is amended to read:

"27-1-3. ACTIVITIES OF HEALTH CARE AUTHORITY.--The health care authority shall be charged with the administration of all the welfare activities of the state as provided in Chapter 27 NMSA 1978, except as otherwise provided for by law. The health care authority shall, except as otherwise provided by law:

A. administer old age assistance, temporary assistance for needy families, assistance to persons with a visual impairment or other physical disability and general relief;

B. administer all aid or services to children with a disability, including the extension and improvement of services for children with such a disability, insofar as practicable under conditions in this state, provide for locating children who have a disability or a condition that may become a disability, provide corrective and any other services and care and facilities for diagnosis, hospitalization and after-care for such children and supervise the administration of those services that are not administered directly by the health care authority;

C. formulate detailed plans, make rules and take action that is deemed necessary or desirable to carry out the provisions of Chapter 27 NMSA 1978 and that is not inconsistent with the provisions of that chapter;

D. cooperate with the federal government in matters of mutual concern pertaining to public welfare and public assistance, including the adoption of such methods of administration as are found by the federal government to be necessary for the efficient operation of the plan for public welfare and assistance;

E. assist other departments, agencies and institutions of local, state and federal governments when so requested, cooperate with such agencies when expedient in performing services in conformity with the purposes of Chapter 27 NMSA 1978 and

cooperate with medical, health, nursing and welfare groups, any state agency charged with the administration of laws providing for vocational rehabilitation of persons with a physical disability and organizations within the state;

F. act as the agent of the federal government in welfare matters of mutual concern in conformity with the provisions of Chapter 27 NMSA 1978 and in the administration of any federal funds granted to this state, to aid in furtherance of any such functions of the state government;

G. establish in counties or in districts, which may include two or more counties, local units of administration to serve as agents of the health care authority;

H. at its discretion, establish local offices of the health care authority for such territory as it may see fit and by rule prescribe the duties of the local office;

I. administer such other public welfare functions as may be assumed by the state after June 19, 1987;

J. carry on research and compile statistics relative to the entire public welfare program throughout the state, including all phases of dependency, defectiveness, delinquency and related problems, and develop plans in cooperation with other public and private agencies for the prevention as well as treatment of conditions giving rise to public welfare problems; and

K. inspect and require reports from all private institutions, boarding homes and agencies providing assistance, care or other direct services to persons who are elderly, who have a visual impairment, who have a physical or developmental disability or who are otherwise dependent. Nothing contained in this section shall be construed to authorize the health care authority to establish or prescribe standards or regulations for or otherwise regulate programs or services to children in group homes as defined in Section 9-8-13 NMSA 1978."

Chapter 39 Section 63 Laws 2024

SECTION 63. Section 27-1-3.1 NMSA 1978 (being Laws 1980, Chapter 83, Section 1) is amended to read:

"27-1-3.1. ACUTE CARE BED USAGE--FUNDING AUTHORIZATION.--The health care authority is authorized to accept and use federal grants or matching funds for the purpose of reimbursement to certain rural hospitals for using empty acute care beds for intermediate care and skilled nursing care, as defined in federal statutes and regulations, subject to federal approval and the availability of funds. The health care authority is authorized to use funds from existing appropriations for matching federal funds for the purposes of this section."

Chapter 39 Section 64 Laws 2024

SECTION 64. Section 27-1-8 NMSA 1978 (being Laws 1997, Chapter 237, Section 1) is amended to read:

"27-1-8. STATE CASE REGISTRY.--

A. The health care authority, acting as the state's child support enforcement agency pursuant to Title 4-D of the Social Security Act, shall establish a state case registry by October 1, 1998 that contains records with respect to:

(1) each case in which services are being provided on or after October 1, 1998 by the state Title 4-D agency; and

(2) each support order established or modified in the state on or after October 1, 1998, whether or not the order was obtained by the Title 4-D agency.

B. The records maintained by the state case registry shall use standardized data elements for parents, such as names, social security numbers and other uniform identification numbers like dates of birth and case identification numbers and contain such other information, such as case status, as the United States secretary of health and human services may require.

C. The Title 4-D agency and the administrative office of the courts shall work cooperatively to ensure that the requirements of Laws 1997, Chapter 237 are implemented in an effective, efficient and timely manner. The health care authority shall reimburse the administrative office of the courts for all costs incurred in furnishing the information. A cooperative agreement between the Title 4-D agency and the administrative office of the courts shall include costs to be charged by the administrative office of the courts for all work performed to conform to these requirements. The health care authority shall promptly provide the administrative office of the courts the data elements and formats required under Subsection B of this section as soon as they become available to the authority.

D. The state case registry shall extract information from its automated system to share and compare information with and to receive information from other databases and information comparison services in order to obtain or provide information necessary to enable the Title 4-D agency or the United States secretary of health and human services or other state or federal agencies to carry out the Title 4-D program, subject to Section 6103 of the Internal Revenue Code of 1986. Such information comparison activities shall include the following:

(1) furnishing to the federal case registry of child support orders established (and update as necessary with information, including notice of expiration of orders) the minimum amount of information on child support cases recorded in the state

case registry that is necessary to operate the federal registry, as specified by the United States secretary of health and human services in regulations;

(2) exchanging information with the federal parent locator service for the purposes specified in the State Directory of New Hires Act;

(3) exchanging information with New Mexico agencies and agencies of other states administering programs of temporary assistance for needy families and medicaid and other programs designated by the United States secretary of health and human services as necessary to perform state agency responsibilities under this section and under such programs; and

(4) exchanging information with other agencies of the state, agencies of other states and interstate information networks as necessary and appropriate to carry out or assist other states to carry out purposes of the Title 4-D program."

Chapter 39 Section 65 Laws 2024

SECTION 65. Section 27-1-13 NMSA 1978 (being Laws 1997, Chapter 237, Section 33) is amended to read:

"27-1-13. FINANCIAL INSTITUTION DATA MATCHES.--

A. "Financial institution" means:

(1) a depository institution, as defined in Section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c));

(2) an institution-affiliated party, as defined in Section 3(u) of that act (12 U.S.C. 1813(u));

(3) any federal credit union or state credit union, as defined in Section 101 of the Federal Credit Union Act (12 U.S.C. 1752), including an institution-affiliated party of such a credit union, as defined in Section 206(r) of that act (12 U.S.C. 1786(r)); and

(4) any benefit association, insurance company, safe deposit company, money-market mutual fund or similar entity authorized to do business in the state.

B. "Account" means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account or money-market mutual fund account.

C. "Past-due support" means the amount of support determined under a court order or an order of an administrative process established under state law for support

and maintenance of a child or of a child and the parent with whom the child is living that has not been paid.

D. The health care authority, acting as the state's child support enforcement agency pursuant to Title 4-D of the Social Security Act, shall enter into agreements with financial institutions doing business in the state to develop and operate, in coordination with such financial institutions, a data match system to be operational by October 1, 2000, using automated data exchanges to the maximum extent feasible, in which each such financial institution is required to provide the information.

E. The health care authority shall establish standard procedures and formats for the financial institutions. Such procedures shall include administrative due process for child support obligors before funds or assets may be seized by the health care authority.

F. Each financial institution in New Mexico shall provide to the health care authority for each calendar quarter the name, record address, social security number or other taxpayer identification number and other identifying information for each noncustodial parent who maintains an account at such institution and who owes past-due support, as identified by the authority, by name and social security number or other taxpayer identification number.

G. Upon receipt of a notice of lien or levy from the health care authority, financial institutions shall encumber and surrender assets held by the institution on behalf of any noncustodial parent who is subject to a child support lien.

H. The health care authority may establish and pay a reasonable fee to a financial institution for conducting the data match provided for in this section, not to exceed the actual costs incurred by such financial institutions.

I. A financial institution shall not be liable under any state law to any person for disclosing of information to the health care authority under this section or for freezing or surrendering any assets held by the financial institution in response to a notice of lien or seizure issued by the authority or for any other action taken in good faith to comply with the requirements of this section.

J. A state child support enforcement agency that obtains a financial record of a person from a financial institution may disclose the financial record only for the purpose of, and to the extent necessary in, establishing, modifying or enforcing a child support obligation of the person."

Chapter 39 Section 66 Laws 2024

SECTION 66. Section 27-1-16 NMSA 1978 (being Laws 2013, Chapter 44, Section 1, as amended) is amended to read:

"27-1-16. BRAIN INJURY SERVICES FUND CREATED.--

A. The "brain injury services fund" is created as a nonreverting fund in the state treasury. The fund shall be invested in accordance with the provisions of Section 6-10-10 NMSA 1978, and all income earned on the fund shall be credited to the fund.

B. The brain injury services fund shall be used to institute and maintain a statewide brain injury services program designed to increase the independence of persons with brain injuries.

C. The health care authority shall adopt all rules and policies necessary to administer a statewide brain injury services program. The authority shall coordinate with and seek advice from the brain injury advisory council to ensure that the statewide brain injury services program is appropriate for persons with brain injuries.

D. All money credited to the brain injury services fund shall be appropriated to the health care authority to carry out the provisions of this section.

E. Disbursements from the brain injury services fund shall be made upon warrant drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of health care authority.

F. For the purposes of this section, "brain injury":

(1) means an injury to the brain of traumatic or acquired origin, including an open or closed head injury caused by:

- (a) an insult to the brain from an outside physical force;
- (b) anoxia;
- (c) electrical shock;
- (d) shaken baby syndrome;
- (e) a toxic or chemical substance;
- (f) near-drowning;
- (g) infection;
- (h) a tumor;
- (i) a vascular lesion; or

(j) an event that results in either temporary or permanent, partial or total impairments in one or more areas of the brain that results in total or partial functional disability, including: 1) cognition; 2) language; 3) memory; 4) attention; 5) reasoning; 6) abstract thinking; 7) judgment; 8) problem solving; 9) sensory perception and motor abilities; 10) psychosocial behavior; 11) physical functions; 12) information processing; or 13) speech; and

(2) does not apply to an injury that is:

(a) congenital;

(b) degenerative;

(c) induced by birth trauma;

(d) induced by a neurological disorder related to the aging process; or

(e) a chemically caused brain injury that is a result of habitual substance abuse."

Chapter 39 Section 67 Laws 2024

SECTION 67. Section 27-2-2 NMSA 1978 (being Laws 1973, Chapter 376, Section 2, as amended) is amended to read:

"27-2-2. DEFINITIONS.--As used in the Public Assistance Act:

A. "authority" or "department" means the health care authority;

B. "board" means the authority;

C. "director" means the secretary;

D. "local office" means the county or district office of the authority;

E. "medicaid advisory committee" means the body, established by federal law, that advises the New Mexico medicaid program on policy development and program administration;

F. "medicaid forward plan" means a health care coverage plan that leverages the medicaid program to provide a state-administered health care coverage option;

G. "public welfare" or "public assistance" means any aid or relief granted to or on behalf of an eligible person under the Public Assistance Act and rules issued pursuant to that act;

H. "applicant" means a person who has applied for assistance or services under the Public Assistance Act;

I. "recipient" means a person who is receiving assistance or services under the Public Assistance Act;

J. "federal act" means the federal Social Security Act, as may be amended from time to time, and regulations issued pursuant to that act; and

K. "secretary" means the secretary of health care authority."

Chapter 39 Section 68 Laws 2024

SECTION 68. Section 27-2-9.1 NMSA 1978 (being Laws 1979, Chapter 401, Section 1, as amended) is amended to read:

"27-2-9.1. ADMINISTRATION OF SHELTER CARE SUPPLEMENT.--

A. A shelter care supplement shall be provided to those persons who are recipients of supplemental security income under Title 16 of the federal Social Security Act and who reside in shelter care homes licensed by the authority.

B. The authority is authorized to determine eligibility, compute payment, make payments and otherwise administer the shelter care supplement program.

C. The amount of the shelter care supplement payment shall be established by the secretary subject to the availability of general funds."

Chapter 39 Section 69 Laws 2024

SECTION 69. Section 27-2-12.4 NMSA 1978 (being Laws 1987, Chapter 214, Section 1) is amended to read:

"27-2-12.4. LONG-TERM CARE FACILITIES--NONCOMPLIANCE WITH STANDARDS AND CONDITIONS--SANCTIONS.--

A. In addition to any other actions required or permitted by federal law or regulation, the authority shall impose a hold on state medicaid payments to a long-term care facility thirty days after the authority makes an on-site visit that the long-term care facility is not in substantial compliance with the standards or conditions of participation promulgated by the United States department of health and human services pursuant to which the facility is a party to a medicaid provider agreement, unless the substantial noncompliance has been corrected within that thirty-day period or the facility's medicaid provider agreement is terminated or not renewed based in whole or in part on the noncompliance. The written notice shall cite the specific deficiencies that constitute noncompliance.

B. The authority shall remove the payment hold imposed under Subsection A of this section when after an on-site visit, the authority certifies in writing that the long-term care facility is in substantial compliance with the standards or conditions of participation pursuant to which the facility is a party to a medicaid provider agreement.

C. The authority shall not reimburse any long-term care facility during the payment hold period imposed pursuant to Subsection A of this section for any medicaid recipient-patients who are new admissions and who are admitted on or after the day the hold is imposed and prior to the day the hold is removed.

D. If a long-term care facility is certified in writing to be in noncompliance pursuant to Subsection A of this section for the second time in any twelve-month period, the authority shall cancel or refuse to execute the long-term care facility's medicaid provider agreement for a two-month period, unless it can be demonstrated that harm to the patients would result from this action or that good cause exists to allow the facility to continue to participate in the medicaid program. The provisions of this subsection are subject to appeal procedures set forth in federal regulations for nonrenewal or termination of a medicaid provider agreement.

E. A long-term care facility shall not charge medicaid recipient-patients, their families or their responsible parties to recoup any payments not received because of a hold on medicaid payments imposed pursuant to this section.

F. This section shall not be construed to affect any other provisions for medicaid provider agreement termination, nonrenewal, due process and appeal pursuant to federal law or regulation.

G. As used in this section:

(1) "day" means a twenty-four hour period beginning at midnight and ending one second before midnight;

(2) "long-term care facility" means an intermediate care facility or skilled nursing facility that is licensed by the authority and is medicaid certified;

(3) "new admissions" means medicaid recipients who have never been in the long-term care facility or, if previously admitted, had been discharged or had voluntarily left the facility. The term does not include:

(a) persons who were in the long-term care facility before the effective date of the hold on medicaid payments and became eligible for medicaid after that date; and

(b) persons who, after a temporary absence from the facility, are readmitted to beds reserved for them in accordance with federal regulations; and

(4) "substantial compliance" means the condition of having no cited deficiencies or having only those cited deficiencies that:

- (a) are not inconsistent with any federal statutory requirement;
- (b) do not interfere with adequate patient care;
- (c) do not represent a hazard to the patients' health or safety;
- (d) are capable of correction within a reasonable period of time;

and

(e) are ones that the long-term care facility is making reasonable plans to correct."

Chapter 39 Section 70 Laws 2024

SECTION 70. Section 27-2-12.7 NMSA 1978 (being Laws 1980, Chapter 86, Section 1) is amended to read:

"27-2-12.7. MEDICAID--HEALTH CARE AUTHORITY EMPLOYEES--STANDARDS OF CONDUCT--ENFORCEMENT.--

A. As used in this section:

(1) "business" means a corporation, partnership, sole proprietorship, firm, organization or individual carrying on a business;

(2) "authority" or "department" means the health care authority;

(3) "employee" means a person who has been appointed to or hired for an authority office connected with the administration of medicaid funds and who receives compensation in the form of salary;

(4) "employee with responsibility" means an employee who is directly involved in or has a significant part in the medicaid decision-making, regulatory, procurement or contracting process; and

(5) "financial interest" means an interest held by a person, the person's spouse or minor child that is:

(a) an ownership interest in business; or

(b) an employment or prospective employment for which negotiations have already begun.

B. No employee with responsibility shall, for twenty-four months following the date on which the employee ceases to be an employee, act as agent or attorney for another person or business in connection with a judicial or administrative proceeding, application, ruling, contract, claim or other matter relating to the medicaid program with respect to which the employee made an investigation, rendered a ruling or was otherwise substantially and directly involved during the last year the employee was an employee and that was actually pending under the employee's responsibility within that period.

C. The secretary, income support division director or medical assistance division director or their deputies shall not, for twelve months following the date on which that person ceases to be an employee, participate with respect to a judicial or administrative proceeding, application, ruling, contract, claim or other matter relating to the medicaid program and pending before the authority.

D. An employee with responsibility shall not participate in any manner with respect to a judicial or administrative proceeding, application, ruling, contract, claim or other matter relating to the medicaid program and involving the employee's spouse, minor child or a business in which the employee has a financial interest unless prior to the participation:

(1) full disclosure of the employee's relationship or financial interest is made in writing to the secretary; and

(2) a written determination is made by the secretary that the disclosed relationship or financial interest is too remote or inconsequential to affect the integrity of the services of the employee.

E. Violation of any of the provisions of this section by an employee is grounds for dismissal, demotion or suspension. A former employee who violates a provision of this section is subject to assessment by the authority of a civil money penalty of two hundred fifty dollars (\$250) for each violation. The authority shall promulgate rules to provide for an administrative appeal of an assessment imposed."

Chapter 39 Section 71 Laws 2024

SECTION 71. Section 27-2-12.20 NMSA 1978 (being Laws 2015, Chapter 61, Section 2, as amended) is amended to read:

"27-2-12.20. CRISIS TRIAGE CENTER--MEDICAL ASSISTANCE REIMBURSEMENT.--

A. In accordance with federal law, the secretary shall adopt and promulgate rules to establish a reimbursement rate for services provided to recipients of state medical assistance at a crisis triage center.

- B. As used in this section, "crisis triage center" means a health facility that:
- (1) is licensed by the authority; and
 - (2) provides stabilization of behavioral health crises and may include residential and nonresidential stabilization."

Chapter 39 Section 72 Laws 2024

SECTION 72. Section 27-2-12.22 NMSA 1978 (being Laws 2015, Chapter 127, Section 2, as amended) is amended to read:

"27-2-12.22. INCARCERATED PERSONS--MEDICAID ELIGIBILITY--COUNTY JAIL TECHNICAL ASSISTANCE--PRESUMPTIVE ELIGIBILITY DETERMINER TRAINING AND CERTIFICATION.--

- A. Incarceration shall not be a basis to deny or terminate eligibility for medicaid.
- B. Upon release from incarceration, a formerly incarcerated person shall remain eligible for medicaid until the person is determined to be ineligible for medicaid on grounds other than incarceration.
- C. An incarcerated person who was not enrolled in medicaid upon the date that the person became incarcerated shall be permitted to submit an application for medicaid during the incarcerated person's period of incarceration.
- D. The provisions of this section shall not be construed to abrogate:
- (1) any deadline that governs the processing of applications for medicaid pursuant to existing federal or state law; or
 - (2) requirements under federal or state law that the authority be notified of changes in income, resources, residency or household composition.
- E. The provisions of this section shall not require the authority to pay for services on behalf of any incarcerated person except as permitted by federal law.
- F. A correctional facility shall:
- (1) inform the authority when an eligible person is incarcerated;
 - (2) facilitate, with assistance from the authority, eligibility determinations for medicaid during the incarcerated person's incarceration or upon release;

(3) notify the authority upon an eligible person's release; and

(4) facilitate the authority's or any authority contractor's provision of care coordination pursuant to the provisions of Section 33-1-22 NMSA 1978.

G. Upon the written request of a county, the authority shall provide a behavioral health screening tool to facilitate screenings performed in accordance with the provisions of Subsection A of Section 33-1-22 NMSA 1978, technical assistance and training and certification of county jail presumptive eligibility determiners to a county jail.

H. The secretary shall adopt and promulgate rules consistent with this section.

I. As used in this section:

(1) "care coordination" means an assessment for health risks and the creation of a plan of care to address a person's comprehensive health needs, including access to physical health care and mental health services; substance use disorder treatment; and transportation services;

(2) "eligibility" means a finding by the authority that a person has met the criteria established in state and federal law and the requirements established by authority rules to enroll in medicaid;

(3) "incarcerated person" means a person, the legal guardian or conservator of a person or, for a person who is an unemancipated minor, the parent or guardian of the person, who is confined in any of the following correctional facilities:

(a) a state correctional facility;

(b) a privately operated correctional facility;

(c) a county jail;

(d) a privately operated jail;

(e) a detention facility that is operated under the authority of the children, youth and families department and that holds the person pending a court hearing; or

(f) a facility that is operated under the authority of the children, youth and families department and that provides for the care and rehabilitation of a person who is under eighteen years of age and who has committed an act that would be designated as a crime under the law if committed by a person who is eighteen years of age or older;

(4) "medicaid" means the joint federal-state health coverage program pursuant to Title 19 or Title 21 of the federal Social Security Act and rules promulgated pursuant to that act; and

(5) "unemancipated minor" means a person who is under eighteen years of age and who:

(a) is not on active duty in the armed forces; and

(b) has not been declared by court order to be emancipated."

Chapter 39 Section 73 Laws 2024

SECTION 73. Section 27-2-15 NMSA 1978 (being Laws 1937, Chapter 18, Section 9) is amended to read:

"27-2-15. COOPERATION WITH THE UNITED STATES.--

A. The authority is designated as the state agency to cooperate with the federal government in the administration of the provisions of Title 1, Title 4, Parts 2 and 3 of Title 5 and Title 10 of the federal Social Security Act. The authority shall cooperate with the proper departments of the federal government and with all other departments of the state and local governments in the enforcement and administration of those provisions of the federal Social Security Act and rules adopted in accordance with that act in the manner prescribed in Chapter 27 NMSA 1978 or as otherwise provided by law.

B. The authority shall make reports in such form and containing such information as any agency or instrumentality of the United States with which it is cooperating may require and shall comply with such provisions as that agency or instrumentality may find necessary to assure the correctness and verification of the reports."

Chapter 39 Section 74 Laws 2024

SECTION 74. Section 27-2-16 NMSA 1978 (being Laws 1974, Chapter 31, Section 1, as amended) is amended to read:

"27-2-16. COMPLIANCE WITH FEDERAL LAW.--

A. Subject to the availability of state funds, the authority may provide assistance to aged, blind or disabled persons in the amounts consistent with federal law to enable the state to be eligible for medicaid funding. Persons shall be determined to be aged, blind or disabled according to rules of the authority.

B. If drug product selection is permitted by Section 26-3-3 NMSA 1978, reimbursement by the medicaid program shall be limited to the wholesale cost of the lesser expensive therapeutic equivalent drug generally available in New Mexico plus a reasonable dispensing fee of at least three dollars sixty-five cents (\$3.65)."

Chapter 39 Section 75 Laws 2024

SECTION 75. Section 27-2-17 NMSA 1978 (being Laws 1937, Chapter 18, Section 10) is amended to read:

"27-2-17. CUSTODIAN OF FUNDS.--The authority is designated as the custodian of all money received by the state, which the authority is authorized to administer, from any appropriations made by the congress of the United States for the purpose of cooperating with the several states in the enforcement and administration of the provisions of the federal Social Security Act and all money received from any other source for the purposes set forth in Chapter 27 NMSA 1978. The authority is authorized to receive such money, provide for its proper custody and make disbursements of it under such rules as the authority may prescribe."

Chapter 39 Section 76 Laws 2024

SECTION 76. Section 27-2-25 NMSA 1978 (being Laws 1937, Chapter 18, Section 11j, as amended) is amended to read:

"27-2-25. FUNERAL EXPENSES.--

A. On the death of:

(1) a recipient of financial assistance under Section 27-2-6 or 27-2-7 NMSA 1978 or under the federal supplemental security income program; or

(2) a person living in a nursing home or an intermediate care facility, the payment for whose care is made in whole or in part pursuant to Title 19 of the federal Social Security Act; funeral expenses up to two hundred dollars (\$200) shall be paid by the income support division of the authority if the deceased's available resources, as defined by rule of the division, are insufficient to pay the funeral expenses, the persons legally responsible for the support of the deceased are unable to pay the funeral expenses and no other person will undertake to pay those expenses.

B. No payment shall be made by the income support division when resources available from all sources to pay the funeral expenses total six hundred dollars (\$600) or more. When the resources are less than six hundred dollars (\$600), the division shall pay the difference between six hundred dollars (\$600) and the resources, or two hundred dollars (\$200), whichever is less."

Chapter 39 Section 77 Laws 2024

SECTION 77. Section 27-2-26 NMSA 1978 (being Laws 1975, Chapter 220, Section 2) is amended to read:

"27-2-26. MONEY RECEIVED FROM OTHER SOURCES--DUTY AND LIABILITY OF FUNERAL DIRECTOR.--Should any funeral director accept payment from sources other than the income support division of the authority for burial of a deceased person for whom a claim for burial expenses has been made to the division, the funeral director shall immediately notify the division of the payment. The division shall consider the payment in determining the amount of any funeral expense payment it makes. If the division has already made payment, the funeral director shall refund to the division any excess over the amount that the division would have paid had it known of the payment from other sources. If any funeral director fails to notify the division of any such payment from other sources, the funeral director shall be liable to the division in an amount double the amount paid or to be paid by the division."

Chapter 39 Section 78 Laws 2024

SECTION 78. Section 27-2-27 NMSA 1978 (being Laws 1981, Chapter 90, Section 1, as amended) is amended to read:

"27-2-27. SINGLE STATE AGENCY--POWERS AND DUTIES.--

A. The authority is designated as the single state agency for the enforcement of child and spousal support obligations pursuant to Title 4-D of the federal Social Security Act with the following duties and powers to:

(1) establish the paternity of a child in the case of the child born out of wedlock with respect to whom an assignment of support rights has been executed in favor of the authority;

(2) establish an order of support for children receiving aid from temporary assistance for needy families and, at the option of the authority, for the spouse or former spouse with whom such children are living, but only if a support obligation has been established with respect to such spouse or former spouse, for whom no order of support currently exists and seek modification, based upon the noncustodial parent's ability to pay, of existing orders in which the support order is inadequate to properly care for the child and the spouse or former spouse with whom the child is living;

(3) enforce as the real party in interest any existing order for the support of children who are receiving temporary assistance for needy families or of the spouse or former spouse with whom such children are living;

(4) provide services to non-aid families with dependent children in the establishment and enforcement of paternity and child support obligations, including locating the absent parent. For these services, the authority is authorized to establish and collect fees, costs and charges permitted or required by federal law or by regulations adopted pursuant to that federal law; and

(5) adopt rules for the disposition of unclaimed child, spousal or medical support payments.

B. In all cases handled by the authority pursuant to the provisions of this section, the child support enforcement division or an attorney employed by the division represent the authority, to the exclusion of any other party, in establishing, modifying and enforcing support obligations.

C. An attorney employed to provide the Title 4-D services represents only the authority's interests, and no attorney-client relationship shall exist between the attorney and another party.

D. The authority shall, at the time an application for child support services is made, inform the applicant that neither the Title 4-D agency nor the attorney who provides services under this section is the applicant's attorney and that the attorney who provides services under this section shall not provide legal representation to the applicant.

E. The authority may initiate an action or may intervene in an action involving child support.

F. The attorney employed by the authority pursuant to this section shall not act as a guardian ad litem for the applicant.

G. A court shall not disqualify the authority in a legal action filed pursuant to the Support Enforcement Act of the federal Social Security Act because the authority has previously provided services to a party whose interests are now adverse to the relief requested."

Chapter 39 Section 79 Laws 2024

SECTION 79. Section 27-2-28 NMSA 1978 (being Laws 1981, Chapter 90, Section 2, as amended) is amended to read:

"27-2-28. LIABILITY FOR REPAYMENT OF PUBLIC ASSISTANCE.--

A. In cases where the authority has provided cash assistance to children in a household, the court shall award judgment in favor of the authority and against the noncustodial parents of the children for child support, calculated pursuant to Section 40-

4-11.1 NMSA 1978, for all months in which the children received cash assistance benefits.

B. Equitable defenses available to the noncustodial parent in claims by the custodian for retroactive support or past due support shall not operate to deprive the authority of its right to request retroactive support or past due support for months during which the noncustodial parent's children received cash assistance benefits.

C. Amounts of support collected that are in excess of the amounts specified in Subsections A and B of this section shall be paid by the authority to the custodian of the child.

D. No agreement between any custodian of a child and a parent of that child, either relieving the parent of any duty of child or spousal support or responsibility or purporting to settle past, present or future support obligations, either as a settlement or prepayment, shall act to reduce or terminate any rights of the authority to recover from that parent for support provided, unless the authority has consented to the agreement in writing.

E. The noncustodial parent shall be given credit for any support actually provided, including housing, clothing, food or funds paid prior to the entry of any order for support. The noncustodial parent has the burden to prove that the noncustodial parent has provided any support.

F. An application for public assistance by any person constitutes an assignment by operation of law of any support rights the person is entitled to during the time the person's household receives public assistance, whether the support rights are owed to the applicant or to any family member for whom the applicant is applying for or receiving assistance. The assignment includes all support rights that accrue as long as the applicant receives public assistance.

G. By operation of law, an assignment to the authority of any and all rights of an applicant for or recipient of medical assistance under the medicaid program in New Mexico or supplemental security income through the social security administration:

(1) is deemed to be made of:

(a) any payment for medical care from any natural person, firm or corporation, including an insurance carrier; and

(b) any recovery for personal injury, whether by judgment or contract for compromise or settlement;

(2) shall be effective to the extent of the amount of medical assistance actually paid by the authority under the medicaid program; and

(3) shall be effective as to the rights of any other persons who are eligible for medical assistance and whose rights can legally be assigned by the applicant or recipient.

H. An applicant or recipient is required to cooperate fully with the authority in its efforts to secure the assignment and to execute and deliver any instruments and papers deemed necessary to complete the assignment by the authority."

Chapter 39 Section 80 Laws 2024

SECTION 80. Section 27-2-29.1 NMSA 1978 (being Laws 2010, Chapter 80, Section 1) is amended to read:

"27-2-29.1. COMPENSATION UNDER CONTINGENT FEE CONTRACTS--
SUSPENSE FUND CREATED.--

A. To make disbursements and distributions pursuant to this section, the "health care authority reimbursement suspense fund" is created in the state treasury.

B. When pursuing a claim arising under Section 27-2-23 or 27-2-28 NMSA 1978, in addition to other available alternatives, the authority may contract with a person to represent the authority on a contingent fee basis if the contract:

(1) is approved by the attorney general;

(2) provides that all amounts received by the contractor as satisfaction of the claim shall be transferred to the authority and deposited into the health care authority reimbursement suspense fund to the credit of the authority; and

(3) provides that, upon the direction of the secretary, the compensation due to the contractor shall be disbursed from the suspense fund to the contractor.

C. After a disbursement to a contractor pursuant to Paragraph (3) of Subsection B of this section, the balance of each deposit into the health care authority reimbursement suspense fund shall be distributed to the general fund and shall be appropriated to the authority to reimburse the authority for the public assistance from which the claim arose and, if required, for reimbursing the federal government."

Chapter 39 Section 81 Laws 2024

SECTION 81. Section 27-2-31 NMSA 1978 (being Laws 1965, Chapter 66, Section 4) is amended to read:

"27-2-31. JUDGMENTS AND PROCEEDS.--Upon final hearing, judgment for the authority shall include all sums expended during the pendency of the action. When the authority recovers judgments under Chapter 27, Article 2 NMSA 1978, it may enforce,

compromise or settle the judgments in any way considered by the authority to be in the public interest. Any proceeds of judgments or settlements shall be retained by the authority for its authorized activities and required reimbursements to the federal government."

Chapter 39 Section 82 Laws 2024

SECTION 82. Section 27-2-32 NMSA 1978 (being Laws 1969, Chapter 182, Section 3, as amended) is amended to read:

"27-2-32. DUTY OF AGENCIES TO COOPERATE.--All state, county and municipal agencies, departments, bureaus and divisions shall cooperate in the location of absent parents who are not fulfilling their obligation to support their children and shall on request supply the authority with all information on hand relative to the location, social security number, income and property of such absent parents, notwithstanding any other provision of law making the information confidential. The authority shall use such information only for the purpose of enforcing the support liability of such absent parents and shall not use the information or disclose it for any other purpose."

Chapter 39 Section 83 Laws 2024

SECTION 83. Section 27-2-41 NMSA 1978 (being Laws 1990, Chapter 93, Section 1) is amended to read:

"27-2-41. SHORT TITLE.--Sections 27-2-41 through 27-2-47 NMSA 1978 may be cited as the "Indigent Catastrophic Illness Hospital Funding Act"."

Chapter 39 Section 84 Laws 2024

SECTION 84. Section 27-2-43 NMSA 1978 (being Laws 1990, Chapter 93, Section 3) is amended to read:

"27-2-43. DEFINITIONS.--As used in the Indigent Catastrophic Illness Hospital Funding Act:

- A. "authority" or "department" means the health care authority;
- B. "fund" means the indigent catastrophic illness hospital fund;
- C. "hospital" means any general or special hospital that is licensed by the authority and that has annual gross charges for medicare, medicaid and indigent patients greater than ten percent of the hospital's total annual gross charges; and
- D. "medically indigent patient" means a person who is a New Mexico resident who incurs hospital charges, who is not eligible for medicaid or medicare and whose

family or household income does not exceed two hundred fifty percent of the federal poverty level."

Chapter 39 Section 85 Laws 2024

SECTION 85. Section 27-2-44 NMSA 1978 (being Laws 1990, Chapter 93, Section 4) is amended to read:

"27-2-44. INDIGENT CATASTROPHIC ILLNESS HOSPITAL FUND CREATED.-- The "indigent catastrophic illness hospital fund" is created as a nonreverting fund in the state treasury. Money in the fund is appropriated to the authority to reimburse hospitals for eligible claims for hospital charges incurred by medically indigent patients and for paying administrative costs of the authority not to exceed three percent of the annual appropriation or other distribution or transfer to the fund. Money in the fund shall be invested as provided for other state funds and income earned on the fund shall be credited to the fund."

Chapter 39 Section 86 Laws 2024

SECTION 86. Section 27-2A-1 NMSA 1978 (being Laws 1994, Chapter 87, Section 1) is amended to read:

"27-2A-1. SHORT TITLE.--Chapter 27, Article 2A NMSA 1978 may be cited as the "Medicaid Estate Recovery Act"."

Chapter 39 Section 87 Laws 2024

SECTION 87. Section 27-2A-3 NMSA 1978 (being Laws 1994, Chapter 87, Section 3) is amended to read:

"27-2A-3. DEFINITIONS.--As used in the Medicaid Estate Recovery Act:

- A. "authority" or "department" means the health care authority;
- B. "estate" means real and personal property and other assets of the individual subject to probate or administration pursuant to the provisions of the Uniform Probate Code; and
- C. "medical assistance" means amounts paid by the department as medical assistance pursuant to Title 19 of the Social Security Act."

Chapter 39 Section 88 Laws 2024

SECTION 88. Section 27-2B-3 NMSA 1978 (being Laws 1998, Chapter 8, Section 3 and Laws 1998, Chapter 9, Section 3, as amended) is amended to read:

"27-2B-3. DEFINITIONS.--As used in the New Mexico Works Act:

A. "applicant" means a person applying for cash assistance on behalf of a benefit group;

B. "benefit group" means a pregnant woman or a group of people that includes a dependent child, all of that dependent child's full, half or adopted siblings or stepsiblings living with the dependent child's parent or relative within the fifth degree of consanguinity and the parent with whom the children live;

C. "cash assistance" means cash payments funded by the temporary assistance for needy families block grant pursuant to the federal Social Security Act and by state funds;

D. "authority" or "department" means the health care authority;

E. "dependent child" means a natural child, adopted child, stepchild or ward who is:

(1) seventeen years of age or younger;

(2) eighteen years of age and is enrolled in high school; or

(3) between eighteen and twenty-two years of age and is receiving special education services regulated by the public education department;

F. "director" means the director of the income support division of the authority;

G. "earned income" means cash or payment in kind that is received as wages from employment or payment in lieu of wages; and earnings from self-employment or earnings acquired from the direct provision of services, goods or property, production of goods, management of property or supervision of services;

H. "federal act" means the federal Social Security Act and rules promulgated pursuant to the Social Security Act;

I. "federal poverty guidelines" means the level of income defining poverty by family size published annually in the federal register by the United States department of health and human services;

J. "immigrant" means an alien as defined in the federal act;

K. "parent" means natural parent, adoptive parent or stepparent;

L. "participant" means a recipient of cash assistance or services or a member of a benefit group who has reached the age of majority;

M. "person" means an individual;

N. "secretary" means the secretary of health care authority;

O. "services" means child care assistance; payment for employment-related transportation costs; job search assistance; employment counseling; employment, education and job training placement; one-time payment for necessary employment-related costs; case management; or other activities whose purpose is to assist transition into employment;

P. "unearned income" means old age, survivors and disability insurance; railroad retirement benefits; veterans administration compensation or pension; military retirement; pensions, annuities and retirement benefits; lodge or fraternal benefits; shared shelter payments; settlement payments; individual Indian money; child support; unemployment compensation benefits; union benefits paid in cash; gifts and contributions; and real property income;

Q. "vehicle" means a conveyance for the transporting of persons to or from employment, for the activities of daily living or for the transportation of goods; "vehicle" does not include any boat, trailer or mobile home used as a principal place of residence; and

R. "vocational education" means an organized educational program that is directly related to the preparation of a person for employment in a current or emerging occupation requiring training other than a baccalaureate or advanced degree. Vocational education shall be provided by an educational or a training organization, such as a vocational-technical school, community college, post-secondary educational institution or proprietary school."

Chapter 39 Section 89 Laws 2024

SECTION 89. Section 27-2C-1 NMSA 1978 (being Laws 2002, Chapter 105, Section 1) is amended to read:

"27-2C-1. SHORT TITLE.--Chapter 27, Article 2C NMSA 1978 may be cited as the "Pharmaceutical Supplemental Rebate Act"."

Chapter 39 Section 90 Laws 2024

SECTION 90. Section 27-2C-2 NMSA 1978 (being Laws 2002, Chapter 105, Section 2) is amended to read:

"27-2C-2. DEFINITIONS.--As used in the Pharmaceutical Supplemental Rebate Act:

- A. "authority" or "department" means the health care authority;
- B. "labeler" means a person that receives prescription drugs from a manufacturer or wholesaler and repackages those drugs for later retail sale and that has a labeler code from the federal food and drug administration;
- C. "manufacturer" means a manufacturer of prescription drugs as defined in 42 U.S.C. 1396r-8(k)(5), including a subsidiary or affiliate of a manufacturer;
- D. "medicaid" means the joint federal-state health coverage program pursuant to Title 19 or Title 21 of the federal Social Security Act;
- E. "participating retail pharmacy" means a retail pharmacy or other business licensed to dispense prescription drugs that participates in the state medicaid program;
- F. "secretary" means the secretary of health care authority; and
- G. "wholesaler" means a business licensed to distribute prescription drugs in the state."

Chapter 39 Section 91 Laws 2024

SECTION 91. Section 27-2D-2 NMSA 1978 (being Laws 2003, Chapter 317, Section 2, as amended) is amended to read:

"27-2D-2. DEFINITIONS.--As used in the Education Works Act:

- A. "applicant" means a person applying for cash assistance on behalf of a benefit group;
- B. "benefit group" means a pregnant woman or a group of people that includes a dependent child, all of that dependent child's full, half, step- or adopted siblings living with the dependent child's parent or relative within the fifth degree of consanguinity and the parent with whom the children live;
- C. "cash assistance" means cash payments distributed by the authority pursuant to the Education Works Act;
- D. "authority" or "department" means the health care authority;
- E. "dependent child" means a natural, adopted stepchild or ward who is:
 - (1) seventeen years of age or younger;

(2) eighteen years of age and is enrolled in high school; or

(3) between eighteen and twenty-two years of age and is receiving special education services regulated by the public education department;

F. "director" means the director of the income support division of the authority;

G. "earned income" means cash or payment in kind that is received as wages from employment or payment in lieu of wages; and earnings from self-employment or earnings acquired from the direct provision of services, goods or property, production of goods, management of property or supervision of services;

H. "education works program" means the cash assistance, activities and services available to a recipient pursuant to the Education Works Act;

I. "federal act" means the federal Social Security Act and rules promulgated pursuant to the Social Security Act;

J. "federal poverty guidelines" means the level of income defining poverty by family size published annually in the federal register by the United States department of health and human services;

K. "parent" means natural parent, adoptive parent or stepparent;

L. "person" means an individual;

M. "recipient" means a person who receives cash assistance or services or a member of a benefit group who has reached the age of majority;

N. "secretary" means the secretary of health care authority;

O. "services" means child-care assistance; payment for education- or employment-related transportation costs; job search assistance; employment counseling; employment, education and job training placement; an annual payment for education-related costs; case management; or other activities whose purpose is to assist transition into employment;

P. "unearned income" means old age, survivors and disability insurance; railroad retirement benefits; veterans administration compensation or pension; military retirement; pensions, annuities and retirement benefits; lodge or fraternal benefits; shared shelter payments; settlement payments; individual Indian money; child support; unemployment compensation benefits; union benefits paid in cash; gifts and contributions; and real property income; and

Q. "vehicle" means a conveyance for the transporting of persons to or from employment or education for the activities of daily living or for the transportation of goods; "vehicle" does not include boats, trailers or mobile homes used as a principal place of residence."

Chapter 39 Section 92 Laws 2024

SECTION 92. Section 27-2E-1 NMSA 1978 (being Laws 2003, Chapter 381, Section 1) is amended to read:

"27-2E-1. AVERAGE MANUFACTURER PRICE--FILING--REPORTING.--

A. A person who manufactures a prescription drug, including a generic prescription drug, that is sold in New Mexico shall file with the health care authority:

- (1) the average manufacturer price for the drug;
- (2) the price that each wholesaler or pharmacy benefit manager doing business in this state pays the manufacturer to purchase the drug; and
- (3) the price paid to the manufacturer by any entity in an arrangement or contract that sells or provides prescription drugs in New Mexico without the services of a wholesaler.

B. The information required under Subsection A of this section shall be filed annually or more frequently, as determined by the health care authority. The information required under Subsection A of this section is confidential and shall not be disclosed pursuant to Section 27-2E-3 NMSA 1978 and shall not be subject to public inspection pursuant to the provisions of Section 14-2-1 NMSA 1978.

C. A person who engages in the wholesale distribution of prescription drugs in New Mexico shall file with the health care authority information showing the actual price at which the wholesaler or distributor sells a particular drug to a pharmacy.

D. As used in this section, "average manufacturer price" means the average price paid to the manufacturer for the drug in New Mexico, including rebates, discounts and market incentives, after deducting customary prompt-pay discounts."

Chapter 39 Section 93 Laws 2024

SECTION 93. Section 27-2E-2 NMSA 1978 (being Laws 2003, Chapter 381, Section 2) is amended to read:

"27-2E-2. UNLAWFUL DISCLOSURE--PENALTIES.--

A. It is unlawful for an employee, former employee, contractor or former contractor of the health care authority to reveal to another person, except to another employee or contractor of the authority as required by the employee's or contractor's duties or responsibilities or by state or federal court order, information acquired pursuant to Section 27-2E-1 NMSA 1978 or any other information about a prescription drug manufacturer acquired as a result of employment or contract by the authority and not available from public sources.

B. An employee, former employee, contractor or former contractor of the health care authority who reveals to another person information that the person is prohibited from lawfully revealing is guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year, or both, together with costs of prosecution, and shall not be employed by the state for a period of five years after the date of the conviction."

Chapter 39 Section 94 Laws 2024

SECTION 94. Section 27-2E-3 NMSA 1978 (being Laws 2003, Chapter 381, Section 3) is amended to read:

"27-2E-3. ENFORCEMENT.--The office of the attorney general may take action to investigate and enforce the requirements of Sections 27-2E-1 and 27-2E-2 NMSA 1978."

Chapter 39 Section 95 Laws 2024

SECTION 95. Section 27-3-1 NMSA 1978 (being Laws 1973, Chapter 256, Section 1) is amended to read:

"27-3-1. SHORT TITLE.--Chapter 27, Article 3 NMSA 1978 may be cited as the "Public Assistance Appeals Act"."

Chapter 39 Section 96 Laws 2024

SECTION 96. Section 27-3-2 NMSA 1978 (being Laws 1973, Chapter 256, Section 2, as amended) is amended to read:

"27-3-2. DEFINITIONS.--As used in the Public Assistance Appeals Act:

A. "authority" or "department" means the income support division or the medical assistance division of the health care authority;

B. "board" means the income support division or the medical assistance division of the authority; and

C. "director" means the director of the income support division or the medical assistance division of the authority."

Chapter 39 Section 97 Laws 2024

SECTION 97. Section 27-4-1 NMSA 1978 (being Laws 1973, Chapter 311, Section 1) is amended to read:

"27-4-1. SHORT TITLE.--Chapter 27, Article 4 NMSA 1978 may be cited as the "Special Medical Needs Act"."

Chapter 39 Section 98 Laws 2024

SECTION 98. Section 27-4-2 NMSA 1978 (being Laws 1973, Chapter 311, Section 2, as amended) is amended to read:

"27-4-2. DEFINITIONS.--As used in the Special Medical Needs Act:

A. "department" or "division" means the income support division of the health care authority;

B. "board" means the division;

C. "aged person" means a person who has attained the age of sixty-five years and does not have a spouse financially able, according to rules of the division, to furnish support;

D. "person with a disability" means a person who has attained the age of eighteen years and is determined to have a permanent and total disability, according to rules of the division; and

E. "blind person" means a person who is determined to be blind according to rules of the division."

Chapter 39 Section 99 Laws 2024

SECTION 99. Section 27-5-4 NMSA 1978 (being Laws 1965, Chapter 234, Section 4, as amended) is amended to read:

"27-5-4. DEFINITIONS.--As used in the Indigent Hospital and County Health Care Act:

A. "ambulance provider" or "ambulance service" means a specialized carrier based within the state authorized under provisions and subject to limitations as provided in individual carrier certificates issued by the department of transportation to transport persons alive, dead or dying en route by means of ambulance service. The rates and

charges established by department of transportation tariff shall govern as to allowable cost. Also included are air ambulance services approved by the county. The air ambulance service charges shall be filed and approved pursuant to Subsection D of Section 27-5-6 NMSA 1978 and Section 27-5-11 NMSA 1978;

B. "cost" means all allowable costs of providing health care services, to the extent determined by resolution of a county, for an indigent patient. Allowable costs shall be based on medicaid fee-for-service reimbursement rates for hospitals, licensed medical doctors and osteopathic physicians;

C. "county" means a county except a class A county with a county hospital operated and maintained pursuant to a lease or operating agreement with a state educational institution named in Article 12, Section 11 of the constitution of New Mexico;

D. "department" or "authority" means the health care authority;

E. "fund" means a county health care assistance fund;

F. "health care services" means treatment and services designed to promote improved health in the county indigent population, including primary care, prenatal care, dental care, behavioral health care, alcohol or drug detoxification and rehabilitation, hospital care, provision of prescription drugs, preventive care or health outreach services, to the extent determined by resolution of the county;

G. "indigent patient" means a person to whom an ambulance service, a hospital or a health care provider has provided medical care, ambulance transportation or health care services and who can normally support the person's self and the person's dependents on present income and liquid assets available to the person but, taking into consideration the person's income, assets and requirements for other necessities of life for the person and the person's dependents, is unable to pay the cost of the ambulance transportation or medical care administered or both; provided that if a definition of "indigent patient" is adopted by a county in a resolution, the definition shall not include any person whose annual income together with that person's spouse's annual income totals an amount that is fifty percent greater than the per capita personal income for New Mexico as shown for the most recent year available in the survey of current business published by the United States department of commerce. "Indigent patient" includes a minor who has received ambulance transportation or medical care or both and whose parent or the person having custody of that minor would qualify as an indigent patient if transported by ambulance, admitted to a hospital for care or treated by a health care provider;

H. "medicaid eligible" means a person who is eligible for medical assistance from the department;

I. "planning" means the development of a countywide or multicounty health plan to improve and fund health services in the county based on the county's needs

assessment and inventory of existing services and resources and that demonstrates coordination between the county and state and local health planning efforts;

J. "public entity" means a state, local or tribal government or other political subdivision or agency of that government; and

K. "qualifying hospital" means an acute care general hospital licensed by the authority that is qualified to receive payments from the safety net care pool pursuant to an agreement with the federal centers for medicare and medicaid services."

Chapter 39 Section 100 Laws 2024

SECTION 100. Section 27-5-6.1 NMSA 1978 (being Laws 1993, Chapter 321, Section 18, as amended) is amended to read:

"27-5-6.1. SAFETY NET CARE POOL FUND CREATED.--

A. The "safety net care pool fund" is created as a nonreverting fund in the state treasury. The safety net care pool fund, which shall be administered by the authority, shall consist of public money provided through intergovernmental transfers from counties or other public entities and transferred from counties pursuant to Section 27-5-6.2 NMSA 1978. Money in the fund shall be invested by the state treasurer as other state funds are invested.

B. Money in the safety net care pool fund is appropriated to the authority to make payments to qualifying hospitals. No safety net care pool fund payments or money in the safety net care pool fund shall be used to supplant any general fund support for the state medicaid program."

Chapter 39 Section 101 Laws 2024

SECTION 101. Section 27-5-16 NMSA 1978 (being Laws 1965, Chapter 234, Section 16, as amended) is amended to read:

"27-5-16. AUTHORITY--PAYMENTS--COOPERATION--REPORTING.--

A. The authority shall not decrease the amount of any assistance payments made to the hospitals or health care providers of this state pursuant to law because of any financial reimbursement made to ambulance services, hospitals or health care providers for indigent or medicaid eligible patients as provided in the Indigent Hospital and County Health Care Act.

B. The authority shall cooperate with each county in furnishing information or assisting in the investigation of any person to determine whether the person meets the qualifications of an indigent patient as defined in the Indigent Hospital and County Health Care Act.

C. The authority shall provide an annual report to each county and each qualifying hospital on the previous calendar year's payments from the safety net care pool for uncompensated care to qualifying hospitals and estimated payments of enhanced medicaid base rates. The annual report for the previous year shall be provided by July 1 of the succeeding year."

Chapter 39 Section 102 Laws 2024

SECTION 102. Section 27-6-13 NMSA 1978 (being Laws 1979, Chapter 290, Section 3, as amended) is amended to read:

"27-6-13. ADMINISTRATION OF LOW INCOME UTILITY ASSISTANCE ACT.--

A. As used in the Low Income Utility Assistance Act:

(1) "authority" or "department" means the health care authority; and

(2) "utility" means a publicly, privately or municipally owned utility or a distribution cooperative utility for the rendition of electric power or gas.

B. The authority shall determine eligibility, establish payment amounts, make utility assistance payments to or on behalf of eligible recipients and otherwise administer the Low Income Utility Assistance Act.

C. The authority shall use funds appropriated under the Low Income Utility Assistance Act to the maximum extent to generate available federal and local government funds and to mobilize other resources that may be applied to the concepts of the Low Income Utility Assistance Act."

Chapter 39 Section 103 Laws 2024

SECTION 103. Section 27-6-14 NMSA 1978 (being Laws 1979, Chapter 290, Section 4, as amended) is amended to read:

"27-6-14. PERSONS ELIGIBLE FOR UTILITY ASSISTANCE.--

A. Utility assistance supplements shall be paid to or on behalf of those persons who are determined to be eligible by rule of the authority.

B. The authority shall determine the amount of payment to be made; provided that no payment shall be made if a payment for the same services or incurred bills has been made to the household under a federal program for a similar purpose."

Chapter 39 Section 104 Laws 2024

SECTION 104. Section 27-6-15 NMSA 1978 (being Laws 1979, Chapter 290, Section 5, as amended) is amended to read:

"27-6-15. UTILITY ASSISTANCE SUPPLEMENT PROGRAM ESTABLISHED--
DISTRIBUTION TO ELIGIBLE RECIPIENTS.--

A. The authority is authorized to establish a utility assistance supplement program for purposes of the Low Income Utility Assistance Act.

B. Beginning on July 1, 1980 and each year thereafter, the authority shall pay utility assistance supplement payments, subject to the availability of funds from the low income utility assistance fund created under the provisions of Section 27-6-16 NMSA 1978."

Chapter 39 Section 105 Laws 2024

SECTION 105. Section 27-6-16 NMSA 1978 (being Laws 1979, Chapter 290, Section 6, as amended) is amended to read:

"27-6-16. FUND CREATED.--The "low income utility assistance fund" is created in the state treasury. Payments shall be made from the low income utility assistance fund upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary of health care authority. Such payments shall be made for the costs and administration of the Low Income Utility Assistance Act."

Chapter 39 Section 106 Laws 2024

SECTION 106. Section 27-6-17 NMSA 1978 (being Laws 1991, Chapter 81, Section 1, as amended) is amended to read:

"27-6-17. UTILITY SERVICE--PROCEDURES TO FOLLOW PRIOR TO
SERVICE BEING DISCONTINUED.--

A. Unless requested by the customer, no gas or electric utility shall discontinue service to any residential customer for nonpayment during the period from November 15 through March 15 unless the following procedures are followed:

(1) at least fifteen days prior to the date scheduled for utility service to be discontinued, unless the public regulation commission provides for a shorter period, the utility shall mail or hand-deliver to the customer a notice printed in both English and Spanish and in simple language, which notice clearly explains that:

(a) utility service shall stop on a specific date;

(b) the customer may be eligible for financial assistance to pay for the utility service; and

(c) for assistance, the customer should contact the utility or the authority;

(2) any utility subject to this section shall attempt to advise customers who contact the utility seeking financial assistance of the program administered under the Low Income Utility Assistance Act and of assistance programs the utility may administer on its own or in conjunction with others;

(3) the utilities subject to this section and the authority shall provide application forms for utility service payment assistance at billing and agency offices; and

(4) before the service is actually discontinued, the utility shall attempt to make contact in person or by telephone to remind the customer of the pending date of discontinuance of service and that financial assistance for utility payments may be available.

B. Unless requested by the customer, no gas or electric utility shall discontinue service to any residential customer for nonpayment during the period from November 15 through March 15 until at least fifteen days after the date scheduled for discontinuance of service if the authority has certified to the utility that a customer is eligible for utility payment assistance under the Low Income Utility Assistance Act and that payment for the utility service provided to the customer will be made within the fifteen-day period.

C. The authority and the public regulation commission shall coordinate and adopt, as they deem appropriate, either separate or joint rules necessary to implement the provisions of this section; provided that nothing in this section authorizes the authority to revise tariffs or rate filings subject to the jurisdiction of the public regulation commission."

Chapter 39 Section 107 Laws 2024

SECTION 107. Section 27-6-18.1 NMSA 1978 (being Laws 2007, Chapter 231, Section 1) is amended to read:

"27-6-18.1. PROHIBITION ON DISCONTINUANCE OR DISCONNECTION OF UTILITY SERVICE DURING THE WINTER HEATING SEASON--MINIMUM PAYMENTS--PAYMENT PLANS--EXCEPTIONS.--

A. Except as provided in Subsection C of this section, unless requested by the customer, no utility shall discontinue or disconnect service to a residential customer during the heating season for nonpayment of the customer's utility bill if the customer meets the qualifications to receive assistance pursuant to the low-income home energy

assistance program from the administering authority during the program's current heating season.

B. The utility shall make payment plan options available to the customer pursuant to rules adopted by the public regulation commission.

C. If the customer does not pay the past due charges from the customer's utility bill before the beginning of the next heating season, the customer shall not be eligible for protection from discontinued or disconnected utility service pursuant to this section during that next heating season until the past due charges are paid in full.

D. A customer who has defaulted on the customer's chosen payment plan and whose utility service has been discontinued or disconnected during the nonheating season can be reconnected and maintain the protection afforded by this section by paying reconnection charges, if any, and by paying the amount due pursuant to the payment plan by the date on which service is reconnected.

E. If a customer notifies the utility that the customer needs payment assistance and if the customer requests, the utility shall promptly report the customer's request for assistance to the administering authority. The administering authority shall take prompt action to evaluate the customer's eligibility for the low-income home energy assistance program.

F. Utilities subject to this section shall make the following information available to the public regarding:

(1) the low-income home energy assistance program's:

(a) application forms;

(b) requirements for qualifying for the program;

(c) procedures for making an application; and

(d) location to which an application may be submitted; and

(2) the protection against discontinued and disconnected service set forth in this section for customers seeking assistance paying utility bills during a heating season, including:

(a) payment options; and

(b) circumstances under which disconnection or discontinuance of service may occur.

G. As used in this section:

(1) "administering authority" means the health care authority or a tribal entity that administers its own low-income home energy assistance program;

(2) "current season" means the period beginning in September and continuing through August of the subsequent year;

(3) "heating season" means the period beginning November 15 and continuing through March 15 of the subsequent year;

(4) "nonheating season" means the period beginning on March 16 and continuing through November 14 of the same year; and

(5) "tribal entity" means the governing body or an agency of a federally recognized Indian nation, tribe or pueblo located in whole or in part in New Mexico."

Chapter 39 Section 108 Laws 2024

SECTION 108. Section 27-6A-1 NMSA 1978 (being Laws 1993, Chapter 206, Section 1) is amended to read:

"27-6A-1. SHORT TITLE.--Chapter 27, Article 6A NMSA 1978 may be cited as the "Low Income Water, Sewer and Solid Waste Service Assistance Act"."

Chapter 39 Section 109 Laws 2024

SECTION 109. Section 27-6A-3 NMSA 1978 (being Laws 1993, Chapter 206, Section 3) is amended to read:

"27-6A-3. DEFINITIONS.--As used in the Low Income Water, Sewer and Solid Waste Service Assistance Act:

A. "authority" or "department" means the health care authority; and

B. "utility" means any individual, firm, partnership, company, district, including solid waste district, water and sanitation district and special district, cooperative, association, public or private corporation, lessee, trustee or receiver appointed by any court, municipality and municipal utility as defined in the Municipal Code, incorporated county or county that may or does own, operate, lease or control any plant, property or facility for:

(1) the supply, storage, distribution or furnishing of water to or for the public;

(2) the supply and furnishing of sanitary sewer service to or for the public; or

(3) the supply and furnishing of collection, transportation, treatment or disposal of solid waste to or for the public. "Utility" does not include a public utility subject to the jurisdiction of the public regulation commission."

Chapter 39 Section 110 Laws 2024

SECTION 110. Section 27-6A-5 NMSA 1978 (being Laws 1993, Chapter 206, Section 5) is amended to read:

"27-6A-5. AUTHORITY COOPERATION.--Subject to state and federal statutes and rules governing the sharing of confidential information, the authority shall cooperate with a participating utility in identifying those persons eligible for assistance in accordance with the Low Income Water, Sewer and Solid Waste Service Assistance Act."

Chapter 39 Section 111 Laws 2024

SECTION 111. Section 27-8-1 NMSA 1978 (being Laws 1983, Chapter 139, Section 1) is amended to read:

"27-8-1. SHORT TITLE.--Chapter 27, Article 8 NMSA 1978 may be cited as the "Community Action Act"."

Chapter 39 Section 112 Laws 2024

SECTION 112. Section 27-8-3 NMSA 1978 (being Laws 1983, Chapter 139, Section 3) is amended to read:

"27-8-3. DEFINITIONS.--As used in the Community Action Act:

A. "poverty level" means the official poverty level established by the federal director of the office of management and budget and revised periodically by the United States secretary of health and human services; and

B. "secretary" means the secretary of health care authority."

Chapter 39 Section 113 Laws 2024

SECTION 113. Section 27-9-1 NMSA 1978 (being Laws 1983, Chapter 323, Section 1, as amended) is amended to read:

"27-9-1. PROGRAM--DEMONSTRATIONS.--The health care authority, in cooperation with the aging and long-term services department, is authorized to administer demonstration programs that provide in-home and coordinated community care services to the frail elderly and to persons with disabilities who would otherwise

require institutionalization. The programs authorized by this section shall serve both those eligible and not eligible for federal medical assistance programs."

Chapter 39 Section 114 Laws 2024

SECTION 114. Section 27-9-2 NMSA 1978 (being Laws 1983, Chapter 323, Section 2) is amended to read:

"27-9-2. IMPLEMENTATION.--The secretary of health care authority shall, by rule, specify the areas in which the programs shall operate, specify the services to be provided, establish eligibility criteria of persons to be served and provide for cost sharing, where possible, with persons and participating communities."

Chapter 39 Section 115 Laws 2024

SECTION 115. Section 27-10-1 NMSA 1978 (being Laws 1991, Chapter 212, Section 1) is amended to read:

"27-10-1. SHORT TITLE.--Chapter 27, Article 10 NMSA 1978 may be cited as the "Statewide Health Care Act"."

Chapter 39 Section 116 Laws 2024

SECTION 116. Section 27-10-3 NMSA 1978 (being Laws 1991, Chapter 212, Section 3, as amended) is amended to read:

"27-10-3. COUNTY-SUPPORTED MEDICAID FUND CREATED--USE--APPROPRIATION BY THE LEGISLATURE.--

A. The "county-supported medicaid fund" is created as a nonreverting fund in the state treasury. The fund shall be invested by the state treasurer as other state funds are invested. Income earned from investment of the fund shall be credited to the county-supported medicaid fund.

B. Money in the county-supported medicaid fund is subject to appropriation by the legislature to support the state medicaid program and to institute or support primary care health care services pursuant to Subsections D and E of Section 24-1A-3.1 NMSA 1978. Of the amount appropriated each year, nine percent shall be appropriated to the health care authority to institute or support primary care health care services pursuant to Subsections D and E of Section 24-1A-3.1 NMSA 1978.

C. Up to three percent of the county-supported medicaid fund each year may be expended for administrative costs related to medicaid or developing new primary care health care centers or facilities.

D. In the event federal funds for medicaid are not received by New Mexico for any eighteen-month period, the unencumbered balance remaining in the county-supported medicaid fund and the safety net care pool fund at the end of the fiscal year following the end of any eighteen-month period shall be paid within a reasonable time to each county for deposit in the county health care assistance fund in proportion to the payments made by each county through tax revenues or transfers in the previous fiscal year as certified by the local government division of the department of finance and administration. The department will provide for budgeting and accounting of payments to the fund."

Chapter 39 Section 117 Laws 2024

SECTION 117. Section 27-11-2 NMSA 1978 (being Laws 1998, Chapter 30, Section 2, as amended) is amended to read:

"27-11-2. DEFINITIONS.--As used in the Medicaid Provider and Managed Care Act:

A. "claim" means a request for payment for services;

B. "clean claim" means a claim for reimbursement that:

(1) contains substantially all the required data elements necessary for accurate adjudication of the claim without the need for additional information from the medicaid provider or subcontractor;

(2) is not materially deficient or improper, including lacking substantiating documentation required by medicaid; and

(3) has no particular or unusual circumstances that require special treatment or that prevent payment from being made in due course on behalf of medicaid;

C. "credible" means having indicia of reliability after the state has reviewed all allegations, facts and evidence carefully and acted judiciously on a case-by-case basis;

D. "credible allegation of fraud" means an allegation that has been verified by the state from any source, including fraud hotline complaints, claims data mining and provider audits;

E. "department" or "authority" means the health care authority;

F. "fraud" means any act that constitutes fraud under state or federal law;

G. "managed care organization" means a person eligible to enter into risk-based prepaid capitation agreements with the authority to provide health care and related services;

H. "medicaid" means the medical assistance program established pursuant to Title 19 of the federal Social Security Act and regulations issued pursuant to that act;

I. "medicaid provider" means a person that provides medicaid-related services to recipients;

J. "overpayment" means an amount paid to a medicaid provider or subcontractor in excess of the medicaid allowable amount, including payment for any claim to which a medicaid provider or subcontractor is not entitled;

K. "person" means an individual or other legal entity;

L. "recipient" means a person whom the authority has determined to be eligible to receive medicaid-related services;

M. "secretary" means the secretary of health care authority; and

N. "subcontractor" means a person that contracts with a medicaid provider or a managed care organization to provide medicaid-related services to recipients."

Chapter 39 Section 118 Laws 2024

SECTION 118. Section 27-14-1 NMSA 1978 (being Laws 2004, Chapter 49, Section 1) is amended to read:

"27-14-1. SHORT TITLE.--Chapter 27, Article 14 NMSA 1978 may be cited as the "Medicaid False Claims Act"."

Chapter 39 Section 119 Laws 2024

SECTION 119. Section 27-14-3 NMSA 1978 (being Laws 2004, Chapter 49, Section 3) is amended to read:

"27-14-3. DEFINITIONS.--As used in the Medicaid False Claims Act:

A. "claim" means a written or electronically submitted request for payment of health care services pursuant to the medicaid program;

B. "department" or "authority" means the health care authority;

C. "medicaid" means the federal-state program administered by the health care authority pursuant to Title 19 or Title 21 of the federal Social Security Act;

D. "medicaid recipient" means a person on whose behalf a person claims or receives a payment from the medicaid program, regardless of whether the person was eligible for the medicaid program; and

E. "qui tam" means an action brought under a statute that allows a private person to sue for a recovery, part of which the state will receive."

Chapter 39 Section 120 Laws 2024

SECTION 120. Section 28-16-15.2 NMSA 1978 (being Laws 1993, Chapter 84, Section 2, as amended) is amended to read:

"28-16-15.2. DEVELOPMENTAL DISABILITIES COUNCIL--ADDITIONAL DUTIES.--The developmental disabilities council shall cooperate with the health care authority to:

A. provide data to support an amendment to the developmental disabilities medicaid waiver program to increase the number of eligible persons served;

B. develop a contingency plan to describe the role and control the growth of intermediate care facilities for persons with developmental or intellectual disabilities; and

C. develop flexibility in the system of prioritization for admission to allow persons to move within the service system to an appropriate level of service, including movement of residents of intermediate care facilities for persons with developmental or intellectual disabilities to the developmental disabilities medicaid waiver program."

Chapter 39 Section 121 Laws 2024

SECTION 121. Section 28-16A-2 NMSA 1978 (being Laws 1993, Chapter 50, Section 2, as amended) is amended to read:

"28-16A-2. LEGISLATIVE AUTHORIZATION.--The Developmental Disabilities Act authorizes the authority to plan, provide and coordinate support and services to persons with developmental disabilities."

Chapter 39 Section 122 Laws 2024

SECTION 122. Section 28-16A-3 NMSA 1978 (being Laws 1993, Chapter 50, Section 3, as amended) is amended to read:

"28-16A-3. DEFINITIONS.--As used in the Developmental Disabilities Act:

A. "assessment" means a process for measuring and determining a person's strengths, needs and preferences to determine eligibility for support and services and to develop or modify an individual support and service plan;

B. "case management" means a process that:

(1) assists a person with a developmental disability to know and understand the person's choices and rights and to obtain support and services that the person is eligible to receive and that are reflected in the individual support and service plan; and

(2) monitors the provision of support and services received by a person with a developmental disability;

C. "council" means the developmental disabilities council;

D. "department" or "authority" means the health care authority;

E. "diagnostic evaluation" means an empirical process that determines if, and to what degree, a person has a developmental deficiency and the type of intervention and services that are needed for the person and that person's family;

F. "direct support professional" means a non-administrative employee or subcontractor of a direct support provider agency who spends the majority of the employee's or subcontractor's work hours providing supportive services to individuals with developmental disabilities living and working in the community;

G. "direct support provider agency" means an entity that:

(1) has entered into a medicaid provider participation agreement with the medical assistance division of the authority and a provider agreement with the developmental disabilities division of the authority;

(2) is reimbursed for services provided to persons through a developmental disabilities medicaid waiver program; and

(3) employs or subcontracts with direct support professionals to provide services to persons with developmental disabilities;

H. "inclusive" means using the same community resources that are used by and available to all citizens and developing relationships with nonpaid caregivers or recipients of support and services for persons with developmental disabilities;

I. "individual support and service plan" means a plan developed by an interdisciplinary team and agreed to by a person with a developmental disability, or by a parent of a minor or a legal guardian, as appropriate, that describes the combination and sequence of special, interdisciplinary or generic care, treatment or other support and services that are needed and desired by a person with a developmental disability;

J. "interdisciplinary team" means a group of persons drawn from or representing professions that are relevant to identifying the needs of a person with a developmental disability and designing a program to meet that person's needs. The team shall include the person with a developmental disability, the parent of a minor child or a legal guardian, as appropriate;

K. "self-determination" means having:

- (1) the ability and opportunity to:
 - (a) communicate and make personal decisions;
 - (b) communicate choices and exercise control over the type and intensity of services, supports and other assistance that a person receives; and
 - (c) participate in, and contribute to, an individual's community;
- (2) the authority to control resources to obtain needed services, supports and other assistance; and
- (3) support, including financial support, to advocate for oneself and others, develop leadership skills through training in self-advocacy, participate in coalitions, educate policymakers and play a role in the development of public policies that affect persons with developmental disabilities; and

L. "service provider" means a nonprofit corporation, tribal government or tribal organization, unit of local government or other organization that has entered into a contract or provider agreement with the developmental disabilities division of the authority for the purpose of providing developmental disabilities support and services."

Chapter 39 Section 123 Laws 2024

SECTION 123. Section 28-16A-4 NMSA 1978 (being Laws 1993, Chapter 50, Section 4, as amended) is amended to read:

"28-16A-4. DEVELOPMENTAL DISABILITIES COUNCIL--CREATION--MEMBERSHIP--TERMS.--

A. The "developmental disabilities council" is created in accordance with the federal Developmental Disabilities Assistance and Bill of Rights Act. The council shall be an adjunct agency as provided in the Executive Reorganization Act.

B. The council shall consist of no fewer than twenty-six members, at least sixty percent of whom shall be:

- (1) persons with developmental disabilities;

(2) parents or legal guardians of children with developmental disabilities; or

(3) immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves.

C. Of the sixty percent of members described in Subsection B of this section, one-third shall be persons with developmental disabilities, one-third shall be members described in Paragraphs (2) and (3) of Subsection B of this section and one-third shall be a combination of members described in Subsection B of this section. At least one member described in Subsection B of this section shall be an immediate relative or guardian of a person who resides or previously resided in an institution or shall be a person with a developmental disability who resides or previously resided in an institution. No member of the council shall be an employee, or someone who manages employees, of a state agency that receives funds to provide developmental disabilities supports and services.

D. The council shall also include:

(1) the secretary of health care authority, or the secretary's designee;

(2) the secretary of children, youth and families, or the secretary's designee;

(3) the secretary of early childhood education and care, or the secretary's designee;

(4) the secretary of aging and long-term services, or the secretary's designee;

(5) the secretary of public education, or the secretary's designee;

(6) the director of the vocational rehabilitation division of the public education department, or the director's designee;

(7) the director of the state protection and advocacy system established pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act of 1990, or the director's designee;

(8) the director of an entity within a state institution of higher education designated as a university center for excellence in developmental disabilities education, research and service; and

(9) at all times, representatives of local and nongovernmental agencies and private nonprofit groups concerned with services for persons with developmental disabilities in New Mexico.

E. The governor shall select the members of the council for appointment pursuant to Subsection B and Paragraphs (8) and (9) of Subsection D of this section after soliciting recommendations from organizations representing a broad range of persons with developmental disabilities and other persons interested in persons with developmental disabilities. The council may, at the initiative of the council or at the request of the governor, coordinate council and public input to the governor regarding all recommendations.

F. The membership of the council shall be geographically representative of the state and reflect the diversity of the state with respect to race and ethnicity.

G. Members, except for ex-officio members, shall be appointed by the governor for terms of three years.

H. The governor shall provide for rotation of the membership of the council. These provisions shall allow members to continue to serve on the council until those members' successors are appointed and qualified.

I. The council shall notify the governor regarding membership requirements of the council and shall notify the governor when vacancies on the council remain unfilled for a significant period of time.

J. Council members shall recuse themselves from any discussion of grants or contracts for which such members' departments, agencies or programs are grantees, contractors or applicants. The council shall ensure that no council member casts a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest."

Chapter 39 Section 124 Laws 2024

SECTION 124. Section 43-1-3 NMSA 1978 (being Laws 1977, Chapter 279, Section 2, as amended by Laws 2023, Chapter 113, Section 12 and by Laws 2023, Chapter 117, Section 2) is amended to read:

"43-1-3. DEFINITIONS.--As used in the Mental Health and Developmental Disabilities Code:

A. "aversive stimuli" means anything that, because it is believed to be unreasonably unpleasant, uncomfortable or distasteful to the client, is administered or done to the client for the purpose of reducing the frequency of a behavior, but does not include verbal therapies, physical restrictions to prevent imminent harm to self or others or psychotropic medications that are not used for purposes of punishment;

B. "client" means a patient who is requesting or receiving mental health services or any person requesting or receiving developmental disabilities services or who is present in a mental health or developmental disabilities facility for the purpose of

receiving such services or who has been placed in a mental health or developmental disabilities facility by the person's parent or guardian or by any court order;

C. "code" means the Mental Health and Developmental Disabilities Code;

D. "consistent with the least drastic means principle" means that the habilitation or treatment and the conditions of habilitation or treatment for the client, separately and in combination:

(1) are no more harsh, hazardous or intrusive than necessary to achieve acceptable treatment objectives for the client;

(2) involve no restrictions on physical movement and no requirement for residential care except as reasonably necessary for the administration of treatment or for the protection of the client or others from physical injury; and

(3) are conducted at the suitable available facility close to the client's place of residence;

E. "convulsive treatment" means any form of mental health treatment that depends upon creation of a convulsion by any means, including electroconvulsive treatment and insulin coma treatment;

F. "court" means a district court of New Mexico;

G. "crisis triage center" means a health facility that:

(1) is licensed by the health care authority; and

(2) provides stabilization of behavioral health crises and may include residential and nonresidential stabilization;

H. "department" or "division" means the behavioral health services division of the health care authority;

I. "developmental or intellectual disability" means a severe chronic disability attributable to significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior, cerebral palsy, autism or neurological dysfunction that requires similar treatment or habilitation;

J. "evaluation facility" means a community mental health or developmental disability program, a crisis triage center or a medical facility that has psychiatric or developmental or intellectual disability services available, including the New Mexico behavioral health institute at Las Vegas, or, if none of those is reasonably available or appropriate, the office of a physician or a certified psychologist that is capable of

performing a mental status examination adequate to determine the need for involuntary treatment;

K. "experimental treatment" means any mental health or developmental disabilities treatment that presents significant risk of physical harm, but does not include accepted treatment used in competent practice of medicine and psychology and supported by scientifically acceptable studies;

L. "grave passive neglect" means failure to provide for basic personal or medical needs or for one's own safety to such an extent that it is more likely than not that serious bodily harm will result in the near future;

M. "habilitation" means the process by which professional persons and their staff assist a client with a developmental or an intellectual disability in acquiring and maintaining those skills and behaviors that enable the person to cope more effectively with the demands of the person's self and environment and to raise the level of the person's physical, mental and social efficiency. "Habilitation" includes but is not limited to programs of formal, structured education and treatment;

N. "likelihood of serious harm to oneself" means that it is more likely than not that in the near future the person will attempt to commit suicide or will cause serious bodily harm to the person's self by violent or other self-destructive means, including grave passive neglect;

O. "likelihood of serious harm to others" means that it is more likely than not that in the near future a person will inflict serious, unjustified bodily harm on another person or commit a criminal sexual offense, as evidenced by behavior causing, attempting or threatening such harm, which behavior gives rise to a reasonable fear of such harm from the person;

P. "mental disorder" means substantial disorder of a person's emotional processes, thought or cognition that grossly impairs judgment, behavior or capacity to recognize reality, but does not mean developmental or intellectual disability;

Q. "mental health or developmental or intellectual disabilities professional" means a physician or other professional who by training or experience is qualified to work with persons with a mental disorder or a developmental or intellectual disability;

R. "physician" or "certified psychologist", when used for the purpose of hospital admittance or discharge, means a physician or certified psychologist who has been granted admitting privileges at a hospital licensed by the health care authority, if such privileges are required;

S. "protected health information" means individually identifiable health information transmitted by or maintained in an electronic form or any other form or media that relates to the:

(1) past, present or future physical or mental health or condition of a person;

(2) provision of health care to a person; or

(3) payment for the provision of health care to a person;

T. "psychosurgery":

(1) means those operations currently referred to as lobotomy, psychiatric surgery and behavioral surgery and all other forms of brain surgery if the surgery is performed for the purpose of the following:

(a) modification or control of thoughts, feelings, actions or behavior rather than the treatment of a known and diagnosed physical disease of the brain;

(b) treatment of abnormal brain function or normal brain tissue in order to control thoughts, feelings, actions or behavior; or

(c) treatment of abnormal brain function or abnormal brain tissue in order to modify thoughts, feelings, actions or behavior when the abnormality is not an established cause for those thoughts, feelings, actions or behavior; and

(2) does not include prefrontal sonic treatment in which there is no destruction of brain tissue;

U. "qualified mental health professional licensed for independent practice" means an independent social worker, a licensed professional clinical mental health counselor, a marriage and family therapist, a certified nurse practitioner, a clinical nurse specialist with a specialty in mental health or a licensed art therapist, all of whom by training and experience are qualified to work with persons with a mental disorder;

V. "residential treatment or habilitation program" means diagnosis, evaluation, care, treatment or habilitation rendered inside or on the premises of a mental health or developmental disabilities facility, hospital, clinic, institution or supervisory residence or nursing home when the client resides on the premises; and

W. "treatment" means any effort to accomplish a significant change in the mental or emotional condition or behavior of the client."

Chapter 39 Section 125 Laws 2024

SECTION 125. Section 59A-23F-3 NMSA 1978 (being Laws 2013, Chapter 54, Section 3, as amended) is amended to read:

"59A-23F-3. NEW MEXICO HEALTH INSURANCE EXCHANGE CREATED--
BOARD CREATED.--

A. The "New Mexico health insurance exchange" is created as a nonprofit public corporation to provide qualified individuals and qualified employers with increased access to health insurance in the state and shall be governed by a board of directors constituted pursuant to the provisions of the New Mexico Health Insurance Exchange Act. The exchange is a governmental entity for purposes of the Governmental Conduct Act, the Gift Act, the Sunshine Portal Transparency Act, the Whistleblower Protection Act, the Procurement Code and the Tort Claims Act, and neither the exchange nor the board shall be considered a governmental entity for any other purpose.

B. The exchange shall not duplicate, impair, enhance, supplant, infringe upon or replace, in whole or in any part, the powers, duties or authority of the superintendent, including the superintendent's authority to review and approve premium rates pursuant to the provisions of the Insurance Code.

C. All health insurance issuers and health maintenance organizations authorized to conduct business in this state and meeting the requirements of the rules promulgated by the superintendent pursuant to Section 59A-23F-7 NMSA 1978, the regulations under federal law and the requirements established by the board shall be eligible to participate in the exchange.

D. The "board of directors of the New Mexico health insurance exchange" is created. The board consists of thirteen voting directors as follows:

(1) one voting director is the superintendent or the superintendent's designee;

(2) six voting directors appointed by the governor, including the secretary of health care authority or the secretary's designee, a health insurance issuer and a consumer advocate; and

(3) six voting directors, three appointed by the president pro tempore of the senate, including one health care provider, and three appointed by the speaker of the house of representatives, including one health insurance issuer. One of the directors appointed by the president pro tempore of the senate and one of the directors appointed by the speaker of the house of representatives shall be from a list of at least two candidates provided, respectively, by the minority floor leader of the senate and by the minority floor leader of the house of representatives.

E. Except as provided in Subsection F of this section, managerial and full-time staff of the exchange shall be subject to applicable provisions of the Governmental Conduct Act and shall not have any direct or indirect affiliation with any health care provider, health insurance issuer or health care service provider.

F. Each director shall comply with the conflict-of-interest provisions of Subsection E of this section, except as follows:

(1) directors who may be appointed from the board of directors of the New Mexico medical insurance pool shall not be considered to have a conflict of interest with respect to their association with that entity;

(2) the secretary of health care authority, or the secretary's designee, shall not be considered to have a conflict of interest with respect to the secretary's performance of the secretary's duties as secretary of health care authority;

(3) the director who is a health care provider shall not be considered to have a conflict of interest arising from that director's receipt of payment for services as a health care provider; and

(4) directors who are representatives of health insurance issuers shall not be considered to have a conflict of interest with respect to those directors' association with their respective health insurance issuers.

G. Each director and employee of the exchange shall have a fiduciary duty to the exchange, to the state and to those persons who purchase or enroll in qualified health plan coverage or medical assistance coverage through the exchange.

H. The board shall be composed, as a whole, to assure representation of the state's Native American population, ethnic diversity, cultural diversity and geographic diversity.

I. Directors shall have demonstrated knowledge or experience in at least one of the following areas:

- (1) purchasing coverage in the individual market;
- (2) purchasing coverage in the small employer market;
- (3) health care finance;
- (4) health care economics or health care actuarial science;
- (5) health care policy;
- (6) the enrollment of underserved residents in health care coverage;
- (7) administration of a private or public health care delivery system;
- (8) information technology;

- (9) starting a small business with fifty or fewer employees; or
- (10) provision of health care services.

J. The governor shall appoint no more than four directors from the same political party.

K. Except for the secretary of health care authority, the non-health insurance issuer directors appointed by the governor shall be appointed for initial terms of three years or less, staggered so that the term of at least one director expires on June 30 of each year. The non-health insurance insurer directors appointed by the legislature shall be appointed for initial terms of three years or less, staggered so that the term of at least one director expires on June 30 of each year. The health insurance issuers appointed to the board shall, upon appointment, select one of them by lot to have an initial term ending on June 30 following one year of service and one to have an initial term ending on June 30 following two years of service. Following the initial terms, health insurance issuer directors shall be appointed for terms of two years. A director whose term has expired shall continue to serve until a successor is appointed by the respective appointing authority. Health insurance issuer directors shall not serve two consecutive terms.

L. The exchange, members of the board and employees of the exchange shall operate consistent with provisions of the Governmental Conduct Act, the Inspection of Public Records Act, the Financial Disclosure Act, the Gift Act, the Whistleblower Protection Act, the Open Meetings Act and the Procurement Code and shall not be subject to the Personnel Act.

M. The board and the exchange shall implement performance-based budgeting and submit annual budgets for the exchange to the secretary of finance and administration and the legislative finance committee.

N. The exchange shall cover its directors and employees under a surety bond, in an amount that the director of the risk management division of the general services department shall prescribe.

O. A majority of directors constitutes a quorum. The board may allow members to attend meetings by telephone or other electronic media. A decision by the board requires a quorum and a majority of directors in attendance voting in favor of the decision.

P. Within thirty days of the effective date of the New Mexico Health Insurance Exchange Act, the board shall be fully appointed and the superintendent shall convene an organizational meeting of the board, during which the board shall elect a chair and vice chair from among the directors. Thereafter, every three years, the board shall elect in open meeting a chair and vice chair from among the directors. The chair and vice chair shall serve no more than two consecutive three-year terms as chair and vice chair.

Q. A vacancy on the board shall be filled by appointment by the original appointing authority for the remainder of the director's unexpired term.

R. A director may be removed from the board by a two-thirds' majority vote of the directors. The board shall set standards for attendance and may remove a director for lack of attendance, neglect of duty or malfeasance in office. A director shall not be removed without proceedings consisting of at least one ten-day notice of hearing and an opportunity to be heard. Removal proceedings shall be before the board and in accordance with procedures adopted by the board.

S. Appointed directors may receive per diem and mileage in accordance with the Per Diem and Mileage Act, subject to the travel policy set by the board. Appointed directors shall receive no other compensation, perquisite or allowance.

T. The board shall:

(1) meet at the call of the chair and no less often than once per calendar quarter. There shall be at least seven days' notice given to directors prior to any meeting. There shall be sufficient notice provided to the public prior to meetings pursuant to the Open Meetings Act;

(2) create, make appointments to and duly consider recommendations of an advisory committee or committees made up of stakeholders, including health insurance issuers, health care consumers, health care providers, health care practitioners, insurance producers, qualified employer representatives and advocates for low-income or underserved residents;

(3) create an advisory committee made up of members insured through the New Mexico medical insurance pool to make recommendations to the board regarding the transition of each organization's insured members into the exchange. The advisory committee shall only exist until a transition plan has been adopted by the board;

(4) create an advisory committee made up of Native Americans, some of whom live on a reservation and some of whom do not live on a reservation, to guide the implementation of the Native American-specific provisions of the federal Patient Protection and Affordable Care Act and the federal Indian Health Care Improvement Act;

(5) designate a Native American liaison, who shall assist the board in developing and ensuring implementation of communication and collaboration between the exchange and Native Americans in the state. The Native American liaison shall serve as a contact person between the exchange and New Mexico Indian nations, tribes and pueblos and shall ensure that training is provided to the staff of the exchange, which may include training in:

- (a) cultural competency;
 - (b) state and federal law relating to Indian health; and
 - (c) other matters relating to the functions of the exchange with respect to Native Americans in the state; and
- (6) establish at least one walk-in customer service center where persons may, if eligible, enroll in qualified health plans or public coverage programs."

Chapter 39 Section 126 Laws 2024

SECTION 126. Section 59A-23F-11 NMSA 1978 (being Laws 2021, Chapter 136, Section 4) is amended to read:

"59A-23F-11. HEALTH CARE AFFORDABILITY FUND.--

A. The "health care affordability fund" is created in the state treasury. The fund consists of distributions, appropriations, gifts, grants and donations. Money in the fund at the end of a fiscal year shall not revert to any other fund. The health care authority shall administer the fund, and money in the fund is subject to appropriation by the legislature for purposes provided by this section. Disbursements from the fund shall be made by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of health care authority or the secretary's authorized representative.

B. The purpose of the fund is to:

- (1) reduce health care premiums and cost sharing for New Mexico residents who purchase health care coverage on the New Mexico health insurance exchange;
- (2) reduce premiums for small businesses and their employees purchasing health care coverage in the fully insured small group market;
- (3) provide resources for planning, design and implementation of health care coverage initiatives for uninsured New Mexico residents; and
- (4) provide resources for administration of state health care coverage initiatives for uninsured New Mexico residents.

C. If the federal Patient Protection and Affordable Care Act is repealed in full or in part by an act of congress or invalidated by the United States supreme court and eliminates or reduces comprehensive health care coverage for New Mexico residents through medicaid or the New Mexico health insurance exchange, the fund may be used to maintain coverage through the New Mexico health insurance exchange or through

medical assistance programs administered by the health care authority; provided that coverage is prioritized for New Mexico residents with incomes below two hundred percent of the federal poverty level.

D. Prior to July 1, 2025, the staff of the legislative finance committee shall conduct a program evaluation to measure the impact of changes to the health insurance premium surtax and the creation of the health care affordability fund as it relates to the purpose of the fund.

E. Prior to July 1 of each year, the health care authority shall provide actuarial data from the health care affordability fund to the legislative finance committee.

F. Prior to July 1 of each year, the secretary of health care authority, in consultation with the superintendent, the secretary of taxation and revenue and the chief executive officer of the New Mexico health insurance exchange, shall work with the legislative finance committee and the department of finance and administration to develop and report on performance measures relating to the health care affordability fund and any programs or initiatives funded by the fund."

Chapter 39 Section 127 Laws 2024

SECTION 127. Section 59A-23F-12 NMSA 1978 (being Laws 2021, Chapter 136, Section 5) is amended to read:

"59A-23F-12. HEALTH CARE AFFORDABILITY PLAN--RULEMAKING--REPORTING REQUIREMENTS.--

A. After the effective date of this 2024 act, rules covering the following provisions may be amended as the health care authority determines:

(1) providing enhanced premium and cost-sharing assistance to individuals and families for the purchase of qualified health plans on the New Mexico health insurance exchange. In providing this assistance, the health care authority shall develop health care affordability criteria designed to reduce the amount that individuals pay in premiums and out-of-pocket medical expenses for qualified health plans offered on the New Mexico health insurance exchange; and

(2) establishing income eligibility parameters for the health care affordability criteria for plan year 2023 and each subsequent calendar year based on available funds. New Mexico residents who qualify shall have an income that is eligible for advanced premium tax credits under the federal Patient Protection and Affordable Care Act.

B. After the effective date of this 2024 act, the health care authority, in consultation with the superintendent, the New Mexico medical insurance pool, the department of health and stakeholder groups, including health care providers that serve

uninsured residents, health insurance carriers and consumer advocacy groups, may update the plan for extending health care coverage access to uninsured New Mexico residents who do not qualify for federal premium assistance or, except by reason of incarceration, qualified health plans, through the New Mexico health insurance exchange. The plan shall include:

- (1) details about health care benefits;
- (2) health care affordability criteria designed to reduce the amount that individuals pay in premiums and out-of-pocket medical expenses under the plan and that result in, to the greatest extent possible, health care costs comparable to costs for New Mexico residents for whom assistance is provided under Subsection A of this section; and
- (3) income eligibility parameters that prioritize eligibility for New Mexico residents with incomes under two hundred percent of the federal poverty level.

C. On or before October 31, 2024 and each October 31 thereafter, the health care authority shall submit a report to the legislative finance committee and the legislative health and human services committee, which includes:

- (1) a summary of the affordability criteria implemented pursuant to Subsections A and B of this section;
- (2) the estimated number of uninsured New Mexico residents who enrolled in coverage following implementation of the affordability criteria pursuant to Subsections A and B of this section; and
- (3) the amount in reduced costs and coverage assistance the initiatives provided in the current and previous calendar years by income level, county and coverage source."

Chapter 39 Section 128 Laws 2024

SECTION 128. Section 59A-23H-1 NMSA 1978 (being Laws 2022, Chapter 33, Section 1) is amended to read:

"59A-23H-1. SHORT TITLE.--Chapter 59A, Article 23H NMSA 1978 may be cited as the "Easy Enrollment Act"."

Chapter 39 Section 129 Laws 2024

SECTION 129. Section 59A-23H-2 NMSA 1978 (being Laws 2022, Chapter 33, Section 2) is amended to read:

"59A-23H-2. DEFINITIONS.--As used in the Easy Enrollment Act:

- A. "authority" or "department" means the health care authority;
- B. "exchange" means the New Mexico health insurance exchange;
- C. "health coverage program" means medicaid, health care coverage available through the federal children's health insurance program, a qualified health plan available through the exchange pursuant to the New Mexico Health Insurance Exchange Act or a health plan available through the New Mexico medical insurance pool pursuant to the Medical Insurance Pool Act;
- D. "insurance-relevant information" means information pertaining to the insurance enrollment status of a taxpayer or members of a taxpayer's household and that is derived or obtained from the taxpayer's state income tax return; provided that information is limited to that information necessary to assess the eligibility of the taxpayer or members of the taxpayer's household for health coverage programs and includes:
- (1) adjusted gross income and other types of reported income used to assess eligibility for health coverage programs;
 - (2) household size;
 - (3) claimed dependents; and
 - (4) contact information and identifying information necessary to assess health coverage program eligibility and used to match against relevant third-party data sources;
- E. "medicaid" means the joint federal-state health coverage program pursuant to Title 19 or Title 21 of the federal Social Security Act, as amended, and the rules promulgated pursuant to that act;
- F. "qualified health plan" means a health plan that has in effect a certification from the superintendent of insurance that meets the standards set forth in applicable federal and state law and rules as well as any additional requirements established by the board of directors of the exchange pursuant to the New Mexico Health Insurance Exchange Act; and
- G. "taxpayer" means an individual subject to the tax imposed pursuant to the Income Tax Act."

Chapter 39 Section 130 Laws 2024

SECTION 130. Section 59A-23H-5 NMSA 1978 (being Laws 2022, Chapter 33, Section 5) is amended to read:

"59A-23H-5. HEALTH CARE AUTHORITY DUTIES.--

A. Upon receipt of a taxpayer's insurance-relevant information from the taxation and revenue department, the authority shall assess the taxpayer's eligibility or the eligibility of members of the taxpayer's household for health coverage programs. If the required insurance-relevant information is insufficient to assess the eligibility of the taxpayer or of the members of the taxpayer's household for those health coverage programs, the authority may request additional information from the taxpayer.

B. If the authority assesses that a taxpayer or a member of the taxpayer's household is eligible for medicaid, the authority shall contact the taxpayer and provide the taxpayer with information on:

(1) health coverage programs available to the taxpayer or member of the taxpayer's household; and

(2) specific enrollment instructions and information on enrollment assistance.

C. If the information transferred to the authority is sufficient to complete an eligibility determination and the taxpayer has consented to being enrolled in medicaid, the authority may enroll the taxpayer in medicaid.

D. The authority shall refer taxpayers or members of the taxpayer's household to the exchange if the authority assesses that a taxpayer or a member of the taxpayer's household may be eligible for a qualified health plan available through the exchange pursuant to the New Mexico Health Insurance Exchange Act. The authority may share insurance-relevant information provided by the taxation and revenue department with the exchange for the purpose of assisting a taxpayer with enrollment in a qualified health plan."

Chapter 39 Section 131 Laws 2024

SECTION 131. TEMPORARY PROVISION--TRANSFERS OF FUNCTIONS, EMPLOYEES, MONEY, APPROPRIATIONS, PROPERTY, CONTRACTUAL OBLIGATIONS AND STATUTORY REFERENCES.--

A. On July 1, 2024:

(1) functions, employees, money, appropriations, records, equipment and other property of the department of health pertaining to the developmental disabilities supports division, health improvement division and health facility licensing and certification bureau are transferred from the department of health to the health care authority;

(2) all contractual obligations pertaining to the developmental disabilities supports division, health improvement division and health facility licensing and certification bureau shall be deemed to be contractual obligations of the health care authority; and

(3) statutory references to the developmental disabilities supports division, health improvement division and health facility licensing and certification bureau or other functions transferred from the department of health to the health care authority shall be deemed to be references to the health care authority.

B. On July 1, 2024, functions, employees, money, appropriations, records, equipment and other property of the office of the superintendent of insurance pertaining to the administration of the health care affordability fund are transferred to the health care authority. Contractual obligations of the office of the superintendent of insurance pertaining to the health care affordability fund shall be deemed to be contractual obligations of the health care authority.

Chapter 39 Section 132 Laws 2024

SECTION 132. TEMPORARY PROVISION--RECOMPILATION.--

A. Sections 24-1-23, 24-1-39 and 24-1-42 NMSA 1978 (being Laws 1987, Chapter 157, Section 1, Laws 2019, Chapter 4, Section 1 and Laws 2021, Chapter 127, Section 1) are recompiled as Sections 24A-1-18 through 24A-1-20 NMSA 1978.

B. Sections 24-1E-4 through 24-1E-7 NMSA 1978 (being Laws 1996, Chapter 35, Section 7 through 9 and Laws 2001, Chapter 225, Section 5, as amended) are recompiled as Sections 24A-2-5 through 24A-2-8 NMSA 1978.

C. Sections 24-1I-1 through 24-1I-5 NMSA 1978 (being Laws 2015, Chapter 96, Sections 1 through 5, as amended) are recompiled in Chapter 24A, Article 4 NMSA 1978.

D. Section 24-17A-2, 24-17A-4 and 24-17A-5 NMSA 1978 (being Laws 1998, Chapter 82, Section 2, Laws 1998, Chapter 82, Section 4 and Laws 1998, Chapter 82, Section 5) are recompiled as Sections 24A-5-2, 24A-5-4 and 24A-5-5 NMSA 1978.

Chapter 39 Section 133 Laws 2024

SECTION 133. REPEAL.--

A. Section 9-8-7.4 NMSA 1978 (being Laws 2019, Chapter 211, Section 2, as amended) is repealed.

B. Section 24-1A-5 NMSA 1978 (being Laws 2023, Chapter 204, Section 1) is repealed.

C. Sections 24-1G-1 and 24-1G-2 NMSA 1978 (being Laws 2005, Chapter 55, Sections 1 and 2, as amended) are repealed.

D. Sections 24-1K-1 and 24-1K-2 NMSA 1978 (being Laws 2021, Chapter 87, Sections 1 and 2) are repealed.

Chapter 39 Section 134 Laws 2024

SECTION 134. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 40

SHPAC/Senate Bill 15, aa, w/o ec
Approved March 1, 2024

AN ACT

RELATING TO INSURANCE; ENACTING THE HEALTH CARE CONSOLIDATION OVERSIGHT ACT; REQUIRING REVIEW OF PROPOSED HOSPITAL ACQUISITIONS AND OTHER CHANGES IN CONTROL OF HOSPITALS; GRANTING THE OFFICE OF SUPERINTENDENT OF INSURANCE AND THE HEALTH CARE AUTHORITY DEPARTMENT THE AUTHORITY TO REVIEW PROPOSED TRANSACTIONS; AUTHORIZING THE APPROVAL, DISAPPROVAL OR CONDITIONAL APPROVAL OF TRANSACTIONS; PROVIDING CONFIDENTIALITY; ASSESSING COSTS; REPEALING AND ENACTING SECTIONS OF THE NMSA 1978.

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

Chapter 40 Section 1 Laws 2024

SECTION 1. A new section of the New Mexico Insurance Code is enacted to read:

"SHORT TITLE.--This act may be cited as the "Health Care Consolidation Oversight Act"."

Chapter 40 Section 2 Laws 2024

SECTION 2. A new section of the New Mexico Insurance Code is enacted to read:

"DEFINITIONS.--As used in the Health Care Consolidation Oversight Act:

- A. "acquisition" means an agreement or activity the consummation of which results in a person acquiring, directly or indirectly, the control of a hospital in New Mexico and includes the acquisition of voting securities, membership interests, equity interests or assets;
- B. "affiliation" means a business arrangement in which one person directly or indirectly is controlled by, is under common control with or controls another person;
- C. "authority" means the health care authority department;
- D. "control" means the power to direct or cause the direction of the management and policies of a hospital, whether directly or indirectly, including through the ownership of voting securities, through licensing or franchise agreements or by contract other than a commercial contract for goods or nonmanagement services, unless the power is the result of an official position with or corporate office held by an individual;
- E. "essential services" means health care services covered by the state medicaid program, health care services that are required to be included in health plans pursuant to state or federal law and health care services that are required to be included in qualified health plans offered through the New Mexico health insurance exchange;
- F. "health care provider" means a person qualified or licensed under state law to perform or provide health care services;
- G. "health insurer" means a person required to be licensed or subject to the Insurance Code in connection with the business of health insurance or health care;
- H. "hospital" means a hospital licensed by the department of health or its successor health facility licensing agency, but "hospital" does not include a state university teaching hospital or a state-owned special hospital;
- I. "management services organization" means a person that provides all or substantially all of the administrative or management services under contract with a hospital, including administering contracts with health plans, third-party administrators and pharmacy benefit managers, on behalf of the hospital;
- J. "office" means the office of superintendent of insurance;
- K. "party" means a person taking part in a transaction subject to the Health Care Consolidation Oversight Act;
- L. "person" means an individual, association, organization, partnership, firm, syndicate, trust, corporation or other legal entity;
- M. "superintendent" means the superintendent of insurance; and

N. "transaction" means any of the following:

- (1) a merger of a hospital in New Mexico with another hospital;
- (2) an acquisition of one or more hospitals in New Mexico;
- (3) any affiliation or contract or other agreement that results in a change of control of a hospital in New Mexico, including with a management services organization or health insurer;
- (4) a formation of a new corporation, partnership, joint venture, trust, parent organization or management services organization that results in a change of control of an existing hospital in New Mexico; and
- (5) a sale, purchase, lease, new affiliation or any agreement that results in control of a hospital in New Mexico."

Chapter 40 Section 3 Laws 2024

SECTION 3. A new section of the New Mexico Insurance Code is enacted to read:

"APPLICABILITY--PROVISIONS ADDITIONAL--CONTROL PRESUMPTIONS.--

A. The oversight power of the office pursuant to the Health Care Consolidation Oversight Act applies to proposed transactions that involve a New Mexico hospital.

B. Being subject to the Health Care Consolidation Oversight Act does not preclude or negate any person regulated pursuant to the Insurance Holding Company Law.

C. Control is presumed to exist if a person, directly or indirectly, owns, controls, holds fifteen percent or more of the power to vote or holds proxies representing fifteen percent or more of the voting securities of any other person. The presumption may be rebutted by a showing in the manner provided by Section 59A-37-19 NMSA 1978 that control does not in fact exist."

Chapter 40 Section 4 Laws 2024

SECTION 4. A new section of the New Mexico Insurance Code is enacted to read:

"CONFIDENTIALITY.--All documents, materials or other information in the possession or control of the office that are obtained by or disclosed to the office or the

authority in the course of a review under the Health Care Consolidation Oversight Act are confidential."

Chapter 40 Section 5 Laws 2024

SECTION 5. A new section of the New Mexico Insurance Code is enacted to read:

"TIMING OF REVIEW OF NOTICE AND TOLLING.--

A. A notice of a proposed transaction shall be deemed complete by the office on the date when all the information required by the Health Care Consolidation Oversight Act or requested by the office is submitted by all the parties to the transaction, as applicable.

B. Should the scope of the proposed transaction be significantly modified from that outlined in the initial notice, the time periods set out in the Health Care Consolidation Oversight Act shall be restarted by the office.

C. The time periods shall be tolled during any time in which the office has requested and is awaiting further information from the parties to a transaction necessary to complete its review."

Chapter 40 Section 6 Laws 2024

SECTION 6. A new section of the New Mexico Insurance Code is enacted to read:

"NOTICE OF PROPOSED TRANSACTION--GENERAL PROVISIONS--REQUIREMENTS--CONSULTATIONS--EXPERTS--PAYMENT OF COSTS.--

A. At least one person that is a party to a proposed transaction shall submit to the office a written notice of the proposed transaction in the form and manner prescribed by the office. The parties shall pay the reasonable costs and expenses incurred by the office in the performance of the office's or authority's duties pursuant to the Health Care Consolidation Oversight Act for costs associated with the office's contracts with experts, unless determined otherwise by the superintendent. The office shall notify parties before any costs are incurred when a transaction review requires the use of outside experts, including the estimated cost of their services.

B. Upon receipt of a complete notice of a proposed transaction, the office shall determine if the transaction is urgently necessary to maintain the solvency of a hospital or if there is an emergency that threatens the continued provision of immediate health care services. In such circumstances, the office may agree to an immediate approval of a transaction with or without conditions.

C. Entry into a binding agreement before a transaction is effectuated is not a violation of the Health Care Consolidation Oversight Act if the transaction remains subject to regulatory review and approval.

D. If a party to the proposed transaction is a health insurer, the notice shall be submitted as an addendum to any filing required by Sections 59A-37-4 through 59A-37-10 NMSA 1978.

E. The notice of the proposed transaction shall include:

(1) a list of the parties, the terms of the proposed transaction and copies of all transaction agreements between any of the parties;

(2) a statement describing the goals of the proposed transaction and whether and how the proposed transaction affects health care services in New Mexico;

(3) the geographic service area of any hospital affected by the proposed transaction;

(4) a description of the groups or individuals likely to be affected by the transaction; and

(5) a summary of the health care services currently provided by any of the parties and any health care services that will be added, reduced or eliminated, including an explanation of why any services will be reduced or eliminated in the service area in which they are currently provided.

F. The office shall consult with the authority about the potential effect of the proposed transaction and incorporate the authority's recommendations into the office's final determination.

G. The office may retain actuaries, accountants, attorneys or other professionals who are qualified and have expertise in the type of transaction under review as necessary to assist the office in conducting its review of the proposed transaction.

H. The parties shall not effectuate a transaction without the written approval of the superintendent. The submitting party shall notify the office in a form and manner prescribed by the office when the transaction has been effectuated.

I. Parties to a proposed transaction may request a pre-notice conference to determine if they are required to file a notice or to discuss the potential extent of the review."

Chapter 40 Section 7 Laws 2024

SECTION 7. A new section of the New Mexico Insurance Code is enacted to read:

"REVIEW OF PROPOSED TRANSACTION.--

A. Within one hundred twenty days of receiving a complete notice of a proposed transaction, the office shall complete a review, confer with the authority and either:

- (1) approve the proposed transaction;
- (2) approve the proposed transaction with conditions; or
- (3) disapprove the proposed transaction.

B. The superintendent shall notify the submitting party in writing of the office's determination and the reasons for the determination.

C. The review period may be extended if the parties agree to an extension.

D. In conducting a review of a proposed transaction, the office may consider the likely effect in New Mexico of the proposed transaction on:

- (1) the potential reduction or elimination in access to essential services;
- (2) the availability, accessibility and quality of health care services to any community affected by the transaction;
- (3) the health care market share of a party and whether the transaction may foreclose competitors of a party from a segment of the market or otherwise increase barriers to entry in a health care market;
- (4) changes in practice restrictions for licensed health care providers who work at the hospital;
- (5) patient costs, including premiums and out-of-pocket costs;
- (6) health care provider networks; and
- (7) the potential for the proposed transaction to affect health outcomes for New Mexico residents.

E. The office shall approve the proposed transaction after the comprehensive review if the office determines that:

(1) the parties to the proposed transaction have demonstrated that the transaction will benefit the public by:

(a) reducing the growth in patient costs, including premiums and out-of-pocket costs; or

(b) maintaining or increasing access to services, especially in medically underserved areas;

(2) the proposed transaction will improve health outcomes for New Mexico residents; and

(3) there is no substantial likelihood of:

(a) a significant reduction in the availability, accessibility, affordability or quality of care for patients and consumers of health care services; or

(b) anti-competitive effects from the proposed transaction that outweigh the benefits of the transaction."

Chapter 40 Section 8 Laws 2024

SECTION 8. A new section of the New Mexico Insurance Code is enacted to read:

"POST-TRANSACTION OVERSIGHT.--

A. The person that acquired control over the hospital through an approved or conditionally approved transaction shall submit reports to the office and the authority in the form and manner prescribed by the office annually for three years after approval or conditional approval.

B. Reports shall:

(1) describe compliance with conditions placed on the transaction, if any;

(2) describe the growth, decline and other changes in services provided by the person; and

(3) provide analyses of cost trends and cost growth trends of the hospital."

Chapter 40 Section 9 Laws 2024

SECTION 9. DELAYED REPEAL.--Sections 1 through 7 of this act are repealed effective July 1, 2025.

LAWS 2024, CHAPTER 41

Senate Bill 17

Approved March 1, 2024

AN ACT

RELATING TO HEALTH CARE; ENACTING THE HEALTH CARE DELIVERY AND ACCESS ACT; IMPOSING ON CERTAIN HOSPITALS THE HEALTH CARE DELIVERY AND ACCESS ASSESSMENT; CREATING THE HEALTH CARE DELIVERY AND ACCESS FUND; CREATING THE HEALTH CARE DELIVERY AND ACCESS MEDICAID-DIRECTED PAYMENT PROGRAM; PROVIDING THAT REVENUE FROM THE ASSESSMENT BE USED AS ADDITIONAL REIMBURSEMENT TO CERTAIN HOSPITALS; PROVIDING A DISTRIBUTION TO THE HEALTH CARE DELIVERY AND ACCESS FUND; PROVIDING THAT THE TAX ADMINISTRATION ACT APPLIES TO AND GOVERNS THE HEALTH CARE DELIVERY AND ACCESS ACT; PROVIDING A DELAYED REPEAL; PROVIDING A CONTINGENT EFFECTIVE DATE; MAKING AN APPROPRIATION.

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

Chapter 41 Section 1 Laws 2024

SECTION 1. SHORT TITLE.--Sections 1 through 7 of this act may be cited as the "Health Care Delivery and Access Act".

Chapter 41 Section 2 Laws 2024

SECTION 2. DEFINITIONS.--As used in the Health Care Delivery and Access Act:

A. "assessed days" means the number of inpatient hospital days exclusive of medicare days for each eligible hospital, with data sources to be defined by the authority and updated no less frequently than every three years;

B. "assessed outpatient revenue" means net patient revenue exclusive of medicare outpatient revenue for outpatient services, with data sources to be defined by the authority and updated no less frequently than every three years;

- C. "assessment" means the health care delivery and access assessment;
- D. "assessment amount" means the assessment amount owed by an eligible hospital;
- E. "assessment rate" means the amount per assessed day and the percentage of assessed outpatient revenue calculated by the authority;
- F. "authority" means the health care authority department;
- G. "average commercial rate" means the average rate paid by commercial insurers as provided by the centers for medicare and medicaid services;
- H. "centers for medicare and medicaid services" means the centers for medicare and medicaid services of the United States department of health and human services;
- I. "eligible hospital" means a non-federal facility licensed as a hospital by the department of health, excluding a state university teaching hospital or a state-owned special hospital;
- J. "general acute care hospital" means a hospital other than a special hospital;
- K. "hospital" means a facility providing emergency or urgent care, inpatient medical care and nursing care for acute illness, injury, surgery or obstetrics. "Hospital" includes a facility licensed by the department of health as a critical access hospital, rural emergency hospital, general hospital, long-term acute care hospital, psychiatric hospital, rehabilitation hospital, limited services hospital or special hospital;
- L. "inpatient hospital services" means services that:
 - (1) are ordinarily furnished in a hospital for the care and treatment of inpatients;
 - (2) are furnished under the direction of a physician, advanced practice clinician or dentist;
 - (3) are furnished in an institution that:
 - (a) is maintained primarily for the care and treatment of patients;
 - (b) is licensed or formally approved as a hospital by an officially designated authority for state standard-setting;

(c) meets the requirements for participation in medicare as a hospital; and

(d) has in effect a utilization review plan, applicable to all medicaid patients, that meets federal requirements; and

(4) are not skilled nursing facility services or immediate care facility services furnished by a hospital with a swing-bed approval;

M. "managed care organization" means a person or organization that has entered into a comprehensive risk-based contract with the authority to provide health care services, including inpatient and outpatient hospital services, to medicaid beneficiaries;

N. "medicaid" means the medical assistance program established pursuant to Title 19 of the federal Social Security Act and regulations promulgated pursuant to that act;

O. "medicaid-directed payment program" means the health care delivery and access medicaid-directed payment program created pursuant to Section 5 of the Health Care Delivery and Access Act providing additional medicaid funding for hospital services provided through medicaid managed care organizations, as directed by the authority and approved by the centers for medicare and medicaid services;

P. "medicare days" means the number of inpatient days provided by an eligible hospital during the year to patients covered under Title 18 of the federal Social Security Act;

Q. "medicare outpatient revenue" means the amount of net revenue received by an eligible hospital for outpatient hospital services provided to patients covered under Title 18 of the federal Social Security Act;

R. "net patient revenue" means total net revenue received by a hospital for inpatient and outpatient hospital services in a year, as determined by the authority;

S. "New Mexico medicaid program" means the medicaid program established pursuant to Section 27-2-12 NMSA 1978;

T. "outpatient hospital services" means preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished:

(1) to outpatients;

(2) by or under the direction of a physician, advanced practice clinician or dentist; and

(3) by an institution that:

(a) is licensed or formally approved as a hospital by an officially designated authority for state standard-setting; and

(b) meets the requirements for participation in medicare as a hospital;

U. "quality incentive payments" means the portion of the medicaid-directed payment program paid to hospitals based on value-based quality measurements and performance evaluation criteria, as established by the authority pursuant to Section 5 of the Health Care Delivery and Access Act;

V. "rehabilitation hospital" means a facility licensed as a rehabilitation hospital by the department of health;

W. "rural emergency hospital" means a facility licensed as a rural emergency hospital by the department of health;

X. "rural hospital" means a hospital that is located in a county that has a population of one hundred twenty-five thousand or fewer according to the most recent federal decennial census;

Y. "secretary" means the secretary of health care authority;

Z. "small urban hospital" means a hospital that is located in a county that has a population greater than one hundred twenty-five thousand and that has fewer than fifteen licensed inpatient beds as of January 1, 2024;

AA. "special hospital" means a facility licensed as a special hospital by the department of health; and

BB. "uniform rate increase" means the portion of the medicaid-directed payment program paid to hospitals as a uniform dollar or percentage increase.

Chapter 41 Section 3 Laws 2024

SECTION 3. HEALTH CARE DELIVERY AND ACCESS ASSESSMENT--RATE AND CALCULATION--NOTIFICATION.--

A. Except as otherwise provided in this section, an assessment is imposed on inpatient hospital services and outpatient hospital services provided by an eligible hospital. The assessment rate shall be annually calculated by the authority pursuant to Subsection D of this section and the taxation and revenue department shall collect the assessment. The inpatient assessment shall be based on assessed days and the outpatient assessment shall be based on assessed outpatient revenue. The

assessment provided by this section may be referred to as the "health care delivery and access assessment".

B. The rate of the assessment on a rural hospital and special hospital shall be reduced by fifty percent, and the rate of the assessment on a small urban hospital shall be reduced by ninety percent; provided that the amount of the assessment qualifies for a waiver of the uniformity requirement for provider assessment from the centers for medicare and medicaid services. The authority may adjust these percentages and establish eligibility requirements as necessary to qualify for the waiver.

C. The assessment shall not be imposed for any period for which the centers for medicare and medicaid services has not approved a necessary waiver or other applicable authorization required to ensure that the assessment is a permissible source of non-federal funding for medicaid program expenditures, or for which the centers for medicare and medicaid services has not approved the distribution of the medicaid-directed payment program payments.

D. The authority shall annually calculate the assessment amount to be paid by each eligible hospital and shall annually notify the taxation and revenue department and all hospitals of the applicable rates. The authority shall calculate the assessment amount by applying the assessment rate to an eligible hospital's assessed days and assessed outpatient revenue so that total revenue from the assessment will equal the lesser of:

(1) the amount needed, in combination with other funds deposited or expected to be deposited in the health care delivery and access fund for the subsequent fiscal year, including unexpended and unencumbered money in the fund, to provide sufficient funding for:

(a) the non-federal share of medicaid-directed payment program payments for inpatient and outpatient hospital services for eligible hospitals at a level such that the total reimbursement for medicaid managed care patients, including any other inpatient or outpatient hospital directed payments, is equivalent to the average commercial rate or such other maximum level as may be set by the centers for medicare and medicaid services; and

(b) the purposes of the health care delivery and access fund; or

(2) the amount specified in Section 1903(w)(4)(C)(ii) of the federal Social Security Act, above which an indirect guarantee is determined to exist, with such amount determined each year based on the most recent available net patient revenue data.

E. The authority shall notify an eligible hospital of its applicable assessment amount pursuant to the following schedule:

(1) by November 1, 2024 for the period beginning on July 1, 2024 and ending on December 31, 2024; and

(2) by November 1 of the preceding calendar year for each calendar year thereafter.

F. The assessment imposed for the six-month period identified in Paragraph (1) of Subsection E of this section shall be based on assessed days and assessed outpatient revenue for a full year.

G. The authority may require hospitals, regardless of whether they are eligible hospitals, to report information or data necessary to implement and administer the Health Care Delivery and Access Act. If the authority requires such reporting, it shall specify the frequency and due dates.

H. The authority shall determine how the assessment is applied to newly created hospitals and hospitals that are merged, acquired or closed.

I. A hospital shall not specifically list the cost of the assessment on any invoice, claim or statement sent to a patient, insurer, self-insured employer program or other responsible party.

Chapter 41 Section 4 Laws 2024

SECTION 4. HEALTH CARE DELIVERY AND ACCESS FUND--CREATED.--

A. The "health care delivery and access fund" is created as a nonreverting fund in the state treasury. The fund consists of distributions, appropriations, transfers, gifts, grants, donations, bequests and income from investment of the fund. The authority shall administer the fund. Money in the fund is appropriated to the authority for the purposes of the fund provided in Subsection B of this section. Expenditures from the fund shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of health care authority or the secretary's authorized representative.

B. Money in the health care delivery and access fund shall be used only for the following purposes:

(1) at least ninety percent for the non-federal share of the medicaid-directed payment program;

(2) not more than ten percent for the non-federal share of costs incurred by the authority to administer the Health Care Delivery and Access Act; and

(3) for refunds to eligible hospitals, in proportion to the assessment amounts paid by the hospitals, if there is a final determination that the assessment is

not a permissible source of non-federal medicaid program expenditures or if a substantial portion of the federal funding for the directed payments is disallowed.

Chapter 41 Section 5 Laws 2024

SECTION 5. HEALTH CARE DELIVERY AND ACCESS MEDICAID-DIRECTED PAYMENT PROGRAM.--

A. The "health care delivery and access medicaid-directed payment program" is created in the authority pursuant to the provisions of this section, to be approved by the centers for medicare and medicaid services.

B. The authority shall:

(1) determine the amount of funds required for disproportionate share hospital payments but for the impact of the medicaid-directed payment program on the limit established by Section 1923(g) of the federal Social Security Act and direct a like amount of funds otherwise appropriated for the New Mexico medicaid program to fund the medicaid-directed payment program;

(2) determine the total funding for the medicaid-directed payment program, including the amount pursuant to Paragraph (1) of this subsection, and the associated matching federal funds;

(3) set aside forty percent of the medicaid-directed payment program funding for quality incentive payments for eligible hospitals, to replace the targeted access fee-for-service supplemental payment program and the hospital value-based directed payment program, including the hospital access payment program and the hospital quality improvement initiative;

(4) establish quality measurements and performance evaluation criteria based on hospital grouping classifications, after soliciting input from key stakeholders of the New Mexico hospital industry, for eligible hospitals using quality measurements and performance evaluation criteria:

(a) that have been endorsed by a nationally recognized quality organization;

(b) that align with the New Mexico medicaid strategic plan; or

(c) that align with the department of health's state health improvement plan;

(5) ensure that a quality incentive payment made to an eligible general acute care hospital:

(a) prior to calendar year 2026, is distributed based only on quality measurements and not performance evaluation; and

(b) for calendar year 2026 and subsequent years, is distributed based on quality measurements and performance evaluation;

(6) ensure that a quality incentive payment made to an eligible special hospital:

(a) prior to calendar year 2027, is distributed based only on quality measurements and not performance evaluation; and

(b) for calendar year 2027 and subsequent years, is distributed based on quality measurements and performance evaluation;

(7) after soliciting input from key stakeholders of New Mexico's hospital industry, structure payments to hospitals for the portion of the funding not used for the quality incentive payments as a uniform rate increase, to be paid to eligible hospitals through medicaid managed care organizations separately and in addition to capitation payments made to such organizations; and

(8) to the extent permitted by federal law, require, no more frequently than annually, that each eligible hospital submit to the authority, upon request, a report demonstrating that the increase in payment for medicaid managed care patients provided through the medicaid-directed payment program has enabled it to invest an amount equal to at least seventy-five percent of its net new funding into the delivery of and access to health care services in New Mexico, including investments in hospital operational costs, workforce recruitment and retention, staff and provider compensation increases, on-call physician coverage, precepting incentives, creation or expansion of services, community benefit activities or capital investments.

Chapter 41 Section 6 Laws 2024

SECTION 6. DUE DATES--HEALTH CARE DELIVERY AND ACCESS ASSESSMENT--DIRECTED PAYMENTS.--

A. For the period from July 1, 2024 through December 31, 2024, a hospital shall pay the assessment to the taxation and revenue department as follows:

(1) by March 10, 2025 for the uniform rate increase; and

(2) by May 10, 2025 for the quality incentive payment.

B. For calendar year 2025 and thereafter, a hospital shall pay the assessment to the taxation and revenue department as follows:

(1) seventy days after the end of each calendar quarter for the uniform rate increase for that quarter; and

(2) by May 10 of the subsequent year for the quality incentive payment, unless approval by the centers for medicare and medicaid services of the medicaid-directed payment program for that year has not been received by the assessment's due date, in which case the due date for that assessment shall be forty-five days after such approval is received.

C. An assessment shall not be due earlier than forty-five days after the date the centers for medicare and medicaid services approves the necessary authorization sought by the secretary pursuant to Section 12 of this 2024 act for the applicable period.

D. The authority shall make directed payments to a managed care organization as follows:

(1) for the period beginning on July 1, 2024 and ending on December 31, 2024, the authority shall transfer the uniform rate increase funding to a managed care organization in one installment by March 15, 2025 and the quality incentive payment by May 15, 2025; and

(2) for calendar years 2025 and thereafter, the authority shall transfer the uniform rate increase funding to the managed care organization on a quarterly basis no later than seventy-five days after the end of the quarter and the quality incentive payment by May 15 of the subsequent calendar year.

E. If the assessment due date has been postponed due to a delay in approval by the centers for medicare and medicaid services, the payments shall be due five days after the extended assessment due date.

F. The authority shall require a managed care organization to make directed payments to hospitals no more than fifteen days after receipt of such payments from the authority.

Chapter 41 Section 7 Laws 2024

SECTION 7. SUBSEQUENT APPROVALS FOR MANAGED CARE RATING PERIOD--PROMULGATION OF RULES.--

A. The secretary shall seek subsequent approvals of the medicaid-directed payment program from the centers for medicare and medicaid services for each managed care rating period by submitting required information to the centers for medicare and medicaid services ninety days prior to the start of such rating period.

B. The authority and the department shall promulgate rules as necessary to carry out the provisions of the Health Care Delivery and Access Act.

Chapter 41 Section 8 Laws 2024

SECTION 8. Section 7-1-2 NMSA 1978 (being Laws 1965, Chapter 248, Section 2, as amended) is amended to read:

"7-1-2. APPLICABILITY.--The Tax Administration Act applies to and governs:

A. the administration and enforcement of the following taxes or tax acts as they now exist or may hereafter be amended:

- (1) Income Tax Act;
- (2) Withholding Tax Act;
- (3) Oil and Gas Proceeds and Pass-Through Entity Withholding Tax Act;
- (4) Gross Receipts and Compensating Tax Act, Interstate Telecommunications Gross Receipts Tax Act and Leased Vehicle Gross Receipts Tax Act;
- (5) Liquor Excise Tax Act;
- (6) Local Liquor Excise Tax Act;
- (7) any municipal local option gross receipts tax or municipal compensating tax;
- (8) any county local option gross receipts tax or county compensating tax;
- (9) Special Fuels Supplier Tax Act;
- (10) Gasoline Tax Act;
- (11) petroleum products loading fee, which fee shall be considered a tax for the purpose of the Tax Administration Act;
- (12) Alternative Fuel Tax Act;
- (13) Cigarette Tax Act;
- (14) Estate Tax Act;
- (15) Railroad Car Company Tax Act;

(16) Investment Credit Act, rural job tax credit, Laboratory Partnership with Small Business Tax Credit Act, Technology Jobs and Research and Development Tax Credit Act, Film Production Tax Credit Act, Affordable Housing Tax Credit Act and high-wage jobs tax credit;

(17) Corporate Income and Franchise Tax Act;

(18) Uniform Division of Income for Tax Purposes Act;

(19) Multistate Tax Compact;

(20) Tobacco Products Tax Act;

(21) the telecommunications relay service surcharge imposed by Section 63-9F-11 NMSA 1978, which surcharge shall be considered a tax for the purposes of the Tax Administration Act;

(22) the Insurance Premium Tax Act;

(23) the Health Care Quality Surcharge Act;

(24) the Cannabis Tax Act; and

(25) the Health Care Delivery and Access Act;

B. the administration and enforcement of the following taxes, surtaxes, advanced payments or tax acts as they now exist or may hereafter be amended:

(1) Resources Excise Tax Act;

(2) Severance Tax Act;

(3) any severance surtax;

(4) Oil and Gas Severance Tax Act;

(5) Oil and Gas Conservation Tax Act;

(6) Oil and Gas Emergency School Tax Act;

(7) Oil and Gas Ad Valorem Production Tax Act;

(8) Natural Gas Processors Tax Act;

(9) Oil and Gas Production Equipment Ad Valorem Tax Act;

(10) Copper Production Ad Valorem Tax Act;

(11) any advance payment required to be made by any act specified in this subsection, which advance payment shall be considered a tax for the purposes of the Tax Administration Act;

(12) Enhanced Oil Recovery Act;

(13) Natural Gas and Crude Oil Production Incentive Act; and

(14) intergovernmental production tax credit and intergovernmental production equipment tax credit;

C. the administration and enforcement of the following taxes, surcharges, fees or acts as they now exist or may hereafter be amended:

(1) Weight Distance Tax Act;

(2) the workers' compensation fee authorized by Section 52-5-19 NMSA 1978, which fee shall be considered a tax for purposes of the Tax Administration Act;

(3) Uniform Unclaimed Property Act (1995);

(4) 911 emergency surcharge and the network and database surcharge, which surcharges shall be considered taxes for purposes of the Tax Administration Act;

(5) the solid waste assessment fee authorized by the Solid Waste Act, which fee shall be considered a tax for purposes of the Tax Administration Act;

(6) the water conservation fee imposed by Section 74-1-13 NMSA 1978, which fee shall be considered a tax for the purposes of the Tax Administration Act; and

(7) the gaming tax imposed pursuant to the Gaming Control Act; and

D. the administration and enforcement of all other laws, with respect to which the department is charged with responsibilities pursuant to the Tax Administration Act, but only to the extent that the other laws do not conflict with the Tax Administration Act."

Chapter 41 Section 9 Laws 2024

SECTION 9. A new section of the Tax Administration Act is enacted to read:

"DISTRIBUTION--HEALTH CARE DELIVERY AND ACCESS FUND.--A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the health care delivery and access fund in an amount equal to the net receipts attributable to the health care delivery and access assessment imposed on hospitals pursuant to the Health Care Delivery and Access Act and any associated interest or penalties collected from eligible hospitals."

Chapter 41 Section 10 Laws 2024

SECTION 10. Section 7-1-8.8 NMSA 1978 (being Laws 2019, Chapter 87, Section 2, as amended) is amended to read:

"7-1-8.8. INFORMATION THAT MAY BE REVEALED TO OTHER STATE AND LEGISLATIVE AGENCIES.--An employee of the department may reveal confidential return information to the following agencies; provided that a person who receives the information on behalf of the agency shall be subject to the penalties in Section 7-1-76 NMSA 1978 if the person fails to maintain the confidentiality required:

A. a committee of the legislature for a valid legislative purpose, return information concerning any tax or fee imposed pursuant to the Cigarette Tax Act;

B. the attorney general, return information acquired pursuant to the Cigarette Tax Act for purposes of Section 6-4-13 NMSA 1978 and the master settlement agreement defined in Section 6-4-12 NMSA 1978;

C. the commissioner of public lands, return information for use in auditing that pertains to rentals, royalties, fees and other payments due the state under land sale, land lease or other land use contracts;

D. the secretary of health care authority or the secretary's delegate under a written agreement with the department:

(1) the last known address with date of all names certified to the department as being absent parents of children receiving public financial assistance, but only for the purpose of enforcing the support liability of the absent parents by the child support enforcement division or any successor organizational unit;

(2) return information needed for reports required to be made to the federal government concerning the use of federal funds for low-income working families;

(3) return information of low-income taxpayers for the limited purpose of outreach to those taxpayers; provided that the health care authority department shall pay the department for expenses incurred by the department to derive the information requested by the health care authority department if the information requested is not readily available in reports for which the department's information systems are programmed;

(4) return information required to administer the Health Care Quality Surcharge Act and the Health Care Delivery and Access Act; and

(5) return information in accordance with the provisions of the Easy Enrollment Act;

E. the department of information technology, by electronic media, a database updated quarterly that contains the names, addresses, county of address and taxpayer identification numbers of New Mexico personal income tax filers, but only for the purpose of producing the random jury list for the selection of petit or grand jurors for the state courts pursuant to Section 38-5-3 NMSA 1978;

F. the state courts, the random jury lists produced by the department of information technology under Subsection E of this section;

G. the director of the New Mexico department of agriculture or the director's authorized representative, upon request of the director or representative, the names and addresses of all gasoline or special fuel distributors, wholesalers and retailers;

H. the public regulation commission, return information with respect to the Corporate Income and Franchise Tax Act required to enable the commission to carry out its duties;

I. the state racing commission, return information with respect to the state, municipal and county gross receipts taxes paid by racetracks;

J. the gaming control board, tax returns of license applicants and their affiliates as provided in Subsection E of Section 60-2E-14 NMSA 1978;

K. the director of the workers' compensation administration or to the director's representatives authorized for this purpose, return information to facilitate the identification of taxpayers that are delinquent or noncompliant in payment of fees required by Section 52-1-9.1 or 52-5-19 NMSA 1978;

L. the secretary of workforce solutions or the secretary's delegate, return information for use in enforcement of unemployment insurance collections pursuant to the terms of a written reciprocal agreement entered into by the department with the secretary of workforce solutions for exchange of information;

M. the New Mexico finance authority, information with respect to the amount of municipal and county gross receipts taxes collected by municipalities and counties pursuant to any local option municipal or county gross receipts taxes imposed, and information with respect to the amount of governmental gross receipts taxes paid by every agency, institution, instrumentality or political subdivision of the state pursuant to Section 7-9-4.3 NMSA 1978;

- N. the superintendent of insurance, return information with respect to the premium tax and the health insurance premium surtax;
- O. the secretary of finance and administration or the secretary's designee, return information concerning a credit pursuant to the Film Production Tax Credit Act;
- P. the secretary of economic development or the secretary's designee, return information concerning a credit pursuant to the Film Production Tax Credit Act;
- Q. the secretary of public safety or the secretary's designee, return information concerning the Weight Distance Tax Act;
- R. the secretary of transportation or the secretary's designee, return information concerning the Weight Distance Tax Act;
- S. the secretary of energy, minerals and natural resources or the secretary's designee, return information concerning tax credits or deductions for which eligibility is certified or otherwise determined by the secretary or the secretary's designee;
- T. the secretary of environment or the secretary's designee, return information concerning tax credits for which eligibility is certified or otherwise determined by the secretary or the secretary's designee; and
- U. the secretary of state or the secretary's designee, taxpayer information required to maintain voter registration records and as otherwise provided in the Election Code."

Chapter 41 Section 11 Laws 2024

SECTION 11. A new section of the Medicaid Provider and Managed Care Act is enacted to read:

"HOSPITAL PAYMENT RATES--MANAGED CARE ORGANIZATIONS--NEGOTIATED RATES.--The department shall not reduce hospital payment rates made pursuant to medicaid below those in effect on the date this 2024 act takes effect. A managed care organization shall not reduce negotiated rates paid to a hospital pursuant to medicaid below the hospital payment rates in effect on the date this 2024 act takes effect."

Chapter 41 Section 12 Laws 2024

SECTION 12. TEMPORARY PROVISION--APPLICATION FOR AUTHORIZATION.--No later than July 15, 2024, the secretary of health care authority shall seek a waiver, a state plan amendment or federal authorization as necessary to implement the provisions of the Health Care Delivery and Access Act.

Chapter 41 Section 13 Laws 2024

SECTION 13. DELAYED REPEAL.--Sections 1 through 11 of this act are repealed effective July 1, 2030.

Chapter 41 Section 14 Laws 2024

SECTION 14. CONTINGENT EFFECTIVE DATE.--The provisions of Sections 1 through 11 of this act shall become effective on the first day of the month subsequent to the health care authority department receiving the necessary federal authorizations and approvals of waivers required to implement and administer the Health Care Delivery and Access Act. Upon this occurring, the secretary of health care authority shall immediately notify the New Mexico compilation commission, the director of the legislative council service and the secretary of taxation and revenue.

LAWS 2024, CHAPTER 42

SHPAC/Senate Bill 135, aa
Approved March 1, 2024

AN ACT

RELATING TO HEALTH COVERAGE; AMENDING THE HEALTH CARE PURCHASING ACT, THE PUBLIC ASSISTANCE ACT, THE NEW MEXICO INSURANCE CODE, THE HEALTH MAINTENANCE ORGANIZATION LAW AND THE NONPROFIT HEALTH CARE PLAN LAW TO MODIFY THE GUIDELINES RELATING TO STEP THERAPY FOR PRESCRIPTION DRUG COVERAGE AND ELIMINATE STEP THERAPY REQUIREMENTS FOR CERTAIN CONDITIONS.

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

Chapter 42 Section 1 Laws 2024

SECTION 1. Section 13-7-18 NMSA 1978 (being Laws 2018, Chapter 9, Section 1) is amended to read:

"13-7-18. PRESCRIPTION DRUG COVERAGE--STEP THERAPY PROTOCOLS--CLINICAL REVIEW CRITERIA--EXCEPTIONS.--

A. Group health coverage, including any form of self-insurance, offered, issued or renewed under the Health Care Purchasing Act that provides coverage for prescription drugs for which any step therapy protocols are required shall establish clinical review criteria for those step therapy protocols. The clinical review criteria shall be based on clinical practice guidelines that:

(1) recommend that the prescription drugs subject to step therapy protocols be taken in the specific sequence required by the step therapy protocol;

(2) are developed and endorsed by an interdisciplinary panel of experts that manages conflicts of interest among the members of the panel of experts by:

(a) requiring members to: 1) disclose any potential conflicts of interest with group health plan administrators, insurers, health maintenance organizations, health care plans, pharmaceutical manufacturers, pharmacy benefits managers and any other entities; and 2) recuse themselves if there is a conflict of interest; and

(b) using analytical and methodological experts to work to provide objectivity in data analysis and ranking of evidence through the preparation of evidence tables and facilitating consensus;

(3) are based on high-quality studies, research and medical practice;

(4) are created pursuant to an explicit and transparent process that:

(a) minimizes bias and conflicts of interest;

(b) explains the relationship between treatment options and outcomes;

(c) rates the quality of the evidence supporting recommendations; and

(d) considers relevant patient subgroups and preferences; and

(5) take into account the needs of atypical patient populations and diagnoses.

B. In the absence of clinical guidelines that meet the requirements of Subsection A of this section, peer-reviewed publications may be substituted.

C. When a group health plan restricts coverage of a prescription drug for the treatment of any medical condition through the use of a step therapy protocol, an enrollee and the practitioner prescribing the prescription drug shall have access to a clear, readily accessible and convenient process to request a step therapy exception determination. A group health plan may use its existing medical exceptions process in accordance with the provisions of Subsections D through I of this section to satisfy this requirement. The process shall be made easily accessible for enrollees and practitioners on the group health plan's publicly accessible website.

D. A group health plan shall expeditiously grant an exception to the group health plan's step therapy protocol, based on medical necessity and a clinically valid explanation from the patient's prescribing practitioner as to why a drug on the plan's formulary that is therapeutically equivalent to the prescribed drug should not be substituted for the prescribed drug, if:

(1) the prescription drug that is the subject of the exception request is contraindicated or will likely cause an adverse reaction by or physical or mental harm to the patient;

(2) the prescription drug that is the subject of the exception request is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen;

(3) while under the enrollee's current health coverage or previous health coverage, the enrollee has tried the prescription drug that is the subject of the exception request or another prescription drug in the same pharmacologic class or with the same mechanism of action as the prescription drug that is the subject of the exception request and that prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect or an adverse event; or

(4) the prescription drug required pursuant to the step therapy protocol is not in the best interest of the patient, based on clinical appropriateness, because the patient's use of the prescription drug is expected to:

(a) cause a significant barrier to the patient's adherence to or compliance with the patient's plan of care;

(b) worsen a comorbid condition of the patient; or

(c) decrease the patient's ability to achieve or maintain reasonable functional ability in performing daily activities.

E. Upon the granting of an exception to a group health plan's step therapy protocol, the group health plan administrator shall authorize continuing coverage for the prescription drug that is the subject of the exception request for no less than the duration of the therapeutic effect of the drug. The group health plan shall include in its evidence of coverage language describing an enrollee's rights pursuant to this subsection.

F. A group health plan shall respond with its decision on an enrollee's exception request within seventy-two hours of receipt. In cases where exigent circumstances exist, a group health plan shall respond within twenty-four hours of receipt of the exception request. In the event the group health plan does not respond to an exception request within the time frames required pursuant to this subsection, the exception request shall be granted.

G. A group health plan administrator's denial of a request for an exception for step therapy protocols shall be subject to review and appeal pursuant to the Patient Protection Act.

H. After an enrollee has made an exception request in accordance with the provisions of this section, a group health plan shall authorize continued coverage of a prescription drug that is the subject of the exception request pending the determination of the exception request.

I. The provisions of this section shall not be construed to prevent a:

(1) group health plan from requiring a patient to try a biosimilar, interchangeable biologic or generic equivalent of a prescription drug before providing coverage for the equivalent brand-name prescription drug; or

(2) practitioner from prescribing a prescription drug that the practitioner has determined to be medically necessary.

J. As used in this section, "medical necessity" or "medically necessary" means health care services determined by a practitioner, in consultation with the group health plan administrator, to be appropriate or necessary according to:

(1) any applicable, generally accepted principles and practices of good medical care;

(2) practice guidelines developed by the federal government or national or professional medical societies, boards or associations; or

(3) any applicable clinical protocols or practice guidelines developed by the group health plan consistent with federal, national and professional practice guidelines. These standards shall be applied to decisions related to the diagnosis or direct care and treatment of a physical or behavioral health condition, illness, injury or disease."

Chapter 42 Section 2 Laws 2024

SECTION 2. Section 27-2-12.23 NMSA 1978 (being Laws 2018, Chapter 9, Section 2) is amended to read:

"27-2-12.23. MEDICAL ASSISTANCE--PRESCRIPTION DRUG COVERAGE--STEP THERAPY PROTOCOLS--CLINICAL REVIEW CRITERIA-- EXCEPTIONS.--

A. By January 1, 2019, the secretary shall require any medical assistance plan for which any step therapy protocols are required to establish clinical review criteria for those step therapy protocols. The clinical review criteria shall be based on clinical practice guidelines that:

(1) recommend that the prescription drugs subject to step therapy protocols be taken in the specific sequence required by the step therapy protocol;

(2) are developed and endorsed by an interdisciplinary panel of experts that manages conflicts of interest among the members of the panel of experts by:

(a) requiring members to: 1) disclose any potential conflicts of interest with health care plans, medical assistance plans, health maintenance organizations, pharmaceutical manufacturers, pharmacy benefits managers and any other entities; and 2) recuse themselves if there is a conflict of interest; and

(b) using analytical and methodological experts to work to provide objectivity in data analysis and ranking of evidence through the preparation of evidence tables and facilitating consensus;

(3) are based on high-quality studies, research and medical practice;

(4) are created pursuant to an explicit and transparent process that:

(a) minimizes bias and conflicts of interest;

(b) explains the relationship between treatment options and outcomes;

(c) rates the quality of the evidence supporting recommendations; and

(d) considers relevant patient subgroups and preferences; and

(5) take into account the needs of atypical patient populations and diagnoses.

B. In the absence of clinical guidelines that meet the requirements of Subsection A of this section, peer-reviewed publications may be substituted.

C. When a medical assistance plan restricts coverage of a prescription drug for the treatment of any medical condition through the use of a step therapy protocol, a recipient and the practitioner prescribing the prescription drug shall have access to a clear, readily accessible and convenient process to request a step therapy exception determination. A medical assistance plan may use its existing medical exceptions process in accordance with the provisions of Subsections D through I of this section to satisfy this requirement. The process shall be made easily accessible for recipients and practitioners on the medical assistance plan's publicly accessible website.

D. A medical assistance plan shall expeditiously grant an exception to the medical assistance plan's step therapy protocol, based on medical necessity and a

clinically valid explanation from the patient's prescribing practitioner as to why a drug on the plan's formulary that is therapeutically equivalent to the prescribed drug should not be substituted for the prescribed drug, if:

(1) the prescription drug that is the subject of the exception request is contraindicated or will likely cause an adverse reaction by or physical or mental harm to the patient;

(2) the prescription drug that is the subject of the exception request is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen;

(3) while under the recipient's current medical assistance plan, or under the recipient's previous health coverage, the recipient has tried the prescription drug that is the subject of the exception request or another prescription drug in the same pharmacologic class or with the same mechanism of action as the prescription drug that is the subject of the exception request and that prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect or an adverse event; or

(4) the prescription drug required pursuant to the step therapy protocol is not in the best interest of the patient, based on clinical appropriateness, because the patient's use of the prescription drug is expected to:

(a) cause a significant barrier to the patient's adherence to or compliance with the patient's plan of care;

(b) worsen a comorbid condition of the patient; or

(c) decrease the patient's ability to achieve or maintain reasonable functional ability in performing daily activities.

E. Upon the granting of an exception to a medical assistance plan's step therapy protocol, a medical assistance plan shall authorize continuing coverage for the prescription drug that is the subject of the exception request for no less than the duration of the therapeutic effect of the drug.

F. A medical assistance plan shall respond with its decision on a recipient's exception request within seventy-two hours of receipt. In cases where exigent circumstances exist, a medical assistance plan shall respond within twenty-four hours of receipt of the exception request. In the event the medical assistance plan does not respond to an exception request within the time frames required pursuant to this subsection, the exception request shall be granted.

G. A medical assistance plan's denial of a request for an exception for step therapy protocols shall be subject to review and appeal pursuant to department rules.

H. After a recipient has made an exception request in accordance with the provisions of this section, a medical assistance plan shall authorize continued coverage of a prescription drug that is the subject of the exception request pending the determination of the exception request.

I. The provisions of this section shall not be construed to prevent:

(1) a medical assistance plan from requiring a patient to try a biosimilar, interchangeable biologic or generic equivalent of a prescription drug before providing coverage for the equivalent brand-name prescription drug; or

(2) a practitioner from prescribing a prescription drug that the practitioner has determined to be medically necessary.

J. As used in this section, "medical necessity" or "medically necessary" means health care services determined by a practitioner, in consultation with the medical assistance plan, to be appropriate or necessary, according to:

(1) any applicable, generally accepted principles and practices of good medical care;

(2) practice guidelines developed by the federal government or national or professional medical societies, boards or associations; or

(3) any applicable clinical protocols or practice guidelines developed by the medical assistance plan consistent with federal, national and professional practice guidelines. These standards shall be applied to decisions related to the diagnosis or direct care and treatment of a physical or behavioral health condition, illness, injury or disease."

Chapter 42 Section 3 Laws 2024

SECTION 3. Section 59A-22-53.1 NMSA 1978 (being Laws 2018, Chapter 9, Section 3) is amended to read:

"59A-22-53.1. PRESCRIPTION DRUG COVERAGE--STEP THERAPY PROTOCOLS--CLINICAL REVIEW CRITERIA--EXCEPTIONS.--

A. Each individual health insurance policy, health care plan and certificate of health insurance delivered or issued for delivery in this state that provides a prescription drug benefit for which any step therapy protocols are required shall establish clinical review criteria for those step therapy protocols. The clinical review criteria shall be based on clinical practice guidelines that:

(1) recommend that the prescription drugs subject to step therapy protocols be taken in the specific sequence required by the step therapy protocol;

(2) are developed and endorsed by an interdisciplinary panel of experts that manages conflicts of interest among the members of the panel of experts by:

(a) requiring members to: 1) disclose any potential conflicts of interest with insurers, health maintenance organizations, health care plans, pharmacy benefits managers and any other entities; and 2) recuse themselves if there is a conflict of interest; and

(b) using analytical and methodological experts to work to provide objectivity in data analysis and ranking of evidence through the preparation of evidence tables and facilitating consensus;

(3) are based on high-quality studies, research and medical practice;

(4) are created pursuant to an explicit and transparent process that:

(a) minimizes bias and conflicts of interest;

(b) explains the relationship between treatment options and outcomes;

(c) rates the quality of the evidence supporting recommendations; and

(d) considers relevant patient subgroups and preferences; and

(5) take into account the needs of atypical patient populations and diagnoses.

B. In the absence of clinical guidelines that meet the requirements of Subsection A of this section, peer-reviewed publications may be substituted.

C. When a health insurance policy, health care plan or certificate of insurance restricts coverage of a prescription drug for the treatment of any medical condition through the use of a step therapy protocol, an insured and the practitioner prescribing the prescription drug shall have access to a clear, readily accessible and convenient process to request a step therapy exception determination. An insurer may use its existing medical exceptions process in accordance with the provisions of Subsections D through I of this section to satisfy this requirement. The process shall be made easily accessible for insureds and practitioners on the insurer's publicly accessible website.

D. An insurer shall expeditiously grant an exception to the health insurance policy's, health care plan's or certificate of insurance's step therapy protocol, based on medical necessity and a clinically valid explanation from the patient's prescribing practitioner as to why a drug on the health insurance policy's, health care plan's or

certificate of insurance's formulary that is therapeutically equivalent to the prescribed drug should not be substituted for the prescribed drug, if:

(1) the prescription drug that is the subject of the exception request is contraindicated or will likely cause an adverse reaction by or physical or mental harm to the patient;

(2) the prescription drug that is the subject of the exception request is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen;

(3) while under the insured's current health insurance policy, health care plan or certificate of insurance, or under the insured's previous health coverage, the insured has tried the prescription drug that is the subject of the exception request or another prescription drug in the same pharmacologic class or with the same mechanism of action as the prescription drug that is the subject of the exception request and that prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect or an adverse event; or

(4) the prescription drug required pursuant to the step therapy protocol is not in the best interest of the patient, based on clinical appropriateness, because the patient's use of the prescription drug is expected to:

(a) cause a significant barrier to the patient's adherence to or compliance with the patient's plan of care;

(b) worsen a comorbid condition of the patient; or

(c) decrease the patient's ability to achieve or maintain reasonable functional ability in performing daily activities.

E. Upon the granting of an exception to a health insurance policy's, health care plan's or certificate of insurance's step therapy protocol, an insurer shall authorize coverage for the prescription drug that is the subject of the exception request for no less than the duration of the therapeutic effect of the drug. An insurer shall include in its evidence of coverage language describing an insured's rights pursuant to this subsection.

F. An insurer shall respond with its decision on an insured's exception request within seventy-two hours of receipt. In cases where exigent circumstances exist, an insurer shall respond within twenty-four hours of receipt of the exception request. In the event the insurer does not respond to an exception request within the time frames required pursuant to this subsection, the exception request shall be granted.

G. An insurer's denial of a request for an exception for step therapy protocols shall be subject to review and appeal pursuant to the Patient Protection Act.

H. After an insured has made an exception request in accordance with the provisions of this section, an insurer shall authorize continued coverage of a prescription drug that is the subject of the exception request pending the determination of the exception request.

I. The provisions of this section shall not be construed to prevent:

(1) a health insurance policy, health care plan or certificate of insurance from requiring a patient to try a biosimilar, interchangeable biologic or generic equivalent of a prescription drug before providing coverage for the equivalent brand-name prescription drug; or

(2) a practitioner from prescribing a prescription drug that the practitioner has determined to be medically necessary.

J. The superintendent shall promulgate rules as may be necessary to appropriately implement the provisions of this section.

K. Nothing in this section shall be interpreted to interfere with the superintendent's authority to regulate prescription drug coverage benefits under other state and federal law.

L. As used in this section, "medical necessity" or "medically necessary" means health care services determined by a practitioner, in consultation with the insurer, to be appropriate or necessary, according to:

(1) any applicable, generally accepted principles and practices of good medical care;

(2) practice guidelines developed by the federal government or national or professional medical societies, boards or associations; or

(3) any applicable clinical protocols or practice guidelines developed by the insurer consistent with federal, national and professional practice guidelines. These standards shall be applied to decisions related to the diagnosis or direct care and treatment of a physical or behavioral health condition, illness, injury or disease."

Chapter 42 Section 4 Laws 2024

SECTION 4. Section 59A-22B-8 NMSA 1978 (being Laws 2023, Chapter 114, Section 13) is amended to read:

"59A-22B-8. PRIOR AUTHORIZATION FOR PRESCRIPTION DRUGS OR STEP THERAPY FOR CERTAIN CONDITIONS PROHIBITED.--

A. Coverage for medication approved by the federal food and drug administration that is prescribed for the treatment of an autoimmune disorder, cancer or a substance use disorder, pursuant to a medical necessity determination, shall not be subject to prior authorization, except in cases in which a biosimilar, interchangeable biologic or generic version is available.

B. A health insurer shall not impose step therapy requirements before authorizing coverage for medication approved by the federal food and drug administration that is prescribed for the treatment of an autoimmune disorder, cancer or a substance use disorder, pursuant to a medical necessity determination, except in cases in which a biosimilar, interchangeable biologic or generic version is available."

Chapter 42 Section 5 Laws 2024

SECTION 5. Section 59A-46-52.1 NMSA 1978 (being Laws 2018, Chapter 9, Section 5) is amended to read:

"59A-46-52.1. PRESCRIPTION DRUG COVERAGE--STEP THERAPY PROTOCOLS--CLINICAL REVIEW CRITERIA--EXCEPTIONS.--

A. Each individual or group health maintenance organization contract delivered or issued for delivery in this state that provides a prescription drug benefit for which any step therapy protocols are required shall establish clinical review criteria for those step therapy protocols. The clinical review criteria shall be based on clinical practice guidelines that:

(1) recommend that the prescription drugs subject to step therapy protocols be taken in the specific sequence required by the step therapy protocol;

(2) are developed and endorsed by an interdisciplinary panel of experts that manages conflicts of interest among the members of the panel of experts by:

(a) requiring members to: 1) disclose any potential conflicts of interest with carriers, insurers, health care plans, pharmaceutical manufacturers, pharmacy benefits managers and any other entities; and 2) recuse themselves if there is a conflict of interest; and

(b) using analytical and methodological experts to work to provide objectivity in data analysis and ranking of evidence through the preparation of evidence tables and facilitating consensus;

(3) are based on high-quality studies, research and medical practice;

- (4) are created pursuant to an explicit and transparent process that:
 - (a) minimizes bias and conflicts of interest;
 - (b) explains the relationship between treatment options and outcomes;
 - (c) rates the quality of the evidence supporting recommendations; and
 - (d) considers relevant patient subgroups and preferences; and
- (5) take into account the needs of atypical patient populations and diagnoses.

B. In the absence of clinical guidelines that meet the requirements of Subsection A of this section, peer-reviewed publications may be substituted.

C. When a health maintenance organization contract restricts coverage of a prescription drug for the treatment of any medical condition through the use of a step therapy protocol, an enrollee and the practitioner prescribing the prescription drug shall have access to a clear, readily accessible and convenient process to request a step therapy exception determination. A carrier may use its existing medical exceptions process in accordance with the provisions of Subsections D through I of this section to satisfy this requirement. The process shall be made easily accessible for enrollees and practitioners on the carrier's publicly accessible website.

D. A carrier shall expeditiously grant an exception to the health maintenance organization contract's step therapy protocol, based on medical necessity and a clinically valid explanation from the patient's prescribing practitioner as to why a drug on the health maintenance organization contract's formulary that is therapeutically equivalent to the prescribed drug should not be substituted for the prescribed drug, if:

- (1) the prescription drug that is the subject of the exception request is contraindicated or will likely cause an adverse reaction by or physical or mental harm to the patient;

- (2) the prescription drug that is the subject of the exception request is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen;

- (3) while under the enrollee's current health maintenance organization contract, or under the enrollee's previous health coverage, the enrollee has tried the prescription drug that is the subject of the exception request or another prescription drug in the same pharmacologic class or with the same mechanism of action as the prescription drug that is the subject of the exception request and that prescription drug

was discontinued due to lack of efficacy or effectiveness, diminished effect or an adverse event; or

(4) the prescription drug required pursuant to the step therapy protocol is not in the best interest of the patient, based on clinical appropriateness, because the patient's use of the prescription drug is expected to:

(a) cause a significant barrier to the patient's adherence to or compliance with the patient's plan of care;

(b) worsen a comorbid condition of the patient; or

(c) decrease the patient's ability to achieve or maintain reasonable functional ability in performing daily activities.

E. Upon the granting of an exception to a health maintenance organization contract's step therapy protocol, a carrier shall authorize coverage for the prescription drug that is the subject of the exception request for no less than the duration of the therapeutic effect of the drug. A carrier shall include in its evidence of coverage language describing an enrollee's rights pursuant to this subsection.

F. A carrier shall respond with its decision on an enrollee's exception request within seventy-two hours of receipt. In cases where exigent circumstances exist, a carrier shall respond within twenty-four hours of receipt of the exception request. In the event the carrier does not respond to an exception request within the time frames required pursuant to this subsection, the exception request shall be granted.

G. A carrier's denial of a request for an exception for step therapy protocols shall be subject to review and appeal pursuant to the Patient Protection Act.

H. After an enrollee has made an exception request in accordance with the provisions of this section, a carrier shall authorize continued coverage of a prescription drug that is the subject of the exception request pending the determination of the exception request.

I. The provisions of this section shall not be construed to prevent:

(1) a health maintenance organization contract from requiring a patient to try a biosimilar, interchangeable biologic or generic equivalent of a prescription drug before providing coverage for the equivalent brand-name prescription drug; or

(2) a practitioner from prescribing a prescription drug that the practitioner has determined to be medically necessary.

J. The superintendent shall promulgate rules as may be necessary to appropriately implement the provisions of this section.

K. Nothing in this section shall be interpreted to interfere with the superintendent's authority to regulate prescription drug coverage benefits under other state and federal law.

L. As used in this section, "medical necessity" or "medically necessary" means health care services determined by a practitioner, in consultation with the carrier, to be appropriate or necessary, according to:

- (1) any applicable, generally accepted principles and practices of good medical care;
- (2) practice guidelines developed by the federal government or national or professional medical societies, boards or associations; or
- (3) any applicable clinical protocols or practice guidelines developed by the carrier consistent with federal, national and professional practice guidelines. These standards shall be applied to decisions related to the diagnosis or direct care and treatment of a physical or behavioral health condition, illness, injury or disease."

Chapter 42 Section 6 Laws 2024

SECTION 6. Section 59A-47-47.1 NMSA 1978 (being Laws 2018, Chapter 9, Section 6) is amended to read:

"59A-47-47.1. PRESCRIPTION DRUG COVERAGE--STEP THERAPY PROTOCOLS--CLINICAL REVIEW CRITERIA--EXCEPTIONS.--

A. Each individual or group nonprofit health care plan contract delivered or issued for delivery in this state that provides a prescription drug benefit for which any step therapy protocols are required shall establish clinical review criteria for those step therapy protocols. The clinical review criteria shall be based on clinical practice guidelines that:

- (1) recommend that the prescription drugs subject to step therapy protocols be taken in the specific sequence required by the step therapy protocol;
- (2) are developed and endorsed by an interdisciplinary panel of experts that manages conflicts of interest among the members of the panel of experts by:
 - (a) requiring members to: 1) disclose any potential conflicts of interest with health care plans, insurers, health maintenance organizations, pharmaceutical manufacturers, pharmacy benefits managers and any other entities; and 2) recuse themselves if there is a conflict of interest; and

(b) using analytical and methodological experts to work to provide objectivity in data analysis and ranking of evidence through the preparation of evidence tables and facilitating consensus;

(3) are based on high-quality studies, research and medical practice;

(4) are created pursuant to an explicit and transparent process that:

(a) minimizes bias and conflicts of interest;

(b) explains the relationship between treatment options and outcomes;

(c) rates the quality of the evidence supporting recommendations; and

(d) considers relevant patient subgroups and preferences; and

(5) take into account the needs of atypical patient populations and diagnoses.

B. In the absence of clinical guidelines that meet the requirements of Subsection A of this section, peer-reviewed publications may be substituted.

C. When a health care plan restricts coverage of a prescription drug for the treatment of any medical condition through the use of a step therapy protocol, a subscriber and the practitioner prescribing the prescription drug shall have access to a clear, readily accessible and convenient process to request a step therapy exception determination. A health care plan may use its existing medical exceptions process in accordance with the provisions of Subsections D through I of this section to satisfy this requirement. The process shall be made easily accessible for subscribers and practitioners on the health care plan's publicly accessible website.

D. A health care plan shall expeditiously grant an exception to the health care plan's step therapy protocol, based on medical necessity and a clinically valid explanation from the patient's prescribing practitioner as to why a drug on the health care plan's formulary that is therapeutically equivalent to the prescribed drug should not be substituted for the prescribed drug, if:

(1) the prescription drug that is the subject of the exception request is contraindicated or will likely cause an adverse reaction by or physical or mental harm to the patient;

(2) the prescription drug that is the subject of the exception request is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen;

(3) while under the subscriber's current health care plan, or under the subscriber's previous health coverage, the subscriber has tried the prescription drug that is the subject of the exception request or another prescription drug in the same pharmacologic class or with the same mechanism of action as the prescription drug that is the subject of the exception request and that prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect or an adverse event; or

(4) the prescription drug required pursuant to the step therapy protocol is not in the best interest of the patient, based on clinical appropriateness, because the patient's use of the prescription drug is expected to:

(a) cause a significant barrier to the patient's adherence to or compliance with the patient's plan of care;

(b) worsen a comorbid condition of the patient; or

(c) decrease the patient's ability to achieve or maintain reasonable functional ability in performing daily activities.

E. Upon the granting of an exception to a health care plan's step therapy protocol, a health care plan shall authorize coverage for the prescription drug that is the subject of the exception request for no less than the duration of the therapeutic effect of the drug. A health care plan shall include in its evidence of coverage language describing a subscriber's rights pursuant to this subsection.

F. A health care plan shall respond with its decision on a subscriber's exception request within seventy-two hours of receipt. In cases where exigent circumstances exist, a health care plan shall respond within twenty-four hours of receipt of the exception request. In the event the insurer does not respond to an exception request within the time frames required pursuant to this subsection, the exception request shall be granted.

G. A health care plan's denial of a request for an exception for step therapy protocols shall be subject to review and appeal pursuant to the Patient Protection Act.

H. After a subscriber has made an exception request in accordance with the provisions of this section, a health care plan shall authorize continued coverage of a prescription drug that is the subject of the exception request pending the determination of the exception request.

I. The provisions of this section shall not be construed to prevent:

(1) a health care plan from requiring a patient to try a biosimilar, interchangeable biologic or generic equivalent of a prescription drug before providing coverage for the equivalent brand-name prescription drug; or

(2) a practitioner from prescribing a prescription drug that the practitioner has determined to be medically necessary.

J. The superintendent shall promulgate rules as may be necessary to appropriately implement the provisions of this section.

K. Nothing in this section shall be interpreted to interfere with the superintendent's authority to regulate prescription drug coverage benefits under other state and federal law.

L. As used in this section, "medical necessity" or "medically necessary" means health care services determined by a practitioner, in consultation with the health care plan, to be appropriate or necessary, according to:

(1) any applicable, generally accepted principles and practices of good medical care;

(2) practice guidelines developed by the federal government or national or professional medical societies, boards or associations; or

(3) any applicable clinical protocols or practice guidelines developed by the health care plan consistent with federal, national and professional practice guidelines. These standards shall be applied to decisions related to the diagnosis or direct care and treatment of a physical or behavioral health condition, illness, injury or disease."

Chapter 42 Section 7 Laws 2024

SECTION 7. EXCEPTIONS.--The provisions of Sections 1 and 3 through 6 of this act do not apply to short-term plans subject to the Short-Term Health Plan and Excepted Benefit Act.

Chapter 42 Section 8 Laws 2024

SECTION 8. APPLICABILITY.--The provisions of this act apply to group health insurance policies, health care plans or certificates of health insurance, other than small group health plans, that are delivered, issued for delivery or renewed in this state on or after January 1, 2025.

LAWS 2024, CHAPTER 43

Senate Bill 137, aa
Approved March 1, 2024

AN ACT

RELATING TO PUBLIC SCHOOLS; ENHANCING MANDATORY TRAINING FOR LOCAL SCHOOL BOARDS AND GOVERNING BODIES OF CHARTER SCHOOLS; ADDING THE NUMBER OF TRAINING HOURS ATTENDED BY MEMBERS TO THE SCHOOL SUPPORT AND ACCOUNTABILITY SYSTEM; LIMITING A LOCAL SCHOOL BOARD'S CONTRACT EXTENSION OR TERMINATION OF A SUPERINTENDENT AFTER A SCHOOL BOARD ELECTION; AMENDING THE CAMPAIGN REPORTING ACT AS IT APPLIES TO LOCAL SCHOOL BOARD CANDIDATES; REQUIRING LOCAL SCHOOL BOARD OR GOVERNING BODY MEETINGS TO BE WEBCAST AND ARCHIVED.

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

Chapter 43 Section 1 Laws 2024

SECTION 1. Section 1-22A-2 NMSA 1978 (being Laws 2013, Chapter 180, Section 2, as amended) is amended to read:

"1-22A-2. DEFINITIONS.--As used in the School District Campaign Reporting Act:

A. "campaign committee" means one or more persons authorized by a candidate to raise, collect or expend contributions on the candidate's behalf for the purpose of electing the candidate to office;

B. "candidate" means a person who seeks or considers an office in an election covered by the School District Campaign Reporting Act and who either has filed a declaration of candidacy or has received contributions or made expenditures of one thousand dollars (\$1,000) or more or authorized another person or campaign committee to receive contributions or make expenditures of one thousand dollars (\$1,000) or more for the purpose of seeking election to a covered office;

C. "contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made or received for a political purpose, including payment of a debt incurred in an election campaign; but "contribution" does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or campaign committee;

D. "covered office" means the position of board of education member of a school district or the position of board member of a community college organized or operating pursuant to the provisions of Chapter 21, Article 13 or Article 16 NMSA 1978;

E. "election cycle" means the period beginning thirty days after an election for an office and ending thirty days following the subsequent election day for that office;

F. "expenditure" means a payment, transfer or distribution or obligation or promise to pay, transfer or distribute any money or other thing of value for a political purpose, including payment of a debt incurred in an election campaign;

G. "political purpose" means advocating the election or defeat of a candidate in an election;

H. "prescribed form" means a form or electronic format prepared and prescribed by the secretary of state; and

I. "reporting individual" means a candidate or treasurer of a campaign committee."

Chapter 43 Section 2 Laws 2024

SECTION 2. Section 1-22A-3 NMSA 1978 (being Laws 2013, Chapter 180, Section 3, as amended) is amended to read:

"1-22A-3. REPORTS REQUIRED--TIME AND PLACE OF FILING.--

A. A candidate or campaign committee that has received contributions or made expenditures of one thousand dollars (\$1,000) or more shall file with the secretary of state a report of all contributions received and expenditures made on a prescribed form, and the report shall be filed in the same or similar electronic system as that used for the Campaign Reporting Act. Except as otherwise provided in this section, all reports pursuant to the School District Campaign Reporting Act shall be filed electronically and electronically authenticated by the candidate using an electronic signature in conformance with the Electronic Authentication of Documents Act and the Uniform Electronic Transactions Act.

B. A candidate or campaign committee shall file a campaign report of all contributions received and expenditures made during an election cycle and not previously reported by midnight on the twenty-first day before the election and on the thirtieth day following the election.

C. If a reporting date set by Subsection B of this section falls on a holiday, the report shall be filed on the next business day.

D. If a candidate or campaign committee has not received any contributions and has not made any expenditures since the last report filed with the secretary of state, the candidate or campaign committee shall only be required to file a statement of no activity, which shall not be required to be notarized, in lieu of a full report when that report would otherwise be due.

E. A report of expenditures and contributions filed after a deadline set forth in this section shall not be deemed to have been timely filed.

F. Except for candidates and campaign committees that file a statement of no activity, each candidate or campaign committee shall file a report of expenditures and contributions pursuant to the filing schedules set forth in this section, regardless of whether any expenditures were made or contributions were received during the reporting period. Reports shall be required until the candidate or campaign committee delivers a report to the secretary of state stating that:

(1) there are no outstanding campaign debts;

(2) all money has been expended in accordance with the provisions of Section 1-22A-10 NMSA 1978; and

(3) the bank account for campaign funds maintained by the candidate or campaign committee has been closed.

G. A candidate who does not ultimately file a declaration of candidacy and does not file a statement of no activity shall file reports in accordance with Subsection B of this section.

H. A candidate may apply to the secretary of state for exemption from electronic filing in case of hardship, which shall be defined by the secretary of state."

Chapter 43 Section 3 Laws 2024

SECTION 3. Section 22-2F-3 NMSA 1978 (being Laws 2019, Chapter 249, Section 3) is amended to read:

"22-2F-3. SCHOOL SUPPORT AND ACCOUNTABILITY SYSTEM--CREATED--
ESTABLISHING A SCHOOL DASHBOARD--PRIORITIZING RESOURCES FOR
SCHOOLS RECEIVING ADDITIONAL SUPPORT.--

A. The "school support and accountability system" is created in the department. The department, in consultation with school districts, charter schools, school personnel, tribal nations and the legislative education study committee, shall promulgate rules to carry out the provisions of the School Support and Accountability Act through the system.

B. The system shall:

(1) differentiate Title 1 support to public schools in the state using the metrics identified in Paragraphs (2) and (3) of this subsection to assign, for each public school, a designation of targeted support, comprehensive support or more rigorous intervention to comply with the federal Elementary and Secondary Education Act of 1965;

(2) include indicators of academic achievement that shall be afforded substantial weight and, in the aggregate, much greater weight than the indicators described in Paragraph (3) of this subsection, including:

(a) student proficiency on the New Mexico standards-based assessments pursuant to Subsection B of Section 22-2C-4 NMSA 1978;

(b) student growth, which will comprise a substantial part of the weighting of academic achievement indicators both for all students at the public school and disaggregated by quartile on the New Mexico standards-based assessments;

(c) progress of English language learners toward English language proficiency as measured by an assessment determined by the department; and

(d) for high schools, the four-year, five-year and six-year adjusted cohort graduation rates; and

(3) include indicators of school quality and student success that are valid, reliable, comparable and statewide, including:

(a) chronic absenteeism;

(b) college, career and civic readiness; and

(c) the educational climate of the school.

C. The department shall include in the system student data disaggregated by each major racial and ethnic group, economically disadvantaged students, English learner status, children with disabilities, gender and migrant status; provided that ethnicity and race shall be reported using the following categories:

(1) Caucasian, non-Hispanic;

(2) Hispanic;

(3) African American;

(4) American Indian or Alaska Native;

(5) Native Hawaiian or other Pacific Islander;

(6) Asian;

(7) two or more races; and

(8) other; provided that if the sample of students in any category enumerated in Paragraphs (1) through (7) of this subsection is so small that a student in the sample may be personally identifiable in violation of the federal Family Educational Rights and Privacy Act of 1974, the report may combine that sample into the "other" category.

D. The department shall provide the technological platform for a dashboard for each public school. The dashboard shall provide school and student information to school stakeholders and policymakers in a transparent manner, including the following indicators:

(1) the results of each indicator included in Paragraphs (2) and (3) of Subsection B and in Subsection C of this section;

(2) designations of school quality and student success for any school meeting a specific standard set by the department for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(3) designations of excellence for any school scoring in the ninetieth percentile for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(4) designations of school quality and student success for any school meeting a specific standard set by the department for American Indian or Hispanic students for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(5) designations of excellence for any school scoring in the ninetieth percentile for American Indian or Hispanic students for any indicator included in Paragraphs (2) and (3) of Subsection B of this section;

(6) the designation of support for schools that meet the criteria for traditional support, targeted support, comprehensive support or more rigorous intervention;

(7) the demographics of the students and staff of the school;

(8) indicators of opportunity to learn standards, including:

(a) a survey of relevant and engaging curriculum and instruction;

(b) educational resources, including total school-level expenditures and total instructional expenditures per student; and

(c) qualified and competent school staff, including the percentage of teachers with three or more years of experience, the percentage of

teachers who are fully licensed and endorsed in the field they teach, the types of degrees held by staff, information from the highly objective uniform statewide standard of evaluation for teachers and the percentage of national board-certified teachers; and

(9) the number of hours of training attended by each school's local school board members and whether each member met statutory training requirements.

E. The dashboard shall include each school's mission, vision and goals and provide for optional comments from the local school board about the strengths, opportunities for improvement and programmatic offerings corresponding to any of the reported indicators in the dashboard. For local school boards that do not provide this information, the department shall populate this section of the dashboard with information from the public school's educational plan for student success.

F. The department shall ensure that a local school board prioritizes the resources of a public school that has received a designation of targeted support, comprehensive support or more rigorous intervention toward improving student performance using evidence-based programs and a continuous improvement plan based on the indicators in Paragraphs (2) and (3) of Subsection B of this section identified through a school-level needs assessment until the public school no longer holds that designation."

Chapter 43 Section 4 Laws 2024

SECTION 4. A new section of Chapter 22, Article 5 NMSA 1978 is enacted to read:

"CONTRACT EXTENSION OR TERMINATION OF LOCAL SUPERINTENDENT-LIMITATION.--A local school board shall not, during any time between the date of a regular local election in which school board positions are on the ballot and sixty days after the convening of the newly elected board or until sixty days after a majority of a local school board has been appointed:

- A. extend the local superintendent's contract; or
- B. terminate the local superintendent without cause."

Chapter 43 Section 5 Laws 2024

SECTION 5. Section 22-5-13 NMSA 1978 (being Laws 2003, Chapter 153, Section 24) is amended to read:

"22-5-13. LOCAL SCHOOL BOARD MANDATORY TRAINING.--

A. The department shall develop a mandatory training course for local school board members that explains department rules, policies and procedures, statutory

powers and duties of local school boards, legal concepts pertaining to public schools, finance and budget and other matters deemed relevant by the department. The department shall notify local school board members of the dates of the training course, the last of which shall not be later than three months after a local school board election.

B. Local school board members in their first term shall complete at least ten hours of mandatory training during their first year serving on the board. Training for new local school board members shall include:

(1) at least two hours covering laws and department policies and procedures affecting local school boards or public schools, including ethics and school personnel;

(2) at least two hours covering public school finance, budgeting and fiduciary responsibilities of local school boards;

(3) at least two hours covering legal concepts pertaining to local school boards and school districts, including the Open Meetings Act and the Inspection of Public Records Act;

(4) at least two hours covering effective governance practices and effective methods of supporting and supervising the local superintendent; and

(5) at least two hours covering student achievement and student support services.

C. Mandatory training for all other local school board members shall include at least five hours per year and shall cover:

(1) laws and department policies and procedures affecting local school boards or public schools, including ethics and school personnel;

(2) public school finance, budgeting and fiduciary responsibilities of local school boards and performance-based budgeting;

(3) a local school board's role in evaluating and improving student academic achievement and using data to set individual school goals for student academic achievement in each of the school district's public schools;

(4) a local school board's role in providing a safe learning environment conducive to improving student outcomes;

(5) legal concepts pertaining to local school boards and school districts, including the Open Meetings Act and the Inspection of Public Records Act;

(6) effective governance practices and effective methods of supporting and supervising the local superintendent; and

(7) other matters deemed relevant by the department."

Chapter 43 Section 6 Laws 2024

SECTION 6. A new section of Chapter 22, Article 5 NMSA 1978 is enacted to read:

"LOCAL SCHOOL BOARD MEETINGS--WEBCASTING AND ARCHIVING.-- Except as otherwise provided in this section, live audio and video webcasts of local school board meetings shall be accessible through the school district's website and shall include a user interface that allows members of the public to submit written or verbal comments. A webcast shall begin as soon as practicable after the chair has called the meeting to order and shall terminate as soon as practicable after the local school board has adjourned. Recordings of the webcasts and an electronic copy of any minutes approved at the meeting shall be posted on the school district's website within one week of the meeting's conclusion and shall be publicly available for at least three years following the date of the meeting unless the state records retention schedule provides otherwise."

Chapter 43 Section 7 Laws 2024

SECTION 7. Section 22-8B-5.1 NMSA 1978 (being Laws 2009, Chapter 18, Section 1) is amended to read:

"22-8B-5.1. GOVERNING BODY TRAINING.--

A. The department shall develop a mandatory training course for all governing body members that explains department rules, policies and procedures, statutory powers and duties of governing boards, legal concepts pertaining to public schools, finance and budget and other matters deemed relevant by the department. The department shall notify the governing body members of the dates of the training courses.

B. Governing body members in their first term shall complete at least ten hours of mandatory training during their first year serving on the governing body. Training for new members shall include:

(1) at least two hours covering laws and department policies and procedures affecting governing bodies or charter schools, including ethics and school personnel;

(2) at least two hours covering public school finance, budgeting and fiduciary responsibilities of governing bodies;

(3) at least two hours covering legal concepts pertaining to governing bodies and charter schools, including the Open Meetings Act and the Inspection of Public Records Act;

(4) at least two hours covering effective governance practices and effective methods of supporting and supervising a charter school leader; and

(5) at least two hours covering student achievement and student support services.

C. Mandatory training for all other governing body members shall include at least five hours per year and shall cover:

(1) laws and department policies and procedures affecting governing bodies or charter schools, including ethics and school personnel;

(2) public school finance, budgeting and fiduciary responsibilities of governing bodies and performance-based budgeting;

(3) a governing body's role in evaluating and improving student academic achievement and using data to set individual school goals for student academic achievement in charter schools;

(4) a governing body's role in providing a safe learning environment conducive to improving student outcomes;

(5) legal concepts pertaining to governing bodies and charter schools, including the Open Meetings Act and the Inspection of Public Records Act;

(6) effective governance practices and effective methods of supporting and supervising charter school leaders; and

(7) other matters deemed relevant by the department."

Chapter 43 Section 8 Laws 2024

SECTION 8. A new section of Chapter 22, Article 8B NMSA 1978 is enacted to read:

"GOVERNING BODY MEETINGS--WEBCASTING AND ARCHIVING.--Except as otherwise provided in this section, live audio and video webcasts of governing body meetings shall be accessible through the charter school's website and shall include a user interface that allows members of the public to submit written or verbal comments. A webcast shall begin as soon as practicable after the chair has called the meeting to order and shall terminate as soon as practicable after the governing body has adjourned. Recordings of the webcasts and an electronic copy of any minutes approved

at the meeting shall be posted on the charter school's website within one week of the meeting's conclusion and shall be publicly available for at least three years following the date of the meeting unless the state records retention schedule provides otherwise."

Chapter 43 Section 9 Laws 2024

SECTION 9. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 44

SFC/Senate Bill 161, aa
Approved March 1, 2024

AN ACT

RELATING TO HEALTH; CREATING A TEMPORARY PROGRAM TO PROVIDE SUBSIDIES TO CERTAIN ELIGIBLE HEALTH CARE FACILITIES TO PROVIDE CERTAIN CARE AND SERVICES TO SICK AND INDIGENT PERSONS; PROVIDING FOR A DELAYED REPEAL.

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

Chapter 44 Section 1 Laws 2024

SECTION 1. TEMPORARY PROVISION--SUBSIDIES TO CERTAIN ACUTE CARE FACILITIES TO COVER REVENUE LOSSES.--

A. An eligible health care facility may apply annually to the health care authority department for quarterly subsidies to provide to sick and indigent persons in New Mexico:

- (1) emergency medical services;
- (2) inpatient services related to maternal, child and family health; or
- (3) inpatient unit acute care.

B. An eligible health care facility shall only use a subsidy for the provision of care and services pursuant to Subsection A of this section and shall submit annually to the health care authority department a report demonstrating that the subsidy has been used to provide such care and services.

C. An eligible health care facility that has less than one hundred days of cash on hand in reserves shall provide the health care authority department with the following:

(1) upon initial application, a plan for the eligible health care facility to have one hundred days of cash on hand in reserves within five years without cutting the services it provides and providing those services to all patients, regardless of insurance coverage; and

(2) quarterly updates until the end of fiscal year 2026 regarding progress toward completing the plan pursuant to Paragraph (1) of this subsection.

D. An eligible health care facility that has more than one hundred days of cash on hand in reserves shall provide the health care authority department with the following:

(1) upon initial application, a plan for the eligible health care facility to maintain at least one hundred days of cash on hand in reserves without cutting the services it provides and providing those services to all patients, regardless of insurance coverage; and

(2) quarterly updates until the end of fiscal year 2026 regarding progress toward completing the plan pursuant to Paragraph (1) of this subsection.

E. An eligible health care facility that fails to provide the annual report or the quarterly updates to the health care authority department pursuant to this section shall not receive additional subsidies.

F. Over the course of fiscal years 2025 and 2026, the health care authority department shall not provide more than:

(1) three million two hundred thousand dollars (\$3,200,000) to the Artesia general hospital;

(2) four million five hundred thirty-four thousand dollars (\$4,534,000) to the Cibola general hospital;

(3) five million seven hundred thousand dollars (\$5,700,000) to the Holy Cross hospital;

(4) two million five hundred thousand dollars (\$2,500,000) to the miners' Colfax medical center;

(5) five million seven hundred thousand dollars (\$5,700,000) to the Roosevelt general hospital;

(6) five million seven hundred thousand dollars (\$5,700,000) to Rehoboth McKinley Christian health care services;

(7) two million seven hundred thousand dollars (\$2,700,000) to the Sierra Vista hospital;

(8) five million seven hundred thousand dollars (\$5,700,000) to the Union county general hospital;

(9) one million seven hundred thousand dollars (\$1,700,000) to the Guadalupe county hospital;

(10) five million seven hundred thousand dollars (\$5,700,000) to the Gila regional medical center; or

(11) one million eight hundred sixty-six thousand dollars (\$1,866,000) to the Nor-Lea hospital district.

G. For the purposes of this section, "eligible health care facility" means the hospitals listed in Subsection F of this section.

Chapter 44 Section 2 Laws 2024

SECTION 2. DELAYED REPEAL.--This act is repealed effective July 1, 2026.

LAWS 2024, CHAPTER 45

Senate Bill 142

Approved March 1, 2024

AN ACT

RELATING TO BEHAVIORAL HEALTH; REQUIRING RESIDENTIAL BEHAVIORAL HEALTH FACILITIES TO ALLOW PATIENTS THE OPPORTUNITY TO NOTIFY THE PATIENT'S FAMILY THAT THE PATIENT HAS BEEN ADMITTED TO THE FACILITY; PRESCRIBING PENALTIES.

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

Chapter 45 Section 1 Laws 2024

SECTION 1. RESIDENTIAL BEHAVIORAL HEALTH FACILITIES--FAMILY NOTIFICATION--CIVIL PENALTIES.--

A. A residential behavioral health facility shall not admit a patient for residential treatment without obtaining or providing evidence that the facility has attempted to obtain contact information for a family member of the patient. If the patient provides the contact information, the residential behavioral health facility shall make immediate efforts to provide the patient with the opportunity to notify the patient's family

member that the patient has been admitted. The residential behavioral health facility shall continue to make efforts to provide the patient with the opportunity to notify the patient's family member until the patient's family member is notified that the patient has been admitted.

B. A residential behavioral health facility that fails to comply with the requirements of this section shall be assessed a civil penalty not to exceed seven hundred fifty dollars (\$750). For any subsequent violation of this section, the residential behavioral health facility shall be assessed a civil penalty not to exceed one thousand dollars (\$1,000).

C. For the purposes of this section, "residential behavioral health facility" means a licensed health facility that provides residential treatment to patients with behavioral health issues.

LAWS 2024, CHAPTER 46

HJC/House Bill 129, aa
Approved March 4, 2024

AN ACT

RELATING TO CRIME; CREATING THE CRIME OF UNLAWFUL SALE OF A FIREARM BEFORE THE REQUIRED WAITING PERIOD ENDS; REQUIRING A SEVEN-DAY WAITING PERIOD WHEN CONDUCTING THE SALE OF A FIREARM; PROVIDING AN EXCEPTION; PRESCRIBING PENALTIES.

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

Chapter 46 Section 1 Laws 2024

SECTION 1. A new Section 30-7-7.3 NMSA 1978 is enacted to read:

"30-7-7.3. UNLAWFUL SALE OF A FIREARM BEFORE REQUIRED WAITING PERIOD ENDS.--

A. A waiting period of seven calendar days shall be required for the sale of a firearm and the transfer of the firearm to the buyer. The seven-calendar-day waiting period shall include the period required to conduct a federal instant background check; provided that, if the seven-calendar-day waiting period has expired without the completion of a required federal instant background check, the seller shall not transfer the firearm to the buyer until the federal instant background check is completed. If the required federal instant background check has not been completed within twenty days, the seller may transfer the firearm to the buyer.

B. The firearm shall remain in the custody of the seller or the federal firearms licensee performing the federal instant background check during the entirety of the waiting period.

C. Unlawful sale of a firearm before the required waiting period ends consists of the transfer of ownership, possession or physical control of the firearm from the seller to the buyer before the end of the required seven-calendar-day waiting period, but does not include temporary possession or control of a firearm provided to a customer by the proprietor of a licensed business in the conduct of that business.

D. Each party to an unlawful sale of a firearm before the required waiting period ends is in violation of this section and may be separately charged for the same sale.

E. Each firearm sold contrary to the provisions of this section constitutes a separate offense under Subsection C of this section.

F. Two or more offenses may be charged in the same complaint, information or indictment and shall be punished as separate offenses.

G. Whoever violates the provisions of this section is guilty of a misdemeanor.

H. The provisions of this section do not apply to the sale of a firearm:

(1) to a buyer who holds a valid federal firearms license;

(2) to a buyer who holds a valid New Mexico concealed handgun license pursuant to the Concealed Handgun Carry Act;

(3) to a law enforcement agency;

(4) between two law enforcement officers authorized to carry a firearm and certified pursuant to federal law or the Law Enforcement Training Act; or

(5) between immediate family members.

I. As used in this section:

(1) "firearm" means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion; the frame or receiver of any such weapon; and includes any handgun, rifle or shotgun; but shall not include an antique firearm as defined in 18 U.S.C. Section 921(16), a powder-actuated tool or other device designed to be used for construction purposes, an emergency flare or a firearm in permanently inoperable condition; and

(2) "immediate family member" means a spouse, a parent, a child, a sibling, a grandparent, a grandchild, a great-grandchild, a niece, a nephew, a first cousin, an aunt or an uncle."

LAWS 2024, CHAPTER 47

House Bill 193, aa
Approved March 4, 2024

AN ACT

RELATING TO THE LAW ENFORCEMENT RETENTION FUND; ALLOWING RETENTION DIFFERENTIAL DISBURSEMENTS FOR FULL-TIME CERTIFIED LAW ENFORCEMENT OFFICERS WHO HAVE BEEN EMPLOYED BY ONE OR MORE LAW ENFORCEMENT AGENCIES FOR THE REQUIRED YEARS OF SERVICE; PROVIDING A NEW RETENTION DIFFERENTIAL DISBURSEMENT FOR FULL-TIME CERTIFIED LAW ENFORCEMENT OFFICERS WITH TWENTY OR MORE YEARS OF SERVICE; REQUIRING LAW ENFORCEMENT AGENCIES TO COMPLY WITH THE LAW ENFORCEMENT TRAINING ACT AND TO SUBMIT ADDITIONAL INFORMATION TO RECEIVE RETENTION DIFFERENTIAL DISBURSEMENTS.

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

Chapter 47 Section 1 Laws 2024

SECTION 1. Section 9-19-14 NMSA 1978 (being Laws 2022, Chapter 56, Section 36) is amended to read:

"9-19-14. LAW ENFORCEMENT RETENTION FUND--CREATED--RETENTION DIFFERENTIAL DISBURSEMENT--REPORTING.--

A. The "law enforcement retention fund" is created in the state treasury. The fund consists of money appropriated by the legislature, federal money granted to the state for the purposes of the fund, income from investment of the fund and money otherwise accruing to the fund. Money in the fund shall not revert to any other fund at the end of a fiscal year. The department shall administer the fund to provide:

- (1) retention differential disbursements for full-time certified law enforcement officers meeting certain levels of tenure; and
- (2) support for disbursement administration processes and reporting compliance.

B. Money in the fund shall be disbursed on warrants signed by the secretary of finance and administration pursuant to vouchers signed by the secretary of public safety.

C. Contingent on the completion of reporting requirements provided in Subsection H of this section, the department shall determine and distribute annually the amount necessary to provide to a law enforcement agency for the purpose of providing a retention differential disbursement to full-time certified law enforcement officers employed by that law enforcement agency. A law enforcement agency shall expend funding received for no other purpose than that permitted by this section, and any unexpended balance received by a law enforcement agency pursuant to this section at the end of a fiscal year shall revert to the law enforcement retention fund. The department shall monitor the use of funding and ensure the proper reversions to the law enforcement retention fund.

D. A full-time certified law enforcement officer shall be eligible to receive a retention differential disbursement upon completing four, nine, fourteen and nineteen years of service from the anniversary of the full-time certified law enforcement officer's date of hire with a law enforcement agency. If the officer remains employed as a full-time certified law enforcement officer at that same law enforcement agency for an additional year, then the officer shall receive a retention differential disbursement of five percent of the officer's annual base salary upon completing five years of service, upon completing ten years of service, upon completing fifteen years of service and upon completing twenty years of service.

E. Upon completing twenty years of service, a full-time certified law enforcement officer shall become eligible to receive a retention differential disbursement in the amount of five percent of the officer's annual base salary if the officer remains employed as a full-time certified law enforcement officer at the same law enforcement agency for an additional year by completing twenty-one years of service. For each year of service completed after twenty-one years of service, the officer shall receive an annual retention differential disbursement in the amount of five percent of the officer's annual salary, if the officer remains employed as a full-time law enforcement officer at the same law enforcement agency.

F. After the calculations for retention differential disbursements are made in accordance with Subsections D and E of this section, if the balance in the fund is insufficient to permit the total disbursements provided by Subsections D and E of this section, the department shall reduce that allocation to the maximum amount permitted by available money in the fund.

G. The amount provided for a retention differential disbursement shall include the amount of employer tax liabilities, which shall be paid by the employer at the time the retention differential disbursement is provided to the full-time certified law enforcement officer.

H. To receive funding pursuant to Subsection C of this section, a law enforcement agency shall make that request to the department prior to June 1 of each fiscal year, and in that request, the agency shall report the following:

(1) the number of officers that are projected to become eligible for a retention differential disbursement in the upcoming fiscal year and the projected amount of the retention differential disbursement, including any employer tax liabilities;

(2) the number of full-time certified law enforcement officers employed by the law enforcement agency for the last five years;

(3) the number of years of service of each full-time certified law enforcement officer employed by the law enforcement agency;

(4) the number of full-time certified law enforcement officers that left the employ of the law enforcement agency in the last year and the stated reasons why each full-time certified law enforcement officer left the employ of the law enforcement agency;

(5) the number of years of service of each full-time certified law enforcement officer that left the employ of the law enforcement agency in the last year;

(6) the number of applicants to the law enforcement agency in the last year;

(7) the number of applicants to the law enforcement agency in the last year that attended a law enforcement academy;

(8) the number of full-time certified law enforcement officers that received one or more certifications in the last year;

(9) the number of full-time certified law enforcement officers added to the law enforcement agency via lateral transfer and the years of service of each full-time certified law enforcement officer at each previous law enforcement agency;

(10) any changes to compensation, recruiting, retention or benefits implemented by the law enforcement agency in the last year; and

(11) any other information that is used for determining retention rates unless disclosure of such information is otherwise prohibited by law.

I. The department shall:

(1) provide forms, standards and procedures and related training to law enforcement agencies as necessary for the agencies to report retention information;

(2) maintain the privacy and security of information in accordance with applicable state and federal laws; and

(3) adopt and promulgate rules as necessary to implement the provisions of this section.

J. To receive funding pursuant to Subsection C of this section, a law enforcement agency shall be compliant with the Law Enforcement Training Act at the time the request is made pursuant to Subsection H of this section.

K. To receive funding pursuant to Subsection C of this section, a law enforcement agency shall have submitted the agency's most current roster of full-time certified law enforcement officers, including commission dates, to the New Mexico law enforcement academy no later than April 1 of each year.

L. The annual report and other statistical data reports generated by the department shall be made available to law enforcement agencies and the public.

M. The department shall provide annual reports to the department of finance and administration and the legislative finance committee about expenditures from the law enforcement retention fund, including an itemized list of expenditures and the balance remaining in the fund.

N. The department may waive reporting information required by a law enforcement agency pursuant to Subsection H of this section; provided that the department shall provide an explanation of its decision in writing.

O. The department shall submit an annual report providing information collected pursuant to Subsection H of this section to the governor and the legislature no later than December 15 of each year.

P. As used in this section:

(1) "full-time certified law enforcement officer" means a full-time certified salaried public employee of a law enforcement agency whose principal duties under law are to hold in custody any person accused of a criminal offense, to maintain public order or to make arrests for crimes;

(2) "law enforcement agency" means an agency of the state or local political subdivision of the state that employs certified law enforcement officers or the police department of a tribe that has entered into an agreement with the department pursuant to Section 29-1-11 NMSA 1978; and

(3) "retention differential disbursement" means the amount disbursed from the law enforcement retention fund based on a full-time certified law enforcement

officer's service at a law enforcement agency but is not considered salary for the purpose of calculating retirement benefits."

Chapter 47 Section 2 Laws 2024

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 48

HLVMC/House Bill 236, aa
Approved March 4, 2024

AN ACT

RELATING TO PUBLIC EMPLOYEES RETIREMENT; AMENDING THE PUBLIC EMPLOYEES RETIREMENT ACT TO ALLOW CERTAIN PUBLIC SAFETY EMPLOYEES TO RETURN TO WORK UNDER CERTAIN CONDITIONS.

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

Chapter 48 Section 1 Laws 2024

SECTION 1. Section 10-11-8 NMSA 1978 (being Laws 1987, Chapter 253, Section 8, as amended) is amended to read:

"10-11-8. NORMAL RETIREMENT--RETURN TO EMPLOYMENT--BENEFITS CONTINUED--CONTRIBUTIONS.--

A. A member may retire upon fulfilling the following requirements prior to the selected date of retirement:

(1) a written application for normal retirement, in the form prescribed by the association, is filed with the association;

(2) employment is terminated with all employers covered by any state system or the educational retirement system;

(3) the member selects an effective date of retirement that is the first day of a calendar month; and

(4) the member meets the age and service credit requirement for normal retirement specified in the coverage plan applicable to the member.

B. The amount of normal retirement pension is determined in accordance with the coverage plan applicable to the member.

C. Except as provided in Subsections D, J and K of this section, on or after July 1, 2010, a retired member may be subsequently employed by an affiliated public employer only pursuant to the following provisions:

(1) the retired member has not been employed as an employee of an affiliated public employer or retained as an independent contractor by the affiliated public employer from which the retired member retired for at least twelve consecutive months from the date of retirement to the commencement of subsequent employment or reemployment with an affiliated public employer;

(2) the retired member's pension shall be suspended upon commencement of the subsequent employment;

(3) except as provided in Subsection F of this section, the retired member shall not become a member and shall not accrue service credit, and the retired member and that person's subsequent affiliated public employer shall not make contributions under any coverage plan pursuant to the Public Employees Retirement Act; and

(4) upon termination of the subsequent employment, the retired member's pension shall resume in accordance with the provisions of Subsection A of this section.

D. The provisions of Subsections C, G, H, J and K of this section do not apply to:

(1) a retired member employed by the legislature for legislative session work;

(2) a retired member employed temporarily as a precinct board member for a municipal election or an election covered by the Election Code; or

(3) a retired member who is elected to serve a term as an elected official in an office covered pursuant to the Public Employees Retirement Act; provided that:

(a) the retired member files an irrevocable exemption from membership with the association within thirty days of taking office; and

(b) the irrevocable exemption shall be for the elected official's term of office.

E. A retired member who returns to employment during retirement pursuant to Subsection D of this section is entitled to receive retirement benefits but is not entitled to accrue service credit or to acquire or purchase service credit in the future for the

period of the retired member's subsequent employment with an affiliated public employer.

F. At any time during a retired member's subsequent employment pursuant to Subsection C of this section, the retired member may elect to become a member and the following conditions shall apply:

(1) the previously retired member and the subsequent affiliated public employer shall make the required employee and employer contributions, and the previously retired member shall accrue service credit for the period of subsequent employment; and

(2) when the previously retired member terminates the subsequent employment with an affiliated public employer, the previously retired member shall retire according to the provisions of the Public Employees Retirement Act, subject to the following conditions:

(a) payment of the pension shall resume in accordance with the provisions of Subsection A of this section;

(b) unless the previously retired member accrued at least three years of service credit on account of the subsequent employment, the recalculation of pension shall: 1) employ the form of payment selected by the previously retired member at the time of the first retirement; and 2) use the provisions of the coverage plan applicable to the member on the date of the first retirement; and

(c) the recalculated pension shall not be less than the amount of the suspended pension.

G. A retired member who returned to work with an affiliated public employer prior to July 1, 2010 shall be subject to the provisions of this section in effect on the date the retired member returned to work; provided that on and after July 1, 2010, the retired member shall pay the employee contribution in an amount specified in the Public Employees Retirement Act for the position in which the retired member is subsequently employed.

H. Effective July 1, 2014, if a retired member who, subsequent to retirement, is employed and covered pursuant to the provisions of the Magistrate Retirement Act or Judicial Retirement Act, during the period of subsequent employment:

(1) the member shall be entitled to receive retirement benefits;

(2) the retired member's cost-of-living pension adjustment shall be suspended upon commencement of the employment; and

(3) upon termination of the employment, the retired member's suspended cost-of-living pension adjustment shall be reinstated as provided under Section 10-11-118 NMSA 1978.

I. The pension of a member who has earned service credit under more than one coverage plan shall be determined as follows:

(1) the pension of a member who has three or more years of service credit earned on or before June 30, 2013 under each of two or more coverage plans shall be determined in accordance with the coverage plan that produces the highest pension;

(2) the pension of a member who has service credit earned on or before June 30, 2013 under two or more coverage plans but who has three or more years of service credit under only one of those coverage plans shall be determined in accordance with the coverage plan in which the member has three or more years of service credit. If the service credit is acquired under two different coverage plans applied to the same affiliated public employer as a consequence of an election by the members, adoption by the affiliated public employer or a change in the law that results in the application of a coverage plan with a greater pension, the greater pension shall be paid a member retiring from the affiliated public employer under which the change in coverage plan took place regardless of the amount of service credit under the coverage plan producing the greater pension; provided that the member has three or more years of continuous employment with that affiliated public employer immediately preceding or immediately preceding and immediately following the date the coverage plan changed;

(3) the pension of a member who has service credit earned on or before June 30, 2013 under each of two or more coverage plans and who has service credit earned under any coverage plan on or after July 1, 2013 shall be equal to the sum of:

(a) the pension attributable to the service credit earned on or before June 30, 2013 determined pursuant to Paragraph (1) or (2) of this subsection; and

(b) the pension attributable to the service credit earned under each coverage plan on or after July 1, 2013;

(4) the pension of a member who has service credit earned only on and after July 1, 2013 shall be equal to the sum of the pension attributable to the service credit the member has accrued under each coverage plan; and

(5) the provisions of each coverage plan for the purpose of this subsection shall be those in effect at the time the member ceased to be covered by the coverage plan. "Service credit", for the purposes of this subsection, shall be only personal service rendered an affiliated public employer and credited to the member

under the provisions of Subsection A of Section 10-11-4 NMSA 1978. Service credited under any other provision of the Public Employees Retirement Act shall not be used to satisfy the three-year service credit requirement of this subsection.

J. A retired member may be subsequently employed by an affiliated public employer; provided that the retired member has not been employed as an employee of an affiliated public employer or retained as an independent contractor by the affiliated public employer from which the retired member retired for at least ninety consecutive days from the date of retirement to the commencement of subsequent employment or reemployment with an affiliated public employer; and further provided that the:

(1) retired member shall only be employed in one of the following positions:

- (a) adult correctional officer;
- (b) adult detention officer;
- (c) courthouse security officer;
- (d) emergency medical dispatcher;
- (e) emergency medical technician or paramedic;
- (f) firefighter;
- (g) juvenile correctional officer;
- (h) juvenile detention officer;
- (i) municipal police officer;
- (j) peace officer;
- (k) protective services investigator;
- (l) public safety telecommunicator;
- (m) sheriff's deputy; or
- (n) state police officer;

(2) retired member shall have retired prior to December 31, 2023;

(3) retired member's pension, including any cost-of-living adjustment, shall continue to be paid during the period of subsequent employment;

(4) retired member shall not become a member during the period of subsequent employment;

(5) retired member shall not accrue service credit for any portion of the period of subsequent employment;

(6) retired member and the retired member's subsequent affiliated public employer shall make the contributions that would be required for members and employers under the applicable coverage plan during the entire period of subsequent employment;

(7) contributions paid by or on behalf of the retired member during the term of subsequent employment shall not be refundable at the termination of the subsequent employment;

(8) retired member shall have no seniority based on pre-retirement employment for purposes of selecting shifts;

(9) retired member shall have no limitation on the length of time that the retired member can be subsequently employed or reemployed by an affiliated public employer; provided that the retired member shall only receive up to thirty-six consecutive months of pension payments while reemployed;

(10) retired member shall not be hired for reemployment into an employment position with a vacancy rate that is lower than ten percent at the time of the retired member's hiring; and

(11) subsequent employment begins prior to July 1, 2027.

K. An affiliated public employer that employs a retired member provided in Subsection J of this section shall:

(1) track and document:

(a) the date of hire and date of separation for each reemployed retired member;

(b) the retired member's employment position prior to retirement;

(c) the salary of each reemployed retired member; and

(d) the monthly vacancy rate for each employment position at the affiliated public employer; and

(2) if the affiliated public employer has to lay off employees due to budgetary restrictions, lay off reemployed retired members before laying off any members.

L. For the purposes of this section:

(1) "adult correctional officer" means a person who is employed as an adult correctional officer or an adult correctional officer specialist by a state correctional facility of the corrections department or its successor agency;

(2) "adult detention officer" means a person who is employed by an affiliated public employer other than the state and who has inmate custodial responsibilities at a facility used for the confinement of adults charged with or convicted of a violation of a law or ordinance;

(3) "courthouse security officer" means a person who is employed by the administrative office of the courts who provides security or protective services for a courthouse;

(4) "emergency medical dispatcher" means a person who is trained and licensed pursuant to the Emergency Medical Services Act and who receives calls for emergency medical assistance, provides pre-arrival medical instructions, dispatches emergency medical assistance and coordinates its response;

(5) "emergency medical technician" means a person who is licensed as an emergency medical technician or paramedic and who provides patient care pursuant to the Emergency Medical Services Act;

(6) "firefighter" means a person who is employed as a full-time non-volunteer firefighter by an affiliated public employer who has taken the oath for firefighters and who serves in a non-management position serving or supporting the delivery of emergency services in a front line capacity;

(7) "juvenile correctional officer" means a person who is employed as a juvenile correctional officer by the children, youth and families department or its successor agency;

(8) "juvenile detention officer" means a person who is employed as a juvenile detention officer or youth program officer by an affiliated public employer other than the state;

(9) "municipal police officer" means a person who is employed by an affiliated public employer other than the state or a county and who is a law enforcement officer who serves in a uniformed patrol capacity responding to dispatched calls for service;

(10) "peace officer" means a person who is appointed by the attorney general or district attorney and who is a certified law enforcement officer who investigates and enforces state laws, rules and regulations, including the execution of warrants;

(11) "protective services investigator" means a person who is an employee of the protective services division of the children, youth and families department who investigates child abuse referrals, assesses the risk and safety of the child and takes appropriate action or prepares cases for transfer to child protective services permanency planning;

(12) "public safety telecommunicator" means a person who is an employee of a safety agency who receives calls or dispatches the appropriate personnel or equipment in response to calls for police, fire or medical services and makes decisions affecting the life, health or welfare of the public or safety employees and who has qualified for the certification set forth in the Public Safety Telecommunicator Training Act;

(13) "sheriff's deputy" means a person who is employed by a county and who is a law enforcement officer who serves in a uniformed patrol capacity responding to dispatched calls for service or serves as a courthouse security officer employed by a county; and

(14) "state police officer" means a person who is an officer of the New Mexico state police division of the department of public safety, who has taken the oath prescribed for such officers and who serves in a uniformed patrol capacity responding to dispatched calls for service."

Chapter 48 Section 2 Laws 2024

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 49

HJC/HCPAC/House Bill 239
Approved March 4, 2024

AN ACT

RELATING TO CORRECTIONS; INCLUDING CANNABIS IN THE DEFINITION OF "CONTRABAND"; PROHIBITING CANNABIS IN PLACES OF IMPRISONMENT OR DETENTION; PROVIDING EXCEPTIONS.

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

Chapter 49 Section 1 Laws 2024

SECTION 1. Section 30-22-14 NMSA 1978 (being Laws 1976, Chapter 15, Section 1, as amended) is amended to read:

"30-22-14. BRINGING CONTRABAND INTO PLACES OF IMPRISONMENT--PENALTIES--DEFINITIONS.--

A. Bringing contraband into a prison consists of knowingly and voluntarily carrying, transporting or depositing contraband onto the grounds of the penitentiary of New Mexico or any other institution designated by the corrections department for the confinement of adult prisoners. Whoever commits bringing contraband into a prison is guilty of a third degree felony.

B. Bringing contraband into a jail consists of knowingly and voluntarily carrying contraband into the confines of a county or municipal jail. Whoever commits bringing contraband into a jail is guilty of a fourth degree felony.

C. As used in this section, "contraband" means:

(1) a deadly weapon, as defined in Section 30-1-12 NMSA 1978, or an essential component part thereof, including ammunition, explosive devices and explosive materials, but does not include a weapon carried by a peace officer in the lawful discharge of duties;

(2) currency brought onto the grounds of the institution for the purpose of transfer to a prisoner, but does not include currency carried into areas designated by the warden as areas for the deposit and receipt of currency for credit to a prisoner's account before contact is made with the prisoner;

(3) an alcoholic beverage;

(4) a controlled substance, as defined in the Controlled Substances Act, or cannabis, as defined in the Cannabis Regulation Act, but does not include a controlled substance or medical cannabis carried into a prison or jail through regular prison or jail channels and pursuant to the direction or prescription of a licensed physician; or

(5) an electronic communication or recording device brought onto the grounds of the institution for the purpose of transfer to or use by a prisoner.

D. As used in this section, "electronic communication or recording device" means any type of instrument, device, machine or equipment that is designed to transmit or receive telephonic, electronic, digital, cellular, satellite or radio signals or communications or that is designed to have sound or image recording abilities or any part or component of such instrument, device, machine or equipment. "Electronic

communication or recording device" does not include a device that is or will be used by prison or jail personnel in the regular course of business or that is otherwise authorized by the warden.

E. Nothing in this section shall prohibit the use of hearing aids, voice amplifiers or other equipment necessary to aid prisoners who have documented hearing or speech deficiencies or their visitors. Rules for such devices shall be established by the warden or director of each jail, detention center and prison."

Chapter 49 Section 2 Laws 2024

SECTION 2. Section 30-22-14.1 NMSA 1978 (being Laws 1997, Chapter 44, Section 1) is amended to read:

"30-22-14.1. BRINGING CONTRABAND INTO A JUVENILE DETENTION FACILITY OR JUVENILE CORRECTIONAL FACILITY--PENALTY.--

A. Bringing contraband into a juvenile detention facility or juvenile correctional facility consists of carrying, transporting or depositing contraband onto the grounds of a facility designated by the children, youth and families department for the detention or commitment of children. Whoever commits bringing contraband into a juvenile correctional facility is guilty of a third degree felony. Whoever commits bringing contraband into a juvenile detention facility is guilty of a fourth degree felony.

B. As used in this section, "contraband" means:

(1) a deadly weapon, as defined in Section 30-1-12 NMSA 1978, or an essential component part thereof, including ammunition, explosive devices and explosive materials, but does not include a weapon carried by a peace officer in the lawful discharge of the officer's duties;

(2) currency brought onto the grounds of a juvenile detention facility or juvenile correctional facility and not declared upon entry to the facility for the purpose of transfer to a child detained in or committed to the facility, but does not include currency carried into areas designated by the facility administrator as areas for the deposit and receipt of currency for credit to a child's account before contact is made with any child;

(3) an alcoholic beverage brought within the physical confines of the juvenile detention or juvenile correctional facility; or

(4) a controlled substance, as defined in the Controlled Substances Act, or cannabis, as defined in the Cannabis Regulation Act, but does not include a controlled substance or medical cannabis carried into a juvenile detention facility or juvenile correctional facility through regular facility channels and pursuant to the direction or prescription of a licensed physician."

LAWS 2024, CHAPTER 50

SJC/Senate Bill 5, aa
Approved March 4, 2024

AN ACT

RELATING TO ELECTIONS; PROHIBITING THE POSSESSION OF A FIREARM WITHIN CERTAIN DISTANCES OF A POLLING PLACE DURING AN ELECTION; PROVIDING EXCEPTIONS; PROVIDING A PENALTY.

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

Chapter 50 Section 1 Laws 2024

SECTION 1. A new section of Chapter 1, Article 20 NMSA 1978 is enacted to read:

"UNLAWFUL POSSESSION OF A FIREARM AT A POLLING PLACE.--

A. Unlawful possession of a firearm at a polling place consists of possession of a loaded or unloaded firearm by any person within:

(1) one hundred feet of the door through which voters may enter to vote at a school building in which a polling place is located while early voting is in progress or on election day;

(2) one hundred feet of the door through which voters may enter to vote at the office of the county clerk, an alternate voting location, a mobile voting site or any location used as a polling place while early voting is in progress or on election day that is not a school; or

(3) fifty feet of a monitored secured container as used in Subsection E of Section 1-6-9 NMSA 1978, beginning twenty-eight days before an election through election day.

B. The provisions of Subsection A of this section do not apply to:

(1) a certified law enforcement officer in performance of the officer's official duties;

(2) a law enforcement officer who is certified pursuant to the Law Enforcement Training Act acting in accordance with the policies of the officer's law enforcement agency;

(3) a person in a private automobile or other private means of conveyance; or

(4) a person carrying a concealed firearm who is in possession of a valid concealed handgun license for that firearm pursuant to the Concealed Handgun Carry Act.

C. A person conducting lawful, non-election-related business nearer than one hundred feet from the door through which voters may enter to vote or nearer than fifty feet from a monitored secured container is not guilty of unlawful possession of a firearm at a polling place.

D. A person who commits unlawful possession of a firearm at a polling place is guilty of a petty misdemeanor and shall be sentenced pursuant to Section 31-19-1 NMSA 1978.

E. For the purposes of this section, "firearm" means a weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion, or the frame or receiver of any such weapon."

LAWS 2024, CHAPTER 51

Senate Bill 96

Approved March 4, 2024

AN ACT

RELATING TO CRIMINAL SENTENCING; INCREASING THE PENALTY FOR ATTEMPTED MURDER IN THE SECOND DEGREE; INCREASING THE PENALTY FOR SECOND DEGREE MURDER TO EIGHTEEN YEARS.

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

Chapter 51 Section 1 Laws 2024

SECTION 1. Section 30-28-1 NMSA 1978 (being Laws 1963, Chapter 303, Section 28-1) is amended to read:

"30-28-1. ATTEMPT TO COMMIT A FELONY.--Attempt to commit a felony consists of an overt act in furtherance of and with intent to commit a felony and tending but failing to effect its commission.

Whoever commits attempt to commit a felony, upon conviction thereof, shall be punished as follows:

- A. if the crime attempted is a capital or first degree felony, the person committing such attempt is guilty of a second degree felony;
- B. if the crime attempted is a second degree felony, the person committing such attempt is guilty of a third degree felony;
- C. if the crime attempted is murder in the second degree, the person committing the attempted murder is guilty of a third degree felony and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, the basic sentence of imprisonment is nine years;
- D. if the crime attempted is a third degree felony, the person committing such attempt is guilty of a fourth degree felony; and
- E. if the crime attempted is a fourth degree felony, the person committing such attempt is guilty of a misdemeanor.

No person shall be sentenced for an attempt to commit a misdemeanor."

Chapter 51 Section 2 Laws 2024

SECTION 2. Section 31-18-15 NMSA 1978 (being Laws 1977, Chapter 216, Section 4, as amended) is amended to read:

"31-18-15. SENTENCING AUTHORITY--NONCAPITAL FELONIES--BASIC SENTENCES AND FINES--PAROLE AUTHORITY--MERITORIOUS DEDUCTIONS.--

A. As used in a statute that establishes a noncapital felony, the following defined felony classifications and associated basic sentences of imprisonment are as follows:

FELONY CLASSIFICATION	BASIC SENTENCE
first degree felony resulting in the death of a child	life imprisonment
first degree felony for aggravated criminal sexual penetration	life imprisonment
first degree felony	eighteen years imprisonment
second degree felony resulting in the death of a human being	eighteen years imprisonment
second degree felony for a sexual offense against a child	fifteen years imprisonment
second degree felony for sexual exploitation of children	twelve years imprisonment
second degree felony	nine years imprisonment
third degree felony resulting in the death of a human being	six years imprisonment

third degree felony for a sexual offense against a child	six years imprisonment
third degree felony for sexual exploitation of children	eleven years imprisonment
third degree felony	three years imprisonment
fourth degree felony for sexual exploitation of children	ten years imprisonment
fourth degree felony	eighteen months imprisonment.

B. The appropriate basic sentence of imprisonment shall be imposed upon a person convicted and sentenced pursuant to Subsection A of this section, unless the court alters the sentence pursuant to the provisions of the Criminal Sentencing Act.

C. A period of parole shall be imposed only for felony convictions wherein a person is sentenced to imprisonment of more than one year, unless the parties to a proceeding agree that a period of parole should be imposed. If a period of parole is imposed, the court shall include in the judgment and sentence of each person convicted and sentenced to imprisonment in a corrections facility designated by the corrections department authority for a period of parole to be served in accordance with the provisions of Section 31-21-10 NMSA 1978 after the completion of any actual time of imprisonment and authority to require, as a condition of parole, the payment of the costs of parole services and reimbursement to a law enforcement agency or local crime stopper program in accordance with the provisions of that section. If imposed, the period of parole shall be deemed to be part of the sentence of the convicted person in addition to the basic sentence imposed pursuant to Subsection A of this section together with alterations, if any, pursuant to the provisions of the Criminal Sentencing Act.

D. When a court imposes a sentence of imprisonment pursuant to the provisions of Section 31-18-15.1, 31-18-16 or 31-18-17 NMSA 1978 and suspends or defers the basic sentence of imprisonment provided pursuant to the provisions of Subsection A of this section, the period of parole shall be served in accordance with the provisions of Section 31-21-10 NMSA 1978 for the degree of felony for the basic sentence for which the inmate was convicted. For the purpose of designating a period of parole, a court shall not consider that the basic sentence of imprisonment was suspended or deferred and that the inmate served a period of imprisonment pursuant to the provisions of the Criminal Sentencing Act.

E. The court may, in addition to the imposition of a basic sentence of imprisonment, impose a fine not to exceed:

(1) for a first degree felony resulting in the death of a child, seventeen thousand five hundred dollars (\$17,500);

(2) for a first degree felony for aggravated criminal sexual penetration, seventeen thousand five hundred dollars (\$17,500);

- (3) for a first degree felony, fifteen thousand dollars (\$15,000);
- (4) for a second degree felony resulting in the death of a human being, twelve thousand five hundred dollars (\$12,500);
- (5) for a second degree felony for a sexual offense against a child, twelve thousand five hundred dollars (\$12,500);
- (6) for a second degree felony for sexual exploitation of children, five thousand dollars (\$5,000);
- (7) for a second degree felony, ten thousand dollars (\$10,000);
- (8) for a third degree felony resulting in the death of a human being, five thousand dollars (\$5,000);
- (9) for a third degree felony for a sexual offense against a child, five thousand dollars (\$5,000);
- (10) for a third degree felony for sexual exploitation of children, five thousand dollars (\$5,000);
- (11) for a third or fourth degree felony, five thousand dollars (\$5,000); or
- (12) for a fourth degree felony for sexual exploitation of children, five thousand dollars (\$5,000).

F. When the court imposes a sentence of imprisonment for a felony offense, the court shall indicate whether or not the offense is a serious violent offense as defined in Section 33-2-34 NMSA 1978. The court shall inform an offender that the offender's sentence of imprisonment is subject to the provisions of Sections 33-2-34, 33-2-36, 33-2-37 and 33-2-38 NMSA 1978. If the court fails to inform an offender that the offender's sentence is subject to those provisions or if the court provides the offender with erroneous information regarding those provisions, the failure to inform or the error shall not provide a basis for a writ of habeas corpus.

G. No later than October 31 of each year, the New Mexico sentencing commission shall provide a written report to the secretary of corrections, all New Mexico criminal court judges, the administrative office of the district attorneys and the chief public defender. The report shall specify the average reduction in the sentence of imprisonment for serious violent offenses and nonviolent offenses, as defined in Section 33-2-34 NMSA 1978, due to meritorious deductions earned by prisoners during the previous fiscal year pursuant to the provisions of Sections 33-2-34, 33-2-36, 33-2-37 and 33-2-38 NMSA 1978. The corrections department shall allow the commission access to documents used by the department to determine earned meritorious deductions for prisoners."

LAWS 2024, CHAPTER 52

Senate Bill 128, aa
Approved March 4, 2024

AN ACT

RELATING TO THE PUBLIC EMPLOYEES RETIREMENT ACT; CREATING A STATE FIRE MEMBER; PROVIDING A DEFINITION FOR A "STATE FIRE MEMBER"; CHANGING THE NAME OF STATE POLICE MEMBER, CORRECTIONAL OFFICER MEMBER AND PROBATION AND PAROLE OFFICER MEMBER COVERAGE PLAN 1 TO STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1; INCLUDING STATE FIRE MEMBERS UNDER STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1; PROVIDING FOR AN ELECTION PERTAINING TO THE ADOPTION OF STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1; MAKING TECHNICAL CHANGES.

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

Chapter 52 Section 1 Laws 2024

SECTION 1. Section 10-11-2 NMSA 1978 (being Laws 1987, Chapter 253, Section 2, as amended) is amended to read:

"10-11-2. DEFINITIONS.--As used in the Public Employees Retirement Act:

A. "accumulated member contributions" means the amounts deducted from the salary of a member and credited to the member's individual account, together with interest, if any, credited to that account;

B. "affiliated public employer" means the state and any public employer affiliated with the association as provided in the Public Employees Retirement Act, but does not include an employer pursuant to the Magistrate Retirement Act, the Judicial Retirement Act or the Educational Retirement Act;

C. "association" means the public employees retirement association established under the Public Employees Retirement Act;

D. "coverage plan funded ratio" means the ratio of the actuarial value of the assets of a coverage plan to the actuarial accrued liability of the association for payments from the coverage plan, as determined by the association's actuaries;

E. "disability retired member" means a retired member who is receiving a pension pursuant to the disability retirement provisions of the Public Employees Retirement Act;

F. "disability retirement pension" means the pension paid pursuant to the disability retirement provisions of the Public Employees Retirement Act;

G. "educational retirement system" means that retirement system provided for in the Educational Retirement Act;

H. "employee" means any employee of an affiliated public employer;

I. "federal social security program" means that program or those programs created and administered pursuant to the act of congress approved August 14, 1935, Chapter 531, 49 Stat. 620, as that act may be amended;

J. "final average salary" means the final average salary calculated in accordance with the provisions of the applicable coverage plan;

K. "form of payment" means the applicable form of payment of a pension provided for in Section 10-11-117 NMSA 1978;

L. "former member" means a person who was previously employed by an affiliated public employer, who has terminated that employment and who has received a refund of member contributions;

M. "fund" means the funds included under the Public Employees Retirement Act;

N. "member" means a currently employed, contributing employee of an affiliated public employer, or a person who has been but is not currently employed by an affiliated public employer, who has not retired and who has not received a refund of member contributions; "member" also includes the following:

(1) "adult correctional officer member" means a member who is employed as an adult correctional officer or an adult correctional officer specialist by a state correctional facility of the corrections department or its successor agency;

(2) "adult probation and parole officer member" means a member who is employed as a probation and parole officer by the corrections department or its successor agency;

(3) "juvenile correctional officer member" means a member who is employed as a juvenile correctional officer by the children, youth and families department or its successor agency;

(4) "juvenile probation and parole officer member" means a member who is employed as a probation and parole officer by the children, youth and families department or its successor agency;

(5) "municipal detention officer member" means a member who is employed by an affiliated public employer other than the state and who has inmate custodial responsibilities at a facility used for the confinement of persons charged with or convicted of a violation of a law or ordinance;

(6) "municipal fire member" means any member who is employed as a full-time nonvolunteer firefighter by an affiliated public employer, other than the state, and who has taken the oath prescribed for firefighters;

(7) "municipal police member" means any member who is employed as a police officer by an affiliated public employer, other than the state, and who has taken the oath prescribed for police officers;

(8) "state fire member" means any member who is employed as a nonvolunteer firefighter of the state and who has taken the oath prescribed for firefighters; and

(9) "state police member" means a member who is an officer of the New Mexico state police division and who has taken the oath prescribed for such officers and shall include a member who is an officer of the New Mexico state police division and who was certified and commissioned in the former motor transportation division or the former special investigations division of the department of public safety;

O. "membership" means membership in the association;

P. "pension" means a series of monthly payments to a retired member or survivor beneficiary as provided in the Public Employees Retirement Act;

Q. "public employer" means the state, any municipality, city, county, metropolitan arroyo flood control authority, economic development district, regional housing authority, soil and water conservation district, entity created pursuant to a joint powers agreement, council of government, conservancy district, irrigation district, water and sanitation district, water district and metropolitan water board, including the boards, departments, bureaus and agencies of a public employer, so long as these entities fall within the meaning of governmental plan as that term is used in Section 414(d) of the Internal Revenue Code of 1986, as amended;

R. "refund beneficiary" means a supplemental needs trust or a natural person designated by the member, in writing, in the form prescribed by the association, as the trust or person that would be refunded the member's accumulated member contributions payable if the member dies and no survivor pension is payable or that would receive the difference between pension paid and accumulated member contributions if the retired member dies before receiving in pension payments the amount of the accumulated member contributions;

S. "retire" means to:

(1) terminate employment with all employers covered by any state system or the educational retirement system; and

(2) receive a pension from a state system or the educational retirement system;

T. "retired member" means a person who has met all requirements for retirement and who is receiving a pension from the fund;

U. "retirement board" means the retirement board provided for in the Public Employees Retirement Act;

V. "salary" means the base salary or wages paid a member, including longevity pay, for personal services rendered an affiliated public employer. "Salary" shall not include overtime pay, unless the overtime payment is required for a regular scheduled tour of duty as set forth in Section 207(k) of Title 29 of the United States Code and is made on the regular payroll for the period represented by that payment, allowances for housing, clothing, equipment or travel, payments for unused sick leave, unless the unused sick leave payment is made through continuation of the member on the regular payroll for the period represented by that payment, and any other form of remuneration not specifically designated by law as included in salary for Public Employees Retirement Act purposes. Salary in excess of the limitations set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended, shall be disregarded. The limitation on compensation for eligible employees shall not be less than the amount that was allowed to be taken into account under the state retirement system acts in effect on July 1, 1993. For purposes of this subsection, "eligible employee" means an individual who was a member of a state system before the first plan year beginning after December 31, 1995;

W. "state system" means the retirement programs provided for in the Public Employees Retirement Act, the Magistrate Retirement Act and the Judicial Retirement Act;

X. "state retirement system acts" means collectively the Public Employees Retirement Act, the Magistrate Retirement Act, the Judicial Retirement Act and the Volunteer Firefighters Retirement Act;

Y. "supplemental needs trust" means a valid third-party irrevocable trust that is authorized by the federal Social Security Act, as amended, for the sole benefit and lifetime of a trust beneficiary who is disabled and is created for the purpose of providing, accounting for or receiving supplemental assets that do not supplant, impair or diminish any benefits or assistance of any federal, state or other government entity for which the beneficiary would otherwise be eligible; and

Z. "survivor beneficiary" means a supplemental needs trust or a natural person that receives a pension or that has been designated to be paid a pension as a result of the death of a member or retired member."

Chapter 52 Section 2 Laws 2024

SECTION 2. Section 10-11-27 NMSA 1978 (being Laws 1987, Chapter 253, Section 27, as amended) is amended to read:

"10-11-27. STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1--
APPLICABILITY--CREDITED SERVICE.--

A. State public safety member coverage plan 1 is applicable to:

- (1) state police members who are not specifically covered by another coverage plan;
- (2) adult correctional officer members;
- (3) adult probation and parole officer members;
- (4) juvenile probation and parole officer members; and
- (5) state fire members.

B. The credited service of a state police member who was a retired member or a member on or before June 30, 2013 or of an adult correctional officer member shall have actual credited service increased by twenty percent for the purposes of state public safety member coverage plan 1.

C. The credited service, accrued after July 1, 2021, of an adult probation and parole officer or a juvenile probation and parole officer shall be increased by twenty percent for the purposes of state public safety member coverage plan 1.

D. The credited service, accrued after July 1, 2024, of a state fire member shall be increased by twenty percent for the purposes of state public safety member coverage plan 1.

E. The increase of twenty percent to accrued credited service provided by this section shall only apply to a state public safety member who was a retired member or a member on or before June 30, 2013.

F. Except as provided in Subsections B through E of this section, the credited service of a member covered under state public safety member coverage plan 1 shall be credited as provided in Section 10-11-4 NMSA 1978.

G. State public safety member coverage plan 1 is applicable to adult probation and parole officer members and juvenile probation and parole officer members in the first full pay period after July 1, 2021 if the retirement board certifies to the secretary of state that, of those adult probation and parole officer members and juvenile probation and parole officer members to be covered under state public safety member coverage plan 1, a majority of the respective members voting have voted to approve adoption of that plan at an election conducted pursuant to Laws 2020, Chapter 11, Sections 63 through 66.

H. State public safety member coverage plan 1 is applicable in the first full pay period after July 1, 2024 for:

(1) state fire members who begin employment as a state fire member on or after July 1, 2024; and

(2) state fire members who were employed in a position and were subject to the definition of a "state fire member" prior to July 1, 2024, if the retirement board certifies to the secretary of state that, of those state fire members to be covered under state public safety member coverage plan 1, a majority of the respective members voting have voted to approve the adoption of that plan at an election conducted pursuant to Section 8 of this 2024 act."

Chapter 52 Section 3 Laws 2024

SECTION 3. Section 10-11-27.1 NMSA 1978 (being Laws 2003, Chapter 268, Section 10, as amended) is amended to read:

"10-11-27.1. STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1--SERVICE CREDIT REQUIRED.--Notwithstanding the provisions of Section 10-11-27 NMSA 1978, to qualify for payment under state public safety member coverage plan 1, an adult correctional officer member shall have eighteen months of service credit earned under state public safety member coverage plan 1 subsequent to July 1, 2004."

Chapter 52 Section 4 Laws 2024

SECTION 4. Section 10-11-28 NMSA 1978 (being Laws 1987, Chapter 253, Section 28, as amended) is amended to read:

"10-11-28. STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1--AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under state public safety member coverage plan 1:

A. for a member who was a retired member or a member on June 30, 2013, the age and service requirements for normal retirement are:

- service;
- (1) age sixty-five years or older and five or more years of credited
 - (2) age sixty-four years and eight or more years of credited service;
 - (3) age sixty-three years and eleven or more years of credited service;
 - (4) age sixty-two years and fourteen or more years of credited service;
 - (5) age sixty-one years and seventeen or more years of credited
- service;
- (6) age sixty years and twenty or more years of credited service; or
 - (7) any age and twenty-five or more years of credited service; and

B. for a member who was not a retired member or a member on June 30, 2013, the age and service requirements for normal retirement are:

- (1) age sixty years or older and five or more years of service credit; or
- (2) any age and twenty-five or more years of service credit."

Chapter 52 Section 5 Laws 2024

SECTION 5. Section 10-11-29 NMSA 1978 (being Laws 1987, Chapter 253, Section 29, as amended) is amended to read:

"10-11-29. STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under state public safety member coverage plan 1, the amount of pension under form of payment A is equal to three percent of final average salary multiplied by credited service. The amount shall not exceed one hundred percent of the final average salary."

Chapter 52 Section 6 Laws 2024

SECTION 6. Section 10-11-31 NMSA 1978 (being Laws 1987, Chapter 253, Section 31, as amended) is amended to read:

"10-11-31. STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1--MEMBER CONTRIBUTION RATE.--A member under state public safety member coverage plan 1 shall contribute seven and six-tenths percent of salary, except that a member whose annual salary is greater than twenty-five thousand dollars (\$25,000) shall contribute nine and one-tenth percent of salary."

Chapter 52 Section 7 Laws 2024

SECTION 7. Section 10-11-32 NMSA 1978 (being Laws 1987, Chapter 253, Section 32, as amended) is amended to read:

"10-11-32. STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1--STATE CONTRIBUTION RATE.--The state shall contribute twenty-five and one-half percent of the salary of each member under state public safety member coverage plan 1."

Chapter 52 Section 8 Laws 2024

SECTION 8. TEMPORARY PROVISION--STATE PUBLIC SAFETY MEMBER COVERAGE PLAN 1--STATE FIRE MEMBERS--ELECTION.--On or before June 30, 2024, the retirement board provided for in the Public Employees Retirement Act shall conduct an election to submit to state fire members currently contributing under state general member coverage plan 3 the question of adopting state public safety member coverage plan 1.

LAWS 2024, CHAPTER 53

SJC/Senate Bill 271

Approved March 4, 2024

AN ACT

RELATING TO CRIMINAL PROCEDURE; REQUIRING THE COURT TO HOLD A PERSON FOR A VIOLATION OF CONDITIONS OF RELEASE TO CONSIDER MODIFICATION OR REVOCATION OF THOSE CONDITIONS OF RELEASE.

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

Chapter 53 Section 1 Laws 2024

SECTION 1. A new section of Chapter 31, Article 3 NMSA 1978 is enacted to read:

"HOLD FOR VIOLATION OF CONDITIONS OF RELEASE.--

A. When a court receives notice that a person on pretrial release for a felony is arrested for a subsequent felony, the court shall issue an order for the person to remain in custody.

B. The person shall remain in custody until each judge assigned to any of the person's pending previous felony cases or another judge assigned for that purpose considers modification or revocation of the person's conditions of release."

Chapter 53 Section 2 Laws 2024

SECTION 2. TEMPORARY PROVISION.--The supreme court may issue rules to implement the provisions of this act.

LAWS 2024, CHAPTER 54

HJC/House Bill 41

Approved March 5, 2024

AN ACT

RELATING TO THE ENVIRONMENT; AUTHORIZING THE ENVIRONMENTAL IMPROVEMENT BOARD TO ADOPT RULES TO ESTABLISH AND ASSESS FEES FOR A CLEAN TRANSPORTATION FUEL STANDARD.

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

Chapter 54 Section 1 Laws 2024

SECTION 1. Section 74-1-3 NMSA 1978 (being Laws 1971, Chapter 277, Section 3, as amended) is amended to read:

"74-1-3. DEFINITIONS.--As used in the Environmental Improvement Act:

- A. "board" means the environmental improvement board;
- B. "carbon intensity" means the quantity of fuel lifecycle greenhouse gas emissions per unit of fuel energy, expressed in grams of carbon dioxide equivalent per megajoule;
- C. "department" or "environmental improvement department" means the department of environment;
- D. "fuel lifecycle" means an assessment of the aggregate greenhouse gas emissions based on science-based models or protocols, including direct emissions and significant indirect emissions from indirect land use change, all stages of fuel and feedstock production and distribution, feedstock generation or extraction through the distribution, delivery and use of the finished fuel by the consumer, including consideration of storage, transportation and combustion;
- E. "on-site liquid waste system" means a liquid waste system, or part thereof, serving a dwelling, establishment or group, and using a liquid waste treatment unit designed to receive liquid waste followed by either a soil treatment or other type of disposal system. "On-site liquid waste system" includes holding tanks and privies but

does not include systems or facilities designed to receive or treat mine or mill tailings or wastes;

F. "person" means the state or any agency, institution or political subdivision thereof, any public or private corporation, individual, partnership, association or other entity and includes any officer or governing or managing body of any political subdivision or public or private corporation;

G. "residential on-site liquid waste system" means an on-site liquid waste system serving up to four dwelling units;

H. "secretary" means the secretary of environment; and

I. "transportation fuel" means electricity or a liquid, gaseous or blended fuel, including gasoline, diesel, liquefied petroleum gas, natural gas and hydrogen, sold, supplied, used or offered for sale to power vehicles or equipment for the purposes of transportation."

Chapter 54 Section 2 Laws 2024

SECTION 2. Section 74-1-7 NMSA 1978 (being Laws 1971, Chapter 277, Section 10, as amended by Laws 2000, Chapter 86, Section 1 and also by Laws 2000, Chapter 96, Section 1) is amended to read:

"74-1-7. DEPARTMENT--DUTIES.--

A. The department is responsible for environmental management and consumer protection programs. In that respect, the department shall maintain, develop and enforce rules and standards in the following areas:

(1) food protection;

(2) water supply, including implementing a capacity development program to assist water systems in acquiring and maintaining technical, managerial and financial capacity in accordance with Section 1420 of the federal Safe Drinking Water Act of 1974 and establishing administrative penalties for enforcement;

(3) liquid waste, including exclusive authority to collect on-site liquid waste system fees that are no more than the average charged by the contiguous states to New Mexico for similar permits and services and to implement and administer an inspection and permitting program for on-site liquid waste systems;

(4) air quality management as provided in the Air Quality Control Act;

(5) radiation control and collection of license, registration and other related fees as provided in the Radiation Protection Act;

- (6) noise control;
- (7) nuisance abatement;
- (8) vector control;
- (9) occupational health and safety as provided in the Occupational Health and Safety Act;
- (10) sanitation of public swimming pools and public baths;
- (11) plumbing, drainage, ventilation and sanitation of public buildings in the interest of public health;
- (12) medical radiation, health and safety certification and standards for radiologic technologists as provided in the Medical Imaging and Radiation Therapy Health and Safety Act;
- (13) hazardous wastes and underground storage tanks as provided in the Hazardous Waste Act;
- (14) solid waste as provided in the Solid Waste Act; and
- (15) carbon intensity of transportation fuels as provided in Section 4 of this 2024 act, including registration and related fees.

B. Nothing in Subsection A of this section imposes requirements for the approval of subdivision plats in addition to those required elsewhere by law. Nothing in Subsection A of this section preempts the authority of any political subdivision to approve subdivision plats."

Chapter 54 Section 3 Laws 2024

SECTION 3. Section 74-1-8 NMSA 1978 (being Laws 1971, Chapter 277, Section 11, as amended) is amended to read:

"74-1-8. BOARD--DUTIES.--

A. The board is responsible for environmental management and consumer protection. In that respect, the board shall promulgate rules and standards in the following areas:

- (1) food protection;
- (2) water supply, including a capacity development program to assist water systems in acquiring and maintaining technical, managerial and financial capacity

in accordance with Section 1420 of the federal Safe Drinking Water Act of 1974 and rules authorizing imposition of administrative penalties for enforcement;

(3) liquid waste, including exclusive authority to establish on-site liquid waste system fees that are no more than the average charged by the contiguous states to New Mexico for similar permits and services and to implement and administer an inspection and permitting program for on-site liquid waste systems;

(4) air quality management as provided in the Air Quality Control Act;

(5) radiation control and establishment of license and registration and other related fees not to exceed fees charged by the United States nuclear regulatory commission for similar licenses as provided in the Radiation Protection Act;

(6) noise control;

(7) nuisance abatement;

(8) vector control;

(9) occupational health and safety as provided in the Occupational Health and Safety Act;

(10) sanitation of public swimming pools and public baths;

(11) plumbing, drainage, ventilation and sanitation of public buildings in the interest of public health;

(12) medical radiation, health and safety certification and standards for radiologic technologists as provided in the Medical Imaging and Radiation Therapy Health and Safety Act;

(13) hazardous wastes and underground storage tanks as provided in the Hazardous Waste Act;

(14) solid waste as provided in the Solid Waste Act; and

(15) carbon intensity of transportation fuels as provided in Section 4 of this 2024 act.

B. Nothing in Subsection A of this section imposes requirements for the approval of subdivision plats in addition to those required elsewhere by law. Nothing in Subsection A of this section preempts the authority of any political subdivision to approve subdivision plats.

C. Administrative penalties collected pursuant to Paragraph (2) of Subsection A of this section shall be deposited in the water conservation fund.

D. On-site liquid waste system fees shall be deposited in the environmental health fund.

E. Radiation license and registration and other related fees shall be deposited in the radiation protection fund."

Chapter 54 Section 4 Laws 2024

SECTION 4. A new section of the Environmental Improvement Act is enacted to read:

"CLEAN TRANSPORTATION FUEL STANDARD PROGRAM--RULES.--

A. The board shall promulgate rules to implement a clean transportation fuel standard program no later than July 1, 2026.

B. Prior to the board promulgating rules pursuant to this section, the secretary shall convene an advisory committee composed of stakeholders from in-state and out-of-state producers of transportation fuels, transportation fuel distributors, local governments, utilities, tribal governments, environmental protection groups, environmental justice groups and other individuals or entities with relevant expertise to provide input and periodically review program rules.

C. The clean transportation fuel standard program rules shall:

(1) establish a statewide technology-neutral clean transportation fuel standard based on a schedule for annually decreasing the carbon intensity of transportation fuels used in the state;

(2) apply the clean transportation fuel standard to account for the fuel lifecycle in order to reduce the carbon intensity of transportation fuels used in the state by at least twenty percent below 2018 carbon intensity levels by 2030 and at least thirty percent below 2018 carbon intensity levels by 2040;

(3) establish technology-neutral mechanisms for generating, obtaining, trading, selling and retiring credits among transportation fuel producers, fuel distributors and other individuals or entities in the transportation fuel market, including additional credit opportunities from activities and projects that support the reduction or removal of greenhouse gas emissions associated with transportation in the state;

(4) establish mechanisms, including cost- containment measures and credit holding limits, to allow credits to be banked for future compliance periods to stabilize and incentivize investment in the transportation fuel credit market, verify the

validity of compliance obligations, maximize savings and limit consumer costs, ensure program compliance, trade credits and allow for market participation by persons who register in the market to facilitate credit generation;

(5) require a utility that elects to participate in the program to invest all revenues from the sale of credits, not including administrative program costs, into distribution, grid modernization, infrastructure and other projects that support transportation decarbonization, with at least fifty percent of such revenues supporting low-income and underserved communities and with investor-owned utilities receiving regulatory treatment consistent with Section 62-8-12 NMSA 1978;

(6) consider similar programs in other jurisdictions, allow for coordination with other jurisdictions to promote regional reductions or removal of greenhouse gas emissions and allow market participants to generate credits under any overlapping current and future federal transportation fuel regulations;

(7) not discriminate against fuels solely on the basis of having originated in another state or jurisdiction;

(8) establish a periodic review process that includes input from the advisory committee convened pursuant to Subsection B of this section to provide input on program rules and performance and determine potential adjustments if deemed necessary after review, including the superseding of the state program by federal legislation;

(9) allow for a deferral of the program based on emergency or forecasted conditions; and

(10) establish fees for the cost of the department's administration and enforcement of the program; provided that any fees are deposited in the state air quality permit fund.

D. As used in this section:

(1) "low-income" means annual household adjusted gross income, as defined in the Income Tax Act, of equal to or less than two hundred percent of the federal poverty level; and

(2) "underserved community" means an area in this state, including a county, municipality or neighborhood, or subset of such area where the median income of the area is low-income."

LAWS 2024, CHAPTER 55

House Bill 91, aa

Approved March 5, 2024

AN ACT

RELATING TO GEOTHERMAL RESOURCES; AMENDING THE DUTIES OF THE ENERGY CONSERVATION AND MANAGEMENT DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT; CREATING THE GEOTHERMAL PROJECTS DEVELOPMENT FUND; AUTHORIZING GRANTS; CREATING THE GEOTHERMAL PROJECTS REVOLVING LOAN FUND; AUTHORIZING LOANS.

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

Chapter 55 Section 1 Laws 2024

SECTION 1. Section 71-9-1 NMSA 1978 (being Laws 2016, Chapter 71, Section 1 and Laws 2016, Chapter 78, Section 1) is amended to read:

"71-9-1. SHORT TITLE.--Chapter 71, Article 9 NMSA 1978 may be cited as the "Geothermal Resources Development Act"."

Chapter 55 Section 2 Laws 2024

SECTION 2. Section 71-9-3 NMSA 1978 (being Laws 2016, Chapter 71, Section 3 and Laws 2016, Chapter 78, Section 3) is amended to read:

"71-9-3. DEFINITIONS.--As used in the Geothermal Resources Development Act:

A. "correlative rights" means the opportunity afforded, insofar as is practicable, to each owner or leaseholder in a geothermal reservoir to produce the owner's or leaseholder's just and equitable share of the geothermal resources within such reservoir, being an amount, so far as can be practicably determined and so far as can be practicably obtained without waste, substantially in the proportion that the recoverable geothermal resources of such ownership or lease interest bear to the total recoverable geothermal resources in the reservoir and, for such purpose, to use the owner's or leaseholder's just and equitable share of the natural heat or energy in the reservoir;

B. "division" means the energy conservation and management division of the energy, minerals and natural resources department;

C. "geothermal development project" means a project using the heat of the earth above one hundred degrees Fahrenheit to generate electricity or otherwise support industrial, commercial or residential uses;

D. "geothermal reservoir" means an underground reservoir containing geothermal resources, whether the fluids in the reservoir are native to the reservoir or flow into or are injected into the reservoir;

E. "geothermal resources" means the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit, or the energy, in whatever form, below the surface of the earth present in, resulting from, created by or that may be extracted from this natural heat in excess of two hundred fifty degrees Fahrenheit, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, but excluding oil, hydrocarbon gas and other hydrocarbon substances and excluding the heating and cooling capacity of the earth not resulting from the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit, as may be used for the heating and cooling of buildings through an on-site geo-exchange heat pump or similar on-site system; and

F. "person" means an individual or other legal entity, including federal, state or local governments or their agents or instrumentalities."

Chapter 55 Section 3 Laws 2024

SECTION 3. Section 71-9-5 NMSA 1978 (being Laws 2016, Chapter 71, Section 5 and Laws 2016, Chapter 78, Section 5) is amended to read:

"71-9-5. GENERAL DUTIES, JURISDICTION AND AUTHORITY OF THE DIVISION.--

A. The division shall regulate the exploration, development and production of geothermal resources on public and private land for the purposes of conservation; protection of correlative rights; protection of life, health, property, natural resources, the environment and the public welfare; and encouraging maximum economic recovery of the geothermal resources. The division may require persons seeking to explore, develop or produce geothermal resources to obtain permits from the division.

B. The division has jurisdiction over all matters relating to the exploration, development and production of geothermal resources. It has jurisdiction, authority and control of all persons, matters and things necessary or proper to enforce effectively the provisions of the Geothermal Resources Development Act, including making investigations and inspections of geothermal projects, facilities and wells.

C. The division may limit and allocate production of geothermal resources as needed to prevent waste whenever the total amount of geothermal resources that may be produced from a geothermal reservoir is limited. The division shall allocate and distribute the allowable production, insofar as is practicable, to afford each ownership or lease interest in a geothermal reservoir the opportunity to produce its just and equitable share of the geothermal resources in the reservoir.

D. The division shall have exclusive authority to regulate injection into geothermal wells pursuant to the Geothermal Resources Development Act and shall have exclusive authority over matters related to the protection of natural resources, property, health and public welfare as they relate to geothermal injection wells.

E. The division shall:

(1) administer laws and rules relating to geothermal resources, except those laws specifically administered by another authority;

(2) administer the geothermal projects development fund and geothermal projects revolving loan fund and ensure that all applicable state economic development incentive programs are used for grants and loans from those funds;

(3) apply for federal grants related to geothermal resources development; and

(4) foster the growth of geothermal resources in New Mexico."

Chapter 55 Section 4 Laws 2024

SECTION 4. A new section of the Geothermal Resources Development Act is enacted to read:

"GEOTHERMAL PROJECTS DEVELOPMENT FUND CREATED--STUDY GRANTS--PROJECT GRANTS--ANNUAL REPORT.--

A. The "geothermal projects development fund" is created in the state treasury. The fund consists of appropriations, income from investment of the fund and any other money distributed or otherwise allocated to the fund. Balances in the fund at the end of any fiscal year shall not revert to the general fund. The division shall administer the fund. Money in the fund is subject to appropriation by the legislature.

B. Money in the geothermal projects development fund may be used to make grants of up to two hundred fifty thousand dollars (\$250,000) for the purposes of studying the costs and benefits of a proposed geothermal development project as approved by the secretary of energy, minerals and natural resources.

C. Money in the geothermal projects development fund may be used to provide grants for financing a geothermal development project approved by the secretary of energy, minerals and natural resources.

D. Except as provided in Subsection E of this section, money in the geothermal projects development fund may be used pursuant to Subsections B and C of this section only for grants to a political subdivision of the state or to a state university for a geothermal development project.

E. Money in the geothermal projects development fund may be used for grants to an Indian nation, tribe or pueblo for the development of a geothermal development project only if the grant application is approved by the secretary of energy, minerals and natural resources.

F. Geothermal development projects approved for a grant by the secretary of energy, minerals and natural resources under this section shall not be exempt from any required permits or permissions under New Mexico or United States law.

G. Money in the geothermal projects development fund may be used for administrative and reimbursable costs incurred by the energy, minerals and natural resources department.

H. Disbursements from the geothermal projects development fund shall be made by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of energy, minerals and natural resources or the secretary's authorized representative.

I. By December 1, 2024, and by December 1 of each year thereafter, the secretary of energy, minerals and natural resources shall provide a report to the governor, the legislative finance committee and the library of the legislative council service regarding:

(1) grants approved by the secretary pursuant to Subsections B and C of this section;

(2) the status of studies funded in part by grants made pursuant to Subsection B of this section;

(3) the status of projects funded in part by grants made pursuant to Subsection C of this section;

(4) money used for administrative and reimbursable costs pursuant to Subsection G of this section; and

(5) the status of the geothermal projects development fund."

Chapter 55 Section 5 Laws 2024

SECTION 5. A new section of the Geothermal Resources Development Act is enacted to read:

"GEOHERMAL PROJECTS REVOLVING LOAN FUND CREATED--PROJECT LOANS--ANNUAL REPORT.--

A. The "geothermal projects revolving loan fund" is created in the state treasury. The fund consists of appropriations, federal funds received for the purpose of making loans, repayment of loans and interest, gifts, grants and donations made to the fund. Income from the fund shall be credited to the fund, and money in the fund shall not revert or be transferred to any other fund at the end of a fiscal year. The division shall administer the fund. Money in the fund is subject to appropriation by the legislature.

B. Money in the geothermal projects revolving loan fund may be used to provide revolving loans to political subdivisions of the state, state universities, Indian nations, tribes or pueblos, nonprofit organizations and private entities for financing a geothermal development project approved by the secretary of energy, minerals and natural resources. Loans from the fund are to be made at the lowest legally permissible interest rates.

C. Geothermal development projects approved for a loan by the secretary of energy, minerals and natural resources under this section shall not be exempt from any required permits or permissions under New Mexico or United States law.

D. Money in the geothermal projects revolving loan fund may be used for administrative and reimbursable costs incurred by the energy, minerals and natural resources department.

E. Disbursements from the geothermal projects revolving loan fund shall be made by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of energy, minerals and natural resources or the secretary's authorized representative.

F. By December 1, 2024, and by December 1 of each year thereafter, the secretary of energy, minerals and natural resources shall provide a report to the governor, the legislative finance committee and the library of the legislative council service regarding:

(1) loans approved by the secretary pursuant to Subsection B of this section;

(2) the status of repayment obligations for revolving loans made pursuant to Subsection B of this section;

(3) money used for administrative and reimbursable costs pursuant to Subsection D of this section; and

(4) the status of the geothermal projects revolving loan fund."

Chapter 55 Section 6 Laws 2024

SECTION 6. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 56

House Bill 253, aa
Approved March 5, 2023

AN ACT

RELATING TO PUBLIC FINANCE; AUTHORIZING A CERTAIN AMOUNT OF SEVERANCE TAX BONDS THAT MAY BE ISSUED IN FISCAL YEAR 2024; REQUIRING CERTAIN ESTIMATES OF BONDING CAPACITY AVAILABLE FOR SEVERANCE TAX BONDS; AUTHORIZING SEVERANCE TAX BONDS FOR PROJECTS FUNDED BY DISTRIBUTIONS FROM A NEW CAPITAL DEVELOPMENT AND RESERVE FUND TO A NEW CAPITAL DEVELOPMENT PROGRAM FUND; MAKING AN APPROPRIATION.

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

Chapter 56 Section 1 Laws 2024

SECTION 1. Section 7-27-10 NMSA 1978 (being Laws 1961, Chapter 5, Section 8, as amended) is amended to read:

"7-27-10. STATE BOARD OF FINANCE SHALL ISSUE BONDS.--

A. The state board of finance is authorized to issue and sell severance tax bonds within the provisions of the Severance Tax Bonding Act, and no other agency of the state is authorized to issue or sell severance tax bonds.

B. For fiscal year 2024, the state board of finance is authorized to issue and sell up to five hundred million dollars (\$500,000,000) of severance tax bonds or notes in addition to all other authorized issuances. The actual amount shall be determined by the state board of finance after all other authorized issuances are made. Proceeds from the sale of these bonds or notes shall be deposited in the capital development and reserve fund.

C. The state board of finance may issue and sell supplemental severance tax bonds within the provisions of the Severance Tax Bonding Act, and no other agency of the state is authorized to issue or sell supplemental severance tax bonds."

Chapter 56 Section 2 Laws 2024

SECTION 2. Section 7-27-10.1 NMSA 1978 (being Laws 2003, Chapter 134, Section 1, as amended) is amended to read:

"7-27-10.1. TRANSFER TO SEVERANCE TAX PERMANENT FUND BEFORE DETERMINING BONDING CAPACITY--AUTHORIZATION FOR SEVERANCE TAX BONDS--PRIORITY FOR WATER PROJECTS AND TRIBAL INFRASTRUCTURE PROJECTS.--

A. On December 31 of each year from 2019 through 2028, the division shall transfer twenty-three million six hundred ninety thousand dollars (\$23,690,000) from the severance tax bonding fund to the severance tax permanent fund, unless the state board of finance determines that a lesser transfer amount is necessary pursuant to Section 7-27-8 NMSA 1978 to avoid a potential shortfall in debt service obligations.

B. By January 15 of each year, the division shall estimate the amount of bonding capacity available for severance tax bonds to be authorized by the legislature based on the lesser of the following estimates:

(1) an estimate that provides for equal annual issuances over the expected term of bonds with terms greater than one year anticipated to be issued by the state board of finance in the fiscal year in compliance with the requirements of Section 7-27-14 NMSA 1978; and

(2) an estimate that provides that issuances for each year of that term shall be projected to result in stable levels of state tax supported debt relative to the median state debt ratios published by the national municipal bond rating agencies.

C. The division shall allocate nine percent of the estimated bonding capacity each year for water projects, and the legislature authorizes the state board of finance to issue severance tax bonds in the annually allocated amount for use by the water trust board to fund water projects statewide. The water trust board shall certify to the state board of finance the need for issuance of bonds for water projects. The state board of finance may issue and sell the bonds in the same manner as other severance tax bonds in an amount not to exceed the authorized amount provided for in this subsection. If necessary, the state board of finance shall take the appropriate steps to comply with the federal Internal Revenue Code of 1986, as amended. Proceeds from the sale of the bonds are appropriated to the water project fund in the New Mexico finance authority for the purposes certified by the water trust board to the state board of finance.

D. The division shall allocate four and one-half percent of the estimated bonding capacity for tribal infrastructure projects.

E. The legislature authorizes the state board of finance to issue severance tax bonds in the amount provided for in this section for use by the tribal infrastructure

board to fund tribal infrastructure projects. The tribal infrastructure board shall certify to the state board of finance the need for issuance of bonds for tribal infrastructure projects. The state board of finance may issue and sell the bonds in the same manner as other severance tax bonds in an amount not to exceed the authorized amount provided for in this section. If necessary, the state board of finance shall take the appropriate steps to comply with the federal Internal Revenue Code of 1986, as amended. Proceeds from the sale of the bonds are appropriated to the tribal infrastructure project fund for the purposes certified by the tribal infrastructure board to the state board of finance.

F. Money from the severance tax bonds provided for in this section shall not be used to pay indirect project costs. Any unexpended balance from proceeds of severance tax bonds issued for a water project or a tribal infrastructure project shall revert to the severance tax bonding fund within six months of completion of the project. The New Mexico finance authority shall monitor and ensure proper reversions of the bond proceeds appropriated for water projects, and the department of finance and administration shall monitor and ensure proper reversions of the bond proceeds appropriated for tribal infrastructure projects.

G. As used in this section:

(1) "division" means the board of finance division of the department of finance and administration;

(2) "tribal infrastructure project" means a qualified project under the Tribal Infrastructure Act; and

(3) "water project" means a capital outlay project for:

(a) the storage, conveyance or delivery of water to end users;

(b) the implementation of federal Endangered Species Act of 1973 collaborative programs;

(c) the restoration and management of watersheds;

(d) flood prevention; or

(e) conservation, recycling, treatment or reuse of water."

Chapter 56 Section 3 Laws 2024

SECTION 3. A new section of the Severance Tax Bonding Act is enacted to read:

"CAPITAL DEVELOPMENT AND RESERVE FUND.--

A. The "capital development and reserve fund" is created as a nonreverting fund in the state treasury. The fund consists of distributions, appropriations, gifts, grants and donations. Income from investment of the fund shall be credited to the fund. Money in the fund shall be expended only as provided in Subsections E through F of this section. Money in the fund shall not be pledged against any state debt.

B. The state investment officer, subject to the approval of the council, shall invest money in the fund:

(1) in accordance with the prudent investor rule set forth in the Uniform Prudent Investor Act; and

(2) in consultation with the state treasurer.

C. The state investment officer shall report quarterly to the legislative finance committee and the council on the investments made pursuant to this section. Annually, a report shall be submitted no later than October 1 each year to the legislative finance committee, the revenue stabilization and tax policy committee and any other appropriate interim committees.

D. On January 1 of each year, a distribution shall be made from the capital development and reserve fund to the capital development program fund in an amount equal to five percent of the average of the fiscal year-end market values of the capital development and reserve fund for the immediately preceding three fiscal years. If, on January 1 of a year, the capital development and reserve fund has been in effect for less than three fiscal years, the distribution shall be in an amount equal to five percent of the average of the fiscal year-end market values of the capital development and reserve fund for the immediately preceding number of fiscal years that the fund has been in effect.

E. Money in the fund is subject to appropriation by the legislature for capital projects or for transfer to the severance tax permanent fund.

F. Money in the capital development and reserve fund may be expended in the event that the balance of the severance tax bonding fund is insufficient to meet principal and interest payments on outstanding bonds. In that event, the balance in the reserve fund shall be transferred to the severance tax bonding fund only in the amount necessary to meet the principal and interest payments."

Chapter 56 Section 4 Laws 2024

SECTION 4. A new section of the Severance Tax Bonding Act is enacted to read:

"CAPITAL DEVELOPMENT PROGRAM FUND.--The "capital development program fund" is created as a nonreverting fund as a subaccount of the severance tax

bonding fund. The fund consists of distributions, appropriations, gifts, grants, donations and income from investment of the fund. The department of finance and administration shall administer the fund. Money in the fund is subject to appropriation by the legislature to fund capital projects with a total cost of less than five million dollars (\$5,000,000) and only the planning and design of capital projects with a total cost greater than that amount. Expenditures from the fund shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of finance and administration or the secretary's authorized representative. Any unexpended or unencumbered balance of an appropriation for a capital project remaining after two years following the date of the appropriation shall revert to the severance tax permanent fund."

Chapter 56 Section 5 Laws 2024

SECTION 5. A new section of the Severance Tax Bonding Act is enacted to read:

"AUTHORIZATION FOR SEVERANCE TAX BONDS--PRIORITY FOR PROJECTS FUNDED BY THE CAPITAL DEVELOPMENT PROGRAM FUND.--

A. After the annual estimate of severance tax bonding capacity pursuant to Subsection B of Section 7-27-10.1 NMSA 1978, the board of finance division of the department of finance and administration shall allocate an amount equal to the difference between the estimated average annual principal and interest to be repaid from the amount estimated pursuant to Paragraph (1) of Subsection B of Section 7-27-10.1 NMSA 1978 for the term of an issuance less the estimated average annual principal and interest to be repaid from the amount estimated pursuant to Paragraph (2) of Subsection B of Section 7-27-10.1 NMSA 1978; provided that the difference is greater than zero. The division shall not issue debt with a term greater than one year for the allocated amount.

B. The legislature authorizes the state board of finance to issue severance tax bonds in the amount allocated pursuant to Subsection A of this section for projects funded by the capital development program fund. The state board of finance may issue and sell the bonds in the same manner as other severance tax bonds in an amount not to exceed the authorized amount provided for in this subsection. If necessary, the state board of finance shall take the appropriate steps to comply with the federal Internal Revenue Code of 1986, as amended. Proceeds from the sale of the bonds are appropriated to the capital development and reserve fund.

C. Money from the severance tax bonds provided for in this section shall not be used to pay indirect project costs."

LAWS 2024, CHAPTER 57

HJC/House Bill 182, w/o ec

Approved March 5, 2024

AN ACT

RELATING TO ELECTIONS; AMENDING AND ENACTING SECTIONS OF THE CAMPAIGN REPORTING ACT BY ADDING DISCLAIMER REQUIREMENTS FOR ADVERTISEMENTS CONTAINING MATERIALLY DECEPTIVE MEDIA; CREATING THE CRIME OF DISTRIBUTING OR ENTERING INTO AN AGREEMENT WITH ANOTHER PERSON TO DISTRIBUTE MATERIALLY DECEPTIVE MEDIA; ADDING DEFINITIONS; PROVIDING PENALTIES.

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

Chapter 57 Section 1 Laws 2024

SECTION 1. Section 1-19-26 NMSA 1978 (being Laws 1979, Chapter 360, Section 2, as amended) is amended to read:

"1-19-26. DEFINITIONS.--As used in the Campaign Reporting Act:

A. "advertisement" means a communication referring to a candidate or ballot question that is published, disseminated, distributed or displayed to the public by print, broadcast, satellite, cable or electronic media, including recorded phone messages, or by printed materials, including mailers, handbills, signs and billboards, but "advertisement" does not include:

(1) a communication by a membership organization or corporation to its current members, stockholders or executive or administrative personnel;

(2) a communication appearing in a news story or editorial distributed through a print, broadcast, satellite, cable or electronic medium;

(3) a candidate debate or forum or a communication announcing a candidate debate or forum paid for on behalf of the debate or forum sponsor; provided that two or more candidates for the same position have been invited to participate or, in the case of an uncontested election, that the single candidate for the position has been invited to participate;

(4) nonpartisan voter guides allowed by the federal Internal Revenue Code of 1986, as amended, for Section 501(c)(3) organizations; or

(5) statements made to a court or administrative board in the course of a formal judicial or administrative proceeding;

B. "anonymous contribution" means a contribution the contributor of which is unknown to the candidate or the candidate's agent or the political committee or its agent who accepts the contribution;

C. "artificial intelligence" means a machine-based or computer-based system that through hardware or software uses input data to emulate the structure and characteristics of input data in order to generate synthetic content, including images, video or audio;

D. "ballot question" means a constitutional amendment or other question submitted to the voters in an election;

E. "bank account" means an account in a financial institution regulated by the United States or a state of the United States;

F. "campaign committee" means an association of two or more persons authorized by a candidate to act on the candidate's behalf for the purpose of electing the candidate to office; provided that a candidate shall not authorize more than one campaign committee;

G. "campaign expenditure" means an expenditure that is made by a campaign committee or by a candidate in support of the candidate's campaign in an election;

H. "candidate" means an individual who seeks or considers an office in an election covered by the Campaign Reporting Act, including a public official, who has filed a declaration of candidacy and has not subsequently filed a statement of withdrawal or:

(1) for a nonstatewide office, has received contributions or made expenditures of more than one thousand dollars (\$1,000) or authorized another person or campaign committee to receive contributions or make expenditures of more than one thousand dollars (\$1,000) for the purpose of seeking election to the office; or

(2) for a statewide office, has received contributions or made expenditures of more than three thousand dollars (\$3,000) or authorized another person or campaign committee to receive contributions or make expenditures of more than three thousand dollars (\$3,000) for the purpose of seeking election to the office or for candidacy exploration purposes in the years prior to the year of the election;

I. "contribution":

(1) means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made or received for a political purpose, including payment of a debt incurred in an election campaign;

(2) includes a coordinated expenditure;

(3) does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee; and

(4) does not include the value of the incidental use of the candidate's personal property, home or business office for campaign purposes;

J. "coordinated expenditure" means an expenditure that is made:

(1) by a person other than a candidate or campaign committee;

(2) at the request or suggestion of, or in cooperation, consultation or concert with, a candidate, campaign committee or political party or any agent or representative of a candidate, campaign committee or political party; and

(3) for the purpose of:

(a) supporting or opposing the nomination or election of a candidate; or

(b) paying for an advertisement that refers to a clearly identified candidate and is published and disseminated to the relevant electorate in New Mexico within thirty days before the primary election or sixty days before the general election in which the candidate is on the ballot;

K. "deliver" or "delivery" means to deliver by certified or registered mail, telecopier, electronic transmission or facsimile or by personal service;

L. "depicted individual" means an individual whose image, photo, likeness or voice is represented in an advertisement or other media in such a manner that results in the individual being identifiable;

M. "distribution platform" means a website, internet forum or message board, application or a published newspaper, magazine or other periodical of general circulation, including an internet or electronic publication, that carries news and commentary;

N. "election" means any primary, general or statewide special election in New Mexico and includes county and judicial retention elections but excludes federal, municipal, school board and special district elections;

O. "election year" means an even-numbered year in which an election covered by the Campaign Reporting Act is held;

P. "expenditure" means a payment, transfer or distribution or obligation or promise to pay, transfer or distribute any money or other thing of value for a political purpose, including payment of a debt incurred in an election campaign or pre-primary convention;

Q. "independent expenditure" means an expenditure that is:

(1) made by a person other than a candidate or campaign committee;

(2) not a coordinated expenditure as defined in the Campaign Reporting Act; and

(3) made to pay for an advertisement that:

(a) expressly advocates the election or defeat of a clearly identified candidate or the passage or defeat of a clearly identified ballot question;

(b) is susceptible to no other reasonable interpretation than as an appeal to vote for or against a clearly identified candidate or ballot question; or

(c) refers to a clearly identified candidate or ballot question and is published and disseminated to the relevant electorate in New Mexico within thirty days before the primary election or sixty days before the general election at which the candidate or ballot question is on the ballot;

R. "legislative caucus committee" means a political committee established by the members of a political party in a chamber of the legislature;

S. "materially deceptive media" means an image, video or audio that:

(1) depicts an individual engaged in conduct or speech in which the depicted individual did not engage;

(2) was published, disseminated, distributed or displayed to the public without the consent of the depicted individual; and

(3) was produced in whole or in part by using artificial intelligence;

T. "person" means an individual or entity;

U. "political committee" means:

(1) a political party;

(2) a legislative caucus committee;

(3) an association that consists of two or more persons whose primary purpose is to make contributions to candidates, campaign committees or political committees or make coordinated expenditures or any combination thereof; or

(4) an association that consists of two or more persons whose primary purpose is to make independent expenditures and that has received more than five thousand dollars (\$5,000) in contributions or made independent expenditures of more than five thousand dollars (\$5,000) in the election cycle;

V. "political party" means an association that has qualified as a political party pursuant to the provisions of Section 1-7-2 NMSA 1978;

W. "political purpose" means for the purpose of supporting or opposing a ballot question or the nomination or election of a candidate;

X. "prescribed form" means a form or electronic format prepared and prescribed by the secretary of state;

Y. "public official" means a person elected to an office in an election covered by the Campaign Reporting Act or a person appointed to an office that is subject to an election covered by that act; and

Z. "reporting individual" means a public official, candidate or treasurer of a campaign committee or a treasurer of a political committee."

Chapter 57 Section 2 Laws 2024

SECTION 2. Section 1-19-26.4 NMSA 1978 (being Laws 2019, Chapter 262, Section 2) is amended to read:

"1-19-26.4. DISCLAIMERS IN ADVERTISEMENTS--ARTIFICIAL INTELLIGENCE--MATERIALLY DECEPTIVE MEDIA--VIOLATION--PENALTY.--

A. A person who makes a campaign expenditure, a coordinated expenditure or an independent expenditure for an advertisement in an amount that exceeds one thousand dollars (\$1,000), or in an amount that, when added to the aggregate amount of the campaign expenditures, coordinated expenditures and independent expenditures for advertisements made by the same person during the election cycle, exceeds one thousand dollars (\$1,000), shall ensure that the advertisement contains the name of the candidate, committee or other person who authorized and paid for the advertisement.

B. The requirements of Subsection A of this section do not apply to the following:

(1) bumper stickers, pins, buttons, pens and similar small items upon which the disclaimer cannot be conveniently printed; or

(2) skywriting, water towers, wearing apparel or other means of displaying an advertisement of such a nature that the inclusion of a disclaimer would be impracticable.

C. The disclaimer statements required by Subsection A of this section shall be set forth legibly on any advertisement that is disseminated or displayed by visual media. If the advertisement is transmitted by audio media, the statement shall be clearly spoken during the advertisement. If the advertisement is transmitted by audiovisual media, the statement shall be both written legibly and spoken clearly during the advertisement.

D. If a person creates, produces or purchases an advertisement that contains materially deceptive media, the advertisement shall include a disclaimer. The disclaimer shall appear in a clear and conspicuous manner in every language used in the advertisement and shall indicate: "This ____ has been manipulated or generated by artificial intelligence". The blank line in the disclaimer shall be filled with each of the following terms that describes the media:

(1) image;

(2) video; or

(3) audio.

E. The disclaimer required in Subsection D of this section shall be included as follows:

(1) for visual media that is an image, the text of the disclaimer shall appear in a size that is easily readable;

(2) for visual media that is video, the disclaimer shall appear for the duration of the video in a size that is easily readable;

(3) for media that contains audio only, the disclaimer shall be read in a clearly spoken manner and in a pitch that can be easily heard at the beginning of the audio, at the end of the audio and, if the audio is greater than two minutes in length, interspersed within the audio at intervals of not greater than two minutes each; and

(4) for mixed media, there shall be a disclaimer in the same form as provided in this section for each form of media used.

F. Each occurrence of a person creating, producing or purchasing an advertisement subject to the disclaimer requirements as provided in Subsection D of

this section that fails to meet the disclaimer requirements constitutes a separate violation. A person found to have violated the requirements provided in Subsection D of this section shall be subject to civil penalties as provided in Section 1-19-34.6 NMSA 1978.

G. It is not a violation of this section for:

(1) a radio or television broadcasting station, including a cable television, satellite television or streaming service operator, programmer or producer, that broadcasts an advertisement as part of a bona fide newscast, news interview, news documentary or on-the-spot coverage of a bona fide news event if the broadcast clearly acknowledges through content or a disclaimer, in a manner that can be easily read or heard, that the advertisement was generated in whole or in part by using artificial intelligence and does not accurately represent the speech or conduct of the depicted individual;

(2) a radio or television broadcasting station, including a cable television, satellite television or streaming service operator, programmer or producer, that broadcasts an advertisement when the station or streaming service is paid to broadcast the advertisement if the station or streaming service can show that it has disclaimer requirements that are consistent with the requirements provided in Subsection D of this section and that it provided those disclaimer requirements to each person or entity that purchased the broadcast or streaming of the advertisement;

(3) an advertisement that reasonably constitutes satire or parody if the advertisement includes a disclaimer consistent with the requirements provided in Subsection D of this section; and

(4) a distribution platform that published, posted or distributed an advertisement or a prerecorded phone message if the distribution platform can show that it has disclaimer requirements that are consistent with the requirements provided in Subsection D of this section and that it provided those disclaimer requirements to the person or entity that purchased the distribution of the advertisement or prerecorded phone message by or on the distribution platform.

H. Nothing in this section shall be construed to preclude a claim pursuant to any other section of law or any civil action for damages."

Chapter 57 Section 3 Laws 2024

SECTION 3. A new section of the Campaign Reporting Act, Section 1-19-26.8 NMSA 1978, is enacted to read:

"1-19-26.8. PROHIBITED USE OF MATERIALLY DECEPTIVE MEDIA--
DISCLAIMERS REQUIRED--CRIME FOR VIOLATION-- EXCEPTIONS--
ENFORCEMENT.--

A. Except as otherwise provided in Subsections B through D of this section, it is a violation of the Campaign Reporting Act for a person to distribute or enter into an agreement with another person to distribute materially deceptive media. A person violates this subsection if that person distributes or enters into an agreement with another person to distribute materially deceptive media and:

- (1) the person knows the materially deceptive media falsely represents a depicted individual;
- (2) the distribution occurs within ninety days before an election; and
- (3) the person intends the distribution to result in altering the voting behavior of electors in an election by misleading the electors into believing that the depicted individual engaged in the speech or conduct depicted, and the distribution is reasonably likely to cause that result.

B. The prohibition provided in Subsection A of this section does not apply to materially deceptive media if that media includes a disclaimer that appears in a clear and conspicuous manner in every language used in the media and indicates: "This _____ has been manipulated or generated by artificial intelligence". The blank line in the disclaimer shall be filled in with each of the following terms that describes the media:

- (1) image;
- (2) video; or
- (3) audio.

C. The disclaimer required in Subsection B of this section shall be included as follows:

- (1) for visual media that is an image, the text of the disclaimer shall appear in a size that is easily readable;
- (2) for visual media that is video, the disclaimer shall appear for the duration of the video;
- (3) for media that contains audio only, the disclaimer shall be read in a clearly spoken manner and in a pitch that can be easily heard at the beginning of the audio, at the end of the audio, and if the audio is greater than two minutes in length, interspersed within the audio at intervals of not greater than two minutes each; and
- (4) for mixed media, there shall be a disclaimer in the same form as provided in this section for each form of media used.

D. A person found to have willfully and knowingly violated the prohibition provided in Subsection A of this section is guilty of a crime as follows:

- (1) for a first conviction, a misdemeanor; and
- (2) for a second conviction, a fourth degree felony.

E. Enforcement of the provisions of this section, including injunctive relief, against a person who violates this section may be sought in any court of competent jurisdiction by any of the following:

- (1) the attorney general;
- (2) a district attorney;
- (3) a depicted individual who is falsely represented;
- (4) a candidate for office who has been injured or is likely to be injured by the distribution of materially deceptive media; or
- (5) any organization that represents the interests of voters who are likely to be misled by the distribution of materially deceptive media.

F. Nothing in this section shall be construed to preclude a claim pursuant to any other section of law or any civil action for damages."

LAWS 2024, CHAPTER 58

HRDLC/House Bill 251
Approved March 5, 2024

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING THE MOTOR VEHICLE DIVISION OF THE TAXATION AND REVENUE DEPARTMENT TO APPLY FOR A LICENSE TO USE THE SMOKEY BEAR IMAGE AND NAME; PROVIDING FOR THE ISSUANCE OF A SMOKEY BEAR FIRE PREVENTION SPECIAL REGISTRATION PLATE; PROVIDING FOR CESSATION OF ISSUANCE BASED ON NEW ISSUANCE AND RENEWALS; MAKING AN APPROPRIATION.

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

Chapter 58 Section 1 Laws 2024

SECTION 1. A new section of the Motor Vehicle Code is enacted to read:

"SPECIAL SMOKEY BEAR FIRE PREVENTION REGISTRATION PLATE.--

A. The division shall apply for a long-term license from the United States department of agriculture forest service to use the image and name of Smokey Bear on a standardized special registration plate to raise fire prevention awareness and to raise money for state forest fire prevention efforts.

B. Upon finalizing a license agreement pursuant to Subsection A of this section, the division shall issue a standardized Smokey Bear fire prevention special registration plate with a logo designed pursuant to Section 66-3-424 NMSA 1978 indicating that the recipient supports forest fire prevention awareness.

C. For an initial fee of fifty dollars (\$50.00), which shall be in addition to the regular motor vehicle registration fees, the owner of a vehicle may apply for issuance of a Smokey Bear fire prevention awareness special registration plate. The vehicle owner shall pay a renewal fee of forty dollars (\$40.00) each year to retain and renew the Smokey Bear forest fire prevention special registration plate.

D. After payment for any licensing fee required for the use of the Smokey Bear name or image, the revenue from the additional fee for a Smokey Bear fire prevention special registration plate shall be distributed as follows:

(1) twelve dollars (\$12.00) of the initial fee collected shall be retained by and is appropriated to the department to defray the cost of making and issuing the special registration plate with the Smokey Bear logo; and

(2) the remaining portion of the initial registration fee and the entire portion of subsequent renewal fees remaining after payment of licensing fees shall be distributed to the energy, minerals and natural resources department for forest fire prevention.

E. Beginning on July 1, 2027, and on July 1 of each subsequent year, the department shall compare the number of the Smokey Bear fire prevention special registration plates issued, or registration renewals for those plates in the previous fiscal year, with the average of the number of such plates issued in fiscal years 2025 and 2026.

F. By September 1 of a fiscal year in which the department determines that the number of Smokey Bear fire prevention special registration plates issued and registration renewals for those plates in the previous fiscal year is less than fifty percent of the average number of such plates issued in fiscal years 2025 and 2026, the department shall stop issuing Smokey Bear fire prevention special registration plates."

Chapter 58 Section 2 Laws 2024

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 59

SFC/Senate Bill 148, w/cc
Approved March 5, 2024

AN ACT

RELATING TO TAXATION; PHASING OUT AND REPEALING ADMINISTRATIVE FEES IMPOSED FOR COLLECTING, DISTRIBUTING AND TRANSFERRING CERTAIN TAXES AND OTHER FEES; ALLOWING AN ADMINISTRATIVE FEE FOR CERTAIN DISTRIBUTIONS.

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

Chapter 59 Section 1 Laws 2024

SECTION 1. Section 7-1-6.12 NMSA 1978 (being Laws 1983, Chapter 211, Section 17, as amended) is amended to read:

"7-1-6.12. TRANSFER--REVENUES FROM MUNICIPAL LOCAL OPTION GROSS RECEIPTS AND COMPENSATING TAXES.--

A. A transfer pursuant to Section 7-1-6.1 NMSA 1978 shall be made to each municipality for which the department is collecting a local option gross receipts tax and municipal compensating tax imposed by that municipality in an amount, subject to any increase or decrease made pursuant to Section 7-1-6.15 NMSA 1978, equal to the net receipts attributable to the local option gross receipts tax and municipal compensating tax imposed by that municipality, less the administrative fee that may be withheld prior to July 1, 2028 pursuant to Section 7-1-6.41 NMSA 1978.

B. A transfer pursuant to this section may be adjusted for a distribution made to a tax increment development district with respect to a portion of a gross receipts tax increment dedicated by a municipality pursuant to the Tax Increment for Development Act.

C. A transfer pursuant to this section shall be adjusted for a distribution made to the Local Economic Development Act fund pursuant to Section 7-1-6.67 NMSA 1978 and with respect to the amount dedicated by a municipality pursuant to Subsection B of Section 5-10-17 NMSA 1978.

D. A transfer pursuant to this section shall be adjusted for a distribution made to the metropolitan redevelopment fund pursuant to Section 7-1-6.71 NMSA 1978 and with respect to the amount dedicated by a municipality pursuant to Section 3-60A-23 NMSA 1978."

Chapter 59 Section 2 Laws 2024

SECTION 2. Section 7-1-6.13 NMSA 1978 (being Laws 1983, Chapter 211, Section 18, as amended) is amended to read:

"7-1-6.13. TRANSFER--REVENUES FROM COUNTY LOCAL OPTION GROSS RECEIPTS AND COMPENSATING TAXES.--

A. A transfer pursuant to Section 7-1-6.1 NMSA 1978 shall be made to each county for which the department is collecting a local option gross receipts tax and county compensating tax imposed by that county in an amount, subject to any increase or decrease made pursuant to Section 7-1-6.15 NMSA 1978, equal to the net receipts attributable to the local option gross receipts tax and county compensating tax imposed by that county, less the administrative fee that may be withheld prior to July 1, 2028 pursuant to Section 7-1-6.41 NMSA 1978.

B. A transfer pursuant to this section may be adjusted for a distribution made to a tax increment development district with respect to a portion of a gross receipts tax increment dedicated by a county pursuant to the Tax Increment for Development Act.

C. A transfer pursuant to this section shall be adjusted for a distribution made to the Local Economic Development Act fund pursuant to Section 7-1-6.67 NMSA 1978 and with respect to the amount dedicated by a county pursuant to Subsection B of Section 5-10-17 NMSA 1978.

D. A transfer pursuant to this section shall be adjusted for a distribution made to the metropolitan redevelopment fund pursuant to Section 7-1-6.71 NMSA 1978 and with respect to the amount dedicated by a county pursuant to Section 3-60A-23 NMSA 1978."

Chapter 59 Section 3 Laws 2024

SECTION 3. Section 7-1-6.32 NMSA 1978 (being Laws 1990, Chapter 99, Section 44, as amended) is amended to read:

"7-1-6.32. DISTRIBUTION--SOLID WASTE ASSESSMENT FEE.--A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the solid waste facility grant fund of the net receipts attributable to the solid waste assessment fee authorized under the Solid Waste Act."

Chapter 59 Section 4 Laws 2024

SECTION 4. Section 7-1-6.41 NMSA 1978 (being Laws 1997, Chapter 125, Section 1) is amended to read:

"7-1-6.41. ADMINISTRATIVE FEE IMPOSED.--The administrative fee to be withheld by the department pursuant to Sections 7-1-6.12 and 7-1-6.13 NMSA 1978 shall be set at the following percentages of the net amount to be distributed pursuant to the provisions of those sections, and the money from the fee shall be remitted to the state treasurer for deposit in the general fund each month:

- A. prior to July 1, 2026, three percent;
- B. beginning July 1, 2026 and prior to July 1, 2027, two percent; and
- C. beginning July 1, 2027 and prior to July 1, 2028, one percent."

Chapter 59 Section 5 Laws 2024

SECTION 5. Section 7-1-6.54 NMSA 1978 (being Laws 2006, Chapter 75, Section 29, as amended) is amended to read:

"7-1-6.54. DISTRIBUTIONS--TAX INCREMENT DEVELOPMENT DISTRICTS-- ADMINISTRATIVE FEE.--

A. A distribution for a tax increment development district shall be made by the department to a special fund of the district, in accordance with a notice that is filed pursuant to Section 5-15-27 NMSA 1978 with respect to a dedication of a gross receipts tax increment, to a special fund of the tax increment development district.

B. The department shall withhold an administrative fee of three percent of the net amount to be distributed pursuant to Subsection A of this section, and the money from the fee shall be remitted to the state treasurer for deposit in the general fund each month."

Chapter 59 Section 6 Laws 2024

SECTION 6. Section 7-1-6.67 NMSA 1978 (being Laws 2021 (1st S.S.), Chapter 2, Section 5) is amended to read:

"7-1-6.67. DISTRIBUTION--LOCAL ECONOMIC DEVELOPMENT ACT FUND-- ADMINISTRATIVE FEE.--

A. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the Local Economic Development Act fund equal to the following amounts of the following taxes imposed and paid on the expenses related to the construction of the qualifying

entity's economic development project, as determined pursuant to Section 5-10-17 NMSA 1978:

(1) fifty percent of the net receipts attributable to state gross receipts tax and the state compensating tax; and

(2) fifty percent of the net receipts attributable to the local option gross receipts tax and county compensating tax imposed by a county and local option gross receipts tax and municipal compensating tax imposed by a municipality.

B. The department shall withhold an administrative fee of three percent of the net amount to be distributed pursuant to Subsection A of this section, and the money from the fee shall be remitted to the state treasurer for deposit in the general fund each month.

C. As used in this section:

(1) "economic development project" means "economic development project" as used in the Local Economic Development Act; and

(2) "qualifying entity" means "qualifying entity" as used in the Local Economic Development Act."

Chapter 59 Section 7 Laws 2024

SECTION 7. Section 7-1-6.71 NMSA 1978 (being Laws 2023, Chapter 112, Section 11) is amended to read:

"7-1-6.71. DISTRIBUTION--METROPOLITAN REDEVELOPMENT FUND--ADMINISTRATIVE FEE.--

A. A distribution for a metropolitan redevelopment project pursuant to the Metropolitan Redevelopment Code shall be made to the metropolitan redevelopment fund in accordance with a notice filed by a municipality or county pursuant to Section 3-60A-21 NMSA 1978 with respect to a dedication of a gross receipts tax increment.

B. The department shall withhold an administrative fee of three percent of the net amount to be distributed pursuant to Subsection A of this section, and the money from the fee shall be remitted to the state treasurer for deposit in the general fund each month."

Chapter 59 Section 8 Laws 2024

SECTION 8. Section 66-12-20 NMSA 1978 (being Laws 1959, Chapter 338, Section 19, as amended) is amended to read:

"66-12-20. DISPOSITION OF FEES.--The fees collected pursuant to the provisions of the Boat Act shall be deposited into the state park and recreation fund."

Chapter 59 Section 9 Laws 2024

SECTION 9. Section 74-1-13 NMSA 1978 (being Laws 1993, Chapter 317, Section 2, as amended) is amended to read:

"74-1-13. WATER CONSERVATION FEE--IMPOSITION--DEFINITIONS.--

A. There is imposed on every person who operates a public water supply system a water conservation fee in an amount equal to three cents (\$.03) per thousand gallons of water produced on which the fee imposed by this subsection has not been paid.

B. The "water conservation fund" is created in the state treasury and shall be administered by the department. The fund shall consist of water conservation fees collected pursuant to this section. Balances in the fund at the end of any fiscal year shall not revert to the general fund but shall accrue to the credit of the fund. Earnings on the fund shall be credited to the fund.

C. Money in the water conservation fund is appropriated to the department for administration of a public water supply program to:

(1) test public water supplies for the contaminants required to be tested pursuant to the provisions of the federal Safe Drinking Water Act, as amended, and collect chemical compliance samples as required by those provisions of the federal act;

(2) perform vulnerability assessments that will be used to assess a public water supply's susceptibility to those contaminants; and

(3) implement new requirements of the Utility Operators Certification Act and provide training for all public water supply operators.

D. The taxation and revenue department shall provide by regulation for the manner and form of collection of the water conservation fee. All water conservation fees collected by the taxation and revenue department shall be deposited in the water conservation fund.

E. The fee imposed by this section shall be administered in accordance with the provisions of the Tax Administration Act and shall be paid to the taxation and revenue department by each person who operates a public water supply system in the manner required by the department on or before the twenty-fifth day of the month following the month in which the water is produced.

F. Each operator of a public water supply system shall register and comply with the provisions of Section 7-1-12 NMSA 1978 and furnish such information as may be required by the taxation and revenue department.

G. The department shall compile a list of the contaminants that require testing pursuant to Paragraph (1) of Subsection C of this section. The list shall be compiled no less than once every twelve months and include the contaminants that will be tested in the subsequent twelve months. The department shall establish by rule procedures to compile the list and to determine which contaminants that require testing will be tested in the subsequent twelve months. The determination of which contaminants will be tested shall include consideration of the availability of funds in the water conservation fund, the needs of the public water supplies being tested for additional contaminants and public health and safety.

H. As used in this section:

(1) "person" means any individual or legal entity and also means, to the extent permitted by law, any federal, state or other governmental unit or subdivision or an agency, department or instrumentality thereof; and

(2) "public water supply system" means a system that provides piped water to the public for human consumption and that has at least fifteen service connections or regularly services an average of at least twenty-five individuals at least sixty days per year."

Chapter 59 Section 10 Laws 2024

SECTION 10. DELAYED REPEAL.--Section 7-1-6.41 NMSA 1978 (being Laws 1997, Chapter 125, Section 1) is repealed effective July 1, 2028.

Chapter 59 Section 11 Laws 2024

SECTION 11. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2025.

LAWS 2024, CHAPTER 60

SJC/Senate Bill 37

Approved March 5, 2024

AN ACT

RELATING TO FOOD; AUTHORIZING THE CREATION OF A STATE MEAT INSPECTION PROGRAM TO ENSURE THE SAFETY AND QUALITY OF MEAT FOR HUMAN CONSUMPTION; PROVIDING PENALTIES.

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

Chapter 60 Section 1 Laws 2024

SECTION 1. A new section of Chapter 25 NMSA 1978 is enacted to read:

"STATE MEAT INSPECTION PROGRAM--RULES--PENALTIES--
COOPERATION WITH FEDERAL GOVERNMENT.--

A. The New Mexico livestock board shall adopt rules necessary to establish a comprehensive state meat inspection program for the inspection, processing and sale of meat and poultry products that meets or exceeds the standards and requirements for a state meat inspection program under the Federal Meat Inspection Act, the federal Poultry Products Inspection Act and the federal Humane Methods of Slaughter Act of 1978, including rules to:

- (1) license facilities engaged in the processing or manufacturing of meat and poultry products;
- (2) deem horse meat slaughtered for human consumption as adulterated;
- (3) establish license requirements and reasonable fees; and
- (4) provide inspection services.

B. The New Mexico livestock board shall only administer and enforce the program established pursuant to Subsection A of this section if the board receives approval from the federal government for a state meat inspection program.

C. A person violating a rule adopted by the New Mexico livestock board pursuant to this section is guilty of a misdemeanor and upon conviction may be sentenced to imprisonment in the county jail for a term not to exceed one year and payment of a fine not to exceed one thousand dollars (\$1,000), unless that person acted in good faith.

D. The New Mexico livestock board shall actively seek and maintain coordination with federal authorities to ensure alignment with and approval of the state meat inspection program."

Chapter 60 Section 2 Laws 2024

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 61

Senate Bill 159, aa
Approved March 5, 2024

AN ACT

RELATING TO HIGHER EDUCATION; CREATING THE HIGHER EDUCATION TRUST FUND AND THE HIGHER EDUCATION PROGRAM FUND; PROVIDING AN ANNUAL DISTRIBUTION FROM THE TRUST FUND TO THE PROGRAM FUND; MAKING A TRANSFER FROM THE TAX STABILIZATION RESERVE TO THE TRUST FUND.

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

Chapter 61 Section 1 Laws 2024

SECTION 1. A new section of Chapter 6, Article 4 NMSA 1978 is enacted to read:

"HIGHER EDUCATION TRUST FUND.--

A. The "higher education trust fund" is created as a nonreverting fund in the state treasury. The fund consists of distributions, appropriations, gifts, grants and donations. Income from investment of the fund shall be credited to the fund. Money in the fund shall be expended only as provided in this section.

B. The state investment officer, subject to the approval of the state investment council, shall invest money in the fund:

(1) in accordance with the prudent investor rule set forth in the Uniform Prudent Investor Act; and

(2) in consultation with the state treasurer.

C. The state investment officer shall report quarterly to the legislative finance committee and the state investment council on the investments made pursuant to this section. Annually, a report shall be submitted no later than October 1 each year to the legislative finance committee, the revenue stabilization and tax policy committee and any other appropriate interim committees.

D. On July 1, 2024, a distribution shall be made from the trust fund to the higher education program fund in an amount equal to forty-seven million nine hundred fifty thousand dollars (\$47,950,000).

E. On July 1, 2025 and each July 1 thereafter, a distribution shall be made from the trust fund to the higher education program fund in an amount equal to five

percent of the average of the year-end market values of the trust fund for the immediately preceding three calendar years. If, on July 1 of a year, the trust fund has been in effect for less than three calendar years, the distribution shall be in an amount equal to five percent of the average of the year-end market values of the trust fund for the immediately preceding number of calendar years that the trust fund has been in effect.

F. In addition to the distribution pursuant to Subsections D and E of this section, money in the higher education trust fund may be expended in the event that general fund balances, including all authorized revenues and transfers to the general fund and balances in the general fund operating reserve, the appropriation contingency fund and the tax stabilization reserve, will not meet the level of appropriations authorized from the general fund for a fiscal year. In that event, to avoid an unconstitutional deficit, the legislature may appropriate from the trust fund to the general fund only in the amount necessary to meet general fund appropriations for that fiscal year and only if the legislature has authorized transfers from the appropriation contingency fund, the general fund operating reserve and the tax stabilization reserve that exhaust those fund balances."

Chapter 61 Section 2 Laws 2024

SECTION 2. A new section of Chapter 6, Article 4 NMSA 1978 is enacted to read:

"HIGHER EDUCATION PROGRAM FUND.--The "higher education program fund" is created in the state treasury. The fund consists of distributions, appropriations, gifts, grants, donations and income from investment of the fund. The higher education department shall administer the fund. Money in the fund is subject to appropriation by the legislature to provide money for scholarships for tuition and fees at public post-secondary educational institutions, as provided by law. Expenditures from the fund shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of higher education or the secretary's authorized representative. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall revert to the higher education trust fund."

Chapter 61 Section 3 Laws 2024

SECTION 3. Section 6-4-2.2 NMSA 1978 (being Laws 1987, Chapter 264, Section 3 and Laws 1987, Chapter 347, Section 3, as amended) is amended to read:

"6-4-2.2. GENERAL FUND TAX STABILIZATION RESERVE.--

A. The "tax stabilization reserve" is created within the state treasury as a reserve fund of the state.

B. The tax stabilization reserve consists of money directed or appropriated to it by law and all income from investment of the reserve. The state investment officer, subject to the approval of the state investment council, shall invest money in the reserve:

(1) in accordance with the prudent investor rule set forth in the Uniform Prudent Investor Act; and

(2) in consultation with the state treasurer.

C. The state investment officer shall report quarterly to the legislative finance committee and the state investment council on the investments made pursuant to this section. Annually, a report shall be submitted no later than October 1 each year to the legislative finance committee, the revenue stabilization and tax policy committee and any other appropriate interim committees.

D. Except as otherwise provided in Subsection E of this section, Subsection B of Section 6-4-4 NMSA 1978 and Section 4 of this 2024 act, any balance of the tax stabilization reserve may be:

(1) appropriated only by a two-thirds' majority vote of both houses of the legislature following receipt by the legislature of a declaration of the governor that such an appropriation is necessary for the public peace, health and safety; or

(2) expended by the governor only:

(a) pursuant to an appropriation made by a two-thirds' majority vote of both houses of the legislature specifying the amount of the appropriation and the purpose of the expenditure; and

(b) if the governor declares that the expenditure is necessary for the public peace, health and safety.

E. If general fund revenues, including all transfers to the general fund authorized by law, are projected by the governor to be insufficient either to meet the level of appropriations authorized by law from the general fund for the current fiscal year or to meet the level of appropriations recommended in the budget and appropriations bill submitted in accordance with Section 6-3-21 NMSA 1978 for the next fiscal year, the balance in the tax stabilization reserve may be appropriated by the legislature up to the amount of the projected insufficiency for either or both fiscal years."

Chapter 61 Section 4 Laws 2024

SECTION 4. TRANSFER.--Nine hundred fifty-nine million dollars (\$959,000,000) is transferred from the tax stabilization reserve to the higher education trust fund.

LAWS 2024, CHAPTER 62

Senate Bill 236

Approved March 5, 2024

AN ACT

RELATING TO THE METROPOLITAN REDEVELOPMENT CODE; AMENDING PROCEDURES FOR DETERMINING GROSS RECEIPTS TAX INCREMENTS USED TO FUND METROPOLITAN REDEVELOPMENT PROJECTS; DELAYING THE EFFECTIVE DATE OF LAWS 2023, CHAPTER 112.

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

Chapter 62 Section 1 Laws 2024

SECTION 1. That version of Section 3-60A-21 NMSA 1978 (being Laws 1979, Chapter 391, Section 21, as amended) that is to become effective January 1, 2025 is amended to read:

"3-60A-21. PROPERTY AND GROSS RECEIPTS TAX INCREMENTS--
PROCEDURES.--

A. The procedures to be used in determining a property tax increment are:

(1) the local government shall, after approval of a metropolitan redevelopment plan, notify the county assessor of the taxable parcels of property within the metropolitan redevelopment area;

(2) upon receipt of the notification, the county assessor shall identify the parcels of property within the metropolitan redevelopment area within their respective jurisdictions and certify to the county treasurer the net taxable value of the property at the time of notification as the base value for the distribution of property tax revenues authorized by the Property Tax Code. If because of acquisition by the local government the property becomes tax exempt, the county assessor shall note that fact on their respective records and so notify the county treasurer, but the county assessor and the county treasurer shall preserve a record of the net taxable value at the time of inclusion of the property within the metropolitan redevelopment area as the base value for the purpose of distribution of property tax revenues when the parcel again becomes taxable. The county assessor is not required by this section to preserve the new taxable value at the time of inclusion of the property within the metropolitan redevelopment area as the base value for the purposes of valuation of the property;

(3) if because of acquisition by the local government the property becomes tax exempt, when the parcel again becomes taxable, the local government shall notify the county assessor of the parcels of property that because of their

rehabilitation or other improvement are to be revalued for property tax purposes. A new taxable value of this property shall then be determined by the county assessor. If no acquisition by the local government occurs, improvement or rehabilitation of property subject to valuation by the assessor shall be reported to the assessor as required by the Property Tax Code, and the new taxable value shall be determined as of January 1 of the tax year following the year in which the improvement or rehabilitation is completed; and

(4) current tax rates shall then be applied to the new taxable value of property included in the metropolitan redevelopment area. The amount by which the revenue received exceeds that which would have been received by application of the same rates to the base value before inclusion in the metropolitan redevelopment area shall be multiplied by the percentage of the increment dedicated by the local government pursuant to Section 3-60A-23 NMSA 1978, credited to the local government and deposited in the metropolitan redevelopment fund. This transfer shall take place only after the county treasurer has been notified to apply the procedures pursuant to this subsection to property included in a metropolitan redevelopment area. Unless the entire metropolitan redevelopment area is specifically included by the local government for purposes of tax increment financing, the payment by the county treasurer to the local government shall be limited to those properties specifically included. The remaining revenue shall be distributed to participating units of government as authorized by the Property Tax Code.

B. The procedures to be used in determining a gross receipts tax increment are:

(1) the local government shall notify the taxation and revenue department of the geographic boundaries of the metropolitan redevelopment area;

(2) by the January 1 or July 1 following at least ninety days after receipt of the notice of the geographic boundaries, the taxation and revenue department shall designate a reporting location code for the metropolitan redevelopment area pursuant to Section 7-1-14 NMSA 1978;

(3) using data from the twelve months of reporting periods following designation of the reporting location code, the taxation and revenue department shall calculate the gross receipts tax revenue for the base year as follows:

(a) the amount of the local government's local option gross receipts tax revenue attributable to the gross receipts sourced to the metropolitan redevelopment area pursuant to Section 7-1-14 NMSA 1978 in the previous twelve months; and

(b) the amount of state gross receipts tax revenue attributable to gross receipts sourced to the metropolitan redevelopment area pursuant to Section 7-1-14 NMSA 1978 in the previous twelve months, less any amount distributed to the

municipality pursuant to Section 7-1-6.4 NMSA 1978 attributable to gross receipts sourced to the metropolitan redevelopment area; and

(4) following making the calculation of the gross receipts tax revenue for the base year:

(a) the taxation and revenue department shall compare the amounts of gross receipts tax revenues of the base year with the amounts of gross receipts tax revenues of that following twelve months, using the same calculation methods as provided in Paragraph (3) of this subsection; and

(b) if there is an increase between the gross receipts tax revenue of the base year and the gross receipts tax revenue of that following twelve months, the taxation and revenue department shall distribute, pursuant to Section 7-1-6.71 NMSA 1978, the sum of: 1) the product of the total rate of the local government's local option gross receipts tax multiplied by the increased amount of the local government's local option gross receipts tax revenue, further multiplied by the percentage of the gross receipts tax increment dedicated by the local government pursuant to Section 3-60A-23 NMSA 1978; plus 2) the product of the state gross receipts tax rate multiplied by the increased amount of the state gross receipts tax revenue, further multiplied by the percentage of the gross receipts tax increment dedicated by the state board of finance pursuant to Section 3-60A-23 NMSA 1978.

C. The procedures specified in this section shall be followed annually for a maximum period of twenty years following the date of notification provided by this section.

D. As used in this section:

(1) "local option gross receipts tax revenue" means revenue transferred to the local government pursuant to Section 7-1-6.12 or 7-1-6.13 NMSA 1978, as appropriate; and

(2) "state gross receipts tax revenue" means revenue received from the gross receipts tax imposed pursuant to Section 7-9-4 NMSA 1978."

Chapter 62 Section 2 Laws 2024

SECTION 2. Section 7-1-6.71 NMSA 1978 (being Laws 2023, Chapter 112, Section 11) is amended to read:

"7-1-6.71. DISTRIBUTION--METROPOLITAN REDEVELOPMENT FUND.--A distribution for a metropolitan redevelopment project pursuant to the Metropolitan Redevelopment Code shall be made to the metropolitan redevelopment fund in accordance with the provisions of Subparagraph (b) of Paragraph (4) of Subsection B of

Section 3-60A-21 NMSA 1978 with respect to a dedication of a gross receipts tax increment."

Chapter 62 Section 3 Laws 2024

SECTION 3. Laws 2023, Chapter 112, Section 15 is amended to read:

"SECTION 15. EFFECTIVE DATE.--The effective date of the provisions of this act is January 1, 2025."

Chapter 62 Section 4 Laws 2024

SECTION 4. EFFECTIVE DATE.--The effective date of the provisions of Sections 1 and 2 of this act is January 1, 2025.

LAWS 2024, CHAPTER 63

Senate Bill 239, aa
Approved March 5, 2024

AN ACT

RELATING TO HIGHER EDUCATION SCHOLARSHIPS; AMENDING CERTAIN DEFINITIONS IN THE LEGISLATIVE LOTTERY TUITION SCHOLARSHIP ACT; CHANGING CERTAIN REQUIREMENTS FOR ELIGIBILITY FOR THE LEGISLATIVE LOTTERY TUITION SCHOLARSHIP; LOWERING THE NUMBER OF REQUIRED CREDIT HOURS FOR FALL AND SPRING SEMESTERS FOR LOTTERY SCHOLARSHIPS; PROVIDING AN EXCEPTION TO THE MINIMUM CREDIT-HOUR ELIGIBILITY REQUIREMENT IN THE OPPORTUNITY SCHOLARSHIP ACT; EXEMPTING DUAL CREDIT CLASSES FROM COUNTING TOWARD THE OPPORTUNITY SCHOLARSHIP CREDIT-HOUR CAP; PROVIDING FOR A SHORT-TERM CHANGE IN THE CALCULATION OF THE OPPORTUNITY SCHOLARSHIP DISTRIBUTION.

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

Chapter 63 Section 1 Laws 2024

SECTION 1. Section 21-21N-2 NMSA 1978 (being Laws 2014, Chapter 80, Section 2, as amended) is amended to read:

"21-21N-2. DEFINITIONS.--As used in the Legislative Lottery Tuition Scholarship Act:

A. "community college" means a branch community college of a four-year state educational institution, a two-year state educational institution or a community college or technical and vocational institute established pursuant to Chapter 21, Article 13 or 16 NMSA 1978, respectively;

B. "comprehensive institution" means eastern New Mexico university, western New Mexico university, New Mexico highlands university or northern New Mexico college;

C. "department" means the higher education department;

D. "full time" means thirty or more credit hours each year in state educational institutions and twenty-four or more credit hours each year in community colleges;

E. "fund" means the lottery tuition fund;

F. "program semesters" means those semesters for which a qualified student may receive a tuition scholarship, which includes the summer semester and excludes the first semester of attendance at a public post-secondary educational institution;

G. "public post-secondary educational institution" means a four-year state educational institution or a community college;

H. "qualified student" means a full-time student who graduated from a public or accredited private New Mexico high school or completed the requirements of a home-based or nonpublic secondary educational program in New Mexico or received a high school equivalency credential while maintaining residency in New Mexico and who:

(1) either:

(a) within sixteen months of graduation from or completion of a secondary educational program specified in this subsection, attends a public post-secondary educational institution or tribal college; or

(b) within four months of graduation from or completion of a secondary educational program specified in this subsection, began service in the United States armed forces and within sixteen months of completion of honorable service or medical discharge from the service, attends a public post-secondary educational institution or tribal college; and

(2) successfully completed the first semester at a public post-secondary educational institution with a grade point average of 2.5 or higher on a 4.0 scale during the first semester and took twelve or more credit hours;

I. "research institution" means the university of New Mexico, New Mexico state university or New Mexico institute of mining and technology;

J. "state educational institution" means an institution of higher education enumerated in Article 12, Section 11 of the constitution of New Mexico;

K. "tribal college" means a tribally, federally or congressionally chartered post-secondary educational institution located in New Mexico that is accredited by the higher learning commission; and

L. "tuition scholarship" means the scholarship that provides tuition assistance per program semester for a qualified student attending a public post-secondary educational institution or tribal college."

Chapter 63 Section 2 Laws 2024

SECTION 2. Section 21-21N-3 NMSA 1978 (being Laws 2014, Chapter 80, Section 3, as amended by Laws 2019, Chapter 33, Section 1 and by Laws 2019, Chapter 54, Section 2) is amended to read:

"21-21N-3. TUITION SCHOLARSHIPS AUTHORIZED--QUALIFIED STUDENTS.--

A. To the extent that funds are made available by the legislature from the fund, the boards of regents or governing bodies of public post-secondary educational institutions and tribal colleges shall award tuition scholarships in department-approved amounts to qualified students attending their respective public post-secondary educational institutions.

B. A qualified student is eligible to receive the tuition scholarship for a maximum of seven fall and spring program semesters and a maximum of three summer semesters, or no more than three and one-half years for a bachelor's degree, in an amount determined pursuant to the provisions of Section 21-21N-4 NMSA 1978.

C. Except as otherwise provided in this section, a tuition scholarship may be awarded to a qualified student who:

- (1) maintains residency in New Mexico;
- (2) maintains a grade point average of 2.5 or higher on a 4.0 scale; and
- (3) completes:

(a) for a student attending a four-year public post-secondary educational institution or a tribal college, thirty credit hours, which may be apportioned among fall through summer semesters, with no fewer than twelve credit hours in the fall and spring semesters and between three and nine credit hours for summer semesters; provided that the department may provide by rule for exceptions to the number of summer semester credit hours; and provided further that a student is not required to

attend summer semesters to maintain eligibility; and provided further that credit-hour limits do not apply to the last semester before graduation; and

(b) for a student attending a two-year public post-secondary educational institution, twenty-four credit hours, which may be apportioned among fall through summer semesters, with no fewer than nine credit hours in the fall and spring semesters and between three and nine credit hours for summer semesters; provided that the department may provide by rule for exceptions to the number of summer semester credit hours; and provided further that a student is not required to attend summer semesters to maintain eligibility; and provided further that credit-hour limits do not apply to the last semester before graduation.

D. For students with disabilities who may require accommodations, the department, in consultation with the student and the office at the public post-secondary educational institution or the tribal college that serves students with disabilities, shall review both the definition of "full time" and the maximum number of consecutive program semesters of eligibility and adjust either or both as deemed reasonable and appropriate, based on the student's disability needs. In no case, however, shall "full time" mean fewer than six credit hours per semester during the fall and spring semesters or three credit hours per summer semester, if attending, and in no case shall eligibility extend beyond fourteen consecutive program semesters. The definition of "qualified student" notwithstanding, a New Mexico resident who had to leave the state to receive an education pursuant to the federal Individuals with Disabilities Education Act shall be eligible for a tuition scholarship if the student graduated from an accredited high school in another state and otherwise meets the qualifications for a tuition scholarship pursuant to the definition of "qualified student" and this section."

Chapter 63 Section 3 Laws 2024

SECTION 3. Section 21-21R-2 NMSA 1978 (being Laws 2022, Chapter 42, Section 2) is amended to read:

"21-21R-2. DEFINITIONS.--As used in the Opportunity Scholarship Act:

A. "community college" means a branch community college of a four-year state educational institution, a two-year state educational institution or a community college or technical and vocational institute established pursuant to Chapter 21, Article 13 or 16 NMSA 1978;

B. "department" means the higher education department;

C. "eligible student" means a New Mexico resident who is enrolled in a public post-secondary educational institution or tribal college at any time following high school graduation or the award of a high school equivalency credential and who meets other conditions for eligibility;

D. "public post-secondary educational institution" means a four-year state educational institution or a community college;

E. "scholarship" means the opportunity scholarship;

F. "state educational institution" means an institution of higher education enumerated in Article 12, Section 11 of the constitution of New Mexico; and

G. "tribal college" means a tribally, federally or congressionally chartered post-secondary educational institution located in New Mexico that is accredited by the higher learning commission."

Chapter 63 Section 4 Laws 2024

SECTION 4. Section 21-21R-3 NMSA 1978 (being Laws 2022, Chapter 42, Section 3) is amended to read:

"21-21R-3. CONDITIONS FOR ELIGIBILITY.--

A. A scholarship may be awarded to an eligible student who:

(1) has not earned a baccalaureate degree at the time the scholarship is awarded;

(2) is enrolled in at least six credit hours per semester and no more than eighteen credit hours per fall or spring semester; except that the credit-hour limits do not apply to a student in the last semester before graduation;

(3) is enrolled in at least three and no more than nine credit hours per summer semester; provided that a student is not required to attend a summer semester to maintain eligibility;

(4) maintains a cumulative grade point average of 2.5 on a 4.0 scale;
and

(5) has complied with other rules promulgated by the department to carry out the provisions of the Opportunity Scholarship Act.

B. A scholarship may be awarded for the summer semester; provided that the student enrolls in at least three and no more than nine credit hours; and provided further that the summer semester is not required to maintain eligibility; and provided further that credit-hour limits do not apply to a student in the last semester before graduation.

C. A scholarship may be awarded for one credit-bearing certificate or certificates, only one associate degree and only one bachelor's degree per student.

D. A scholarship for a credit-bearing certificate may only be awarded where data indicates that the certificate is in high demand by New Mexico employers as determined by the department in consultation with the workforce solutions department.

E. Students with disabilities or exceptional mitigating circumstances may petition for a waiver of eligibility, credit-hour limits or other requirements on a per semester basis. The lead financial aid officer of the public post-secondary institution or tribal college shall exercise professional judgment in consideration of any request for a waiver."

Chapter 63 Section 5 Laws 2024

SECTION 5. Section 21-21R-4 NMSA 1978 (being Laws 2022, Chapter 42, Section 4) is amended to read:

"21-21R-4. SCHOLARSHIP AUTHORIZED--ADMINISTRATION.--

A. The department shall administer the Opportunity Scholarship Act and shall promulgate rules to carry out the provisions of that act.

B. Scholarships shall be awarded to qualified eligible students in an amount not to exceed one hundred percent of tuition and fees after all other state financial aid has been applied. Qualifications shall be determined by rule of the department.

C. Prior to June 1 of each year, based on the amount appropriated by the legislature from the opportunity scholarship fund and on the projected enrollment at all public post-secondary educational institutions and tribal colleges, the department shall:

(1) determine the total amount of money available for all scholarships for eligible students;

(2) determine the award amount for public post-secondary educational institutions and tribal colleges; and

(3) notify all public post-secondary educational institutions and tribal colleges of the determinations made pursuant to Paragraphs (1) and (2) of this subsection.

D. In determining distribution and award amounts for the scholarships, the department shall:

(1) distribute to all public post-secondary educational institutions and tribal colleges an amount not to exceed the remaining balance in the opportunity scholarship fund; and

(2) subject to the provisions of Paragraph (1) of this subsection, distribute to each public post-secondary educational institution and tribal college an amount based on the projected enrollment at each public post-secondary educational institution and tribal college.

E. Prior to June 1 of each year through fiscal year 2028, the department shall determine the maximum distribution to each public post-secondary educational institution and tribal college based on the annual increase in the higher education price index for the mountain region."

Chapter 63 Section 6 Laws 2024

SECTION 6. Section 21-21R-5 NMSA 1978 (being Laws 2022, Chapter 42, Section 5) is amended to read:

"21-21R-5. DURATION OF SCHOLARSHIP AUTHORIZED.--

A. Each scholarship is for a period of one semester, including the summer semester. A scholarship may be renewed if the eligible student continues to meet the conditions of eligibility.

B. Scholarships may be provided to an eligible student until the eligible student receives a credit-bearing certificate or certificates.

C. Scholarships may be provided to an eligible student for up to ninety credit hours for the completion of one associate degree; provided that dual credit courses that an eligible student previously completed shall not count toward the credit-hour cap.

D. Scholarships may be provided to an eligible student for up to one hundred sixty credit hours for the completion of one bachelor's degree; provided that dual credit courses that an eligible student previously completed shall not count toward the credit-hour cap."

LAWS 2024, CHAPTER 64

**House Bill 308, w/ec, partial veto
Approved March 6, 2024**

AN ACT

RELATING TO GENERAL OBLIGATION BONDS; AUTHORIZING THE ISSUANCE AND SALE OF CAPITAL PROJECTS GENERAL OBLIGATION BONDS TO MAKE CAPITAL EXPENDITURES FOR SENIOR CITIZEN FACILITY IMPROVEMENTS, CONSTRUCTION AND ACQUISITIONS, FOR LIBRARY ACQUISITIONS, FOR CAPITAL IMPROVEMENTS AND ACQUISITIONS AT INSTITUTIONS OF HIGHER EDUCATION, STATE SPECIAL SCHOOLS AND TRIBAL SCHOOLS AND FOR PUBLIC

SAFETY RADIO COMMUNICATION IMPROVEMENTS STATEWIDE; PROVIDING FOR A PROPERTY TAX LEVY FOR PAYMENT OF PRINCIPAL OF, INTEREST ON AND CERTAIN COSTS RELATED TO THE BONDS; REQUIRING APPROVAL OF THE REGISTERED VOTERS AT THE 2024 GENERAL ELECTION OF THE STATE; DECLARING AN EMERGENCY.

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

Chapter 64 Section 1 Laws 2024

SECTION 1. SHORT TITLE.--This act may be cited as the "2024 Capital Projects General Obligation Bond Act".

Chapter 64 Section 2 Laws 2024

SECTION 2. PURPOSE.--For the purpose of providing funds for capital expenditures as authorized in the 2024 Capital Projects General Obligation Bond Act, general obligation indebtedness of the state is authorized for the purposes and in the amounts set forth in Section 10 of that act.

Chapter 64 Section 3 Laws 2024

SECTION 3. BOND TERMS.--

A. The state board of finance, except as limited by the 2024 Capital Projects General Obligation Bond Act, shall determine the terms, covenants and conditions of bonds issued pursuant to that act, including:

- (1) date or dates of issue, denominations and maturities;
- (2) principal amounts;
- (3) rate or rates of interest; and

(4) provisions for redemption, including premiums, registration and refundability, whether the bonds are issued in one or more series and other covenants relating to the bonds and the issuance thereof.

B. The bonds shall be in such form as the state board of finance determines with an appropriate series designation and shall bear interest payable as set forth in the resolution of the state board of finance.

C. Payment of the principal of the bonds shall begin not more than two years after the date of their issuance, and the bonds shall mature not later than ten years after the date of their issuance. Both principal and interest shall be payable in lawful money

of the United States at the office of the paying agent within or without the state as the state board of finance may direct.

D. The bonds shall be executed with the manual or facsimile signature of the governor or the state treasurer, and the seal or a facsimile of the seal of the state shall be placed on each bond, except for any series of bonds issued in book entry or similar form without the delivery of physical securities.

E. The bonds shall be issued in accordance with the provisions of the 2024 Capital Projects General Obligation Bond Act, the Supplemental Public Securities Act and the Uniform Facsimile Signature of Public Officials Act and may be issued in accordance with the Public Securities Short-Term Interest Rate Act.

F. The full faith and credit of the state is pledged for the prompt payment when due of the principal of and interest on all bonds issued and sold pursuant to the 2024 Capital Projects General Obligation Bond Act.

Chapter 64 Section 4 Laws 2024

SECTION 4. EXPENDITURES.--The proceeds from the sale of the bonds shall be expended solely for providing money to be distributed for the purposes and in amounts not to exceed the amounts set forth in Section 10 of the 2024 Capital Projects General Obligation Bond Act and to pay expenses incurred under Section 6 of that act. Any proceeds from the sale of the bonds that are not required for the purposes set forth in Sections 6 and 10 of that act shall be used for the purpose of paying the principal of and interest on the bonds.

Chapter 64 Section 5 Laws 2024

SECTION 5. SALE.--The bonds authorized under the 2024 Capital Projects General Obligation Bond Act shall be sold by the state board of finance at such time and in such manner and amounts as the board may elect. The bonds may be sold at private sale or at public sale, in either case at not less than par plus accrued interest to the date of delivery. If sold at public sale, the state board of finance shall publish a notice of the time and place of sale in a newspaper of general circulation in the state and may also publish the notice in a recognized financial journal outside the state. The required publications shall be made once each week for two consecutive weeks prior to the date fixed for the sale, the last publication thereof to be at least five days prior to the date of the sale. The notice shall specify the amount, denomination, maturity and description of the bonds to be offered for sale and the place, date and hour at which the sealed bids shall be received. At the time and place specified in the notice, the state board of finance shall open the bids in public and shall award the bonds to the bidder or bidders offering the best price for the bonds. The state board of finance may reject any or all bids and readvertise and may waive any irregularity in a bid. All bids, except that of the state, shall be accompanied by a deposit of two percent of the principal amount of the bonds in a form acceptable to the state board of finance. The deposit of an

unsuccessful bidder shall be returned upon rejection of the bid. The state board of finance may also sell the bonds or any part of the bonds to the state treasurer or state investment officer. The state treasurer or state investment officer is authorized to purchase any of the bonds for investment. The bonds are legal investments for any person or board charged with the investment of any public funds and may be accepted as security for any deposit of public money.

Chapter 64 Section 6 Laws 2024

SECTION 6. EXPENSES.--The expenses incurred by the state board of finance in or relating to the preparation and sale of the bonds shall be paid out of the proceeds from the sale of the bonds, and all rebate, penalty, interest and other obligations of the state relating to the bonds and bond proceeds under the Internal Revenue Code of 1986, as amended, shall be paid from earnings on bond proceeds or other money of the state, legally available for such payments.

Chapter 64 Section 7 Laws 2024

SECTION 7. PROPERTY TAX LEVY.--To provide for the payment of the principal of and interest on the bonds issued and sold pursuant to the provisions of the 2024 Capital Projects General Obligation Bond Act, there shall be and there is hereby imposed and levied during each year in which any of the bonds are outstanding an ad valorem tax on all property in the state subject to property taxation for state purposes sufficient to pay the interest as it becomes due on the bonds, together with an amount sufficient to provide a sinking fund to pay the principal of the bonds as it becomes due, and, if permitted by law, ad valorem taxes may be collected to pay administrative costs incident to the collection of such taxes. The taxes shall be imposed, levied, assessed and collected at the times and in the manner that other property taxes for state purposes are imposed, levied, assessed and collected. It is the duty of all tax officials and authorities to cause these taxes to be imposed, levied, assessed and collected.

Chapter 64 Section 8 Laws 2024

SECTION 8. TREASURER--DUTIES.--The state treasurer shall keep separate accounts of all money collected pursuant to the taxes imposed and levied pursuant to the provisions of the 2024 Capital Projects General Obligation Bond Act and shall use this money only for the purposes of paying the principal of and interest on the bonds as they become due and any expenses relating thereto.

Chapter 64 Section 9 Laws 2024

SECTION 9. IRREPEALABLE CONTRACT--AUTHORITY FOR ISSUANCE.--An owner of bonds issued pursuant to the provisions of the 2024 Capital Projects General Obligation Bond Act may, either at law or in equity, by suit, action or mandamus, enforce and compel the performance of the duties required by that act of any officer or entity mentioned in that act. The provisions of that act constitute an irrevocable contract

with the owners of any of the bonds issued pursuant to that act for the faithful performance of which the full faith and credit of the state is pledged. Without reference to any other act of the legislature, the 2024 Capital Projects General Obligation Bond Act is full authority for the issuance and sale of the bonds authorized in that act, and such bonds shall have all the qualities of investment securities under the Uniform Commercial Code, shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale of the bonds and shall be incontestable in the hands of bona fide purchasers or holders thereof for value. All bonds issued under the provisions of that act, and the interest thereon, are exempt from taxation by the state and any subdivision or public body thereof.

Chapter 64 Section 10 Laws 2024

SECTION 10. PROJECTS.--The proceeds from the sale of bonds issued under the provisions of the 2024 Capital Projects General Obligation Bond Act shall be distributed as

follows for the purposes and in the amounts specified:

A. for senior citizen facility improvement, construction and equipment acquisition projects to the aging and long-term services department:

(1) one hundred thousand dollars (\$100,000) to purchase and install meals equipment and other equipment for the Barelvas senior center in Albuquerque in Bernalillo county;

(2) one million five hundred thousand dollars (\$1,500,000) for renovations to the Barelvas senior center in Albuquerque in Bernalillo county;

(3) three hundred seventy-one thousand dollars (\$371,000) for renovations to the Highland senior center in Albuquerque in Bernalillo county;

(4) sixty thousand dollars (\$60,000) to purchase and install meals equipment and other equipment for Los Volcanes senior center in Albuquerque in Bernalillo county;

(5) one hundred eighty-one thousand dollars (\$181,000) to purchase and equip vehicles for the Manzano Mesa multigenerational center in Albuquerque in Bernalillo county;

(6) ninety thousand dollars (\$90,000) to purchase and install meals equipment and other equipment for the north Domingo Baca multigenerational center in Albuquerque in Bernalillo county;

(7) fifty-five thousand dollars (\$55,000) to purchase and install meals equipment and other equipment for the North Valley senior center in Albuquerque in Bernalillo county;

(8) one hundred twenty thousand dollars (\$120,000) to purchase and equip vehicles for the north Domingo Baca multigenerational center in Albuquerque in Bernalillo county;

(9) forty thousand dollars (\$40,000) to purchase and install meals equipment and other equipment for the Palo Duro senior center in Albuquerque in Bernalillo county;

(10) seventeen thousand dollars (\$17,000) to purchase and install meals equipment and other equipment for the Raymond G. Sanchez senior center in Albuquerque in Bernalillo county;

(11) three million one hundred forty-seven thousand dollars (\$3,147,000) to plan, design, construct, equip and furnish the Rio Bravo senior center in Bernalillo county;

(12) twenty-three thousand dollars (\$23,000) to purchase and install meals equipment and other equipment for the South Valley multipurpose senior center in Bernalillo county;

(13) forty-eight thousand dollars (\$48,000) for renovations to the South Valley multipurpose senior center in Bernalillo county;

(14) seventy-two thousand dollars (\$72,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Glenwood senior center in Catron county;

(15) two hundred five thousand dollars (\$205,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Quemado senior center in Catron county;

(16) one hundred twenty-five thousand dollars (\$125,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Reserve senior center in Catron county;

(17) seventy-two thousand dollars (\$72,000) for renovations to the Reserve senior center in Catron county;

(18) one hundred fifteen thousand dollars (\$115,000) to purchase and equip vehicles for the Reserve senior center in Catron county;

(19) one hundred seventy-seven thousand dollars (\$177,000) to purchase and equip vehicles for the Hagerman senior center in Chaves county;

(20) fifty thousand dollars (\$50,000) for renovations to the Lake Arthur senior center in Chaves county;

(21) one hundred seventy-seven thousand dollars (\$177,000) to purchase and equip vehicles for the Lake Arthur senior center in Chaves county;

(22) one hundred sixty thousand dollars (\$160,000) for renovations to the Midway senior center in Roswell in Chaves county;

(23) ninety-five thousand dollars (\$95,000) to purchase and equip vehicles for the Midway senior center in Roswell in Chaves county;

(24) seven hundred fifteen thousand dollars (\$715,000) to purchase and equip vehicles for the Roswell senior center in Chaves county;

(25) ten thousand dollars (\$10,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Acoma Pueblo senior center in the Pueblo of Acoma in Cibola county;

(26) sixty-one thousand dollars (\$61,000) to purchase and equip vehicles for the Acoma senior center in the Pueblo of Acoma in Cibola county;

(27) one hundred eighty-five thousand dollars (\$185,000) to purchase and equip vehicles for the Acoma senior center in the Pueblo of Acoma in Cibola county;

(28) one million five hundred thousand dollars (\$1,500,000) for renovations to the To'hajiilee senior center in the To'hajiilee chapter of the Navajo Nation in Bernalillo county;

(29) one hundred twelve thousand dollars (\$112,000) to purchase and equip vehicles for the To'hajiilee senior center in the To'hajiilee chapter of the Navajo Nation in Bernalillo county;

(30) one hundred seventy-five thousand dollars (\$175,000) to purchase and equip vehicles for the Clovis senior center in Curry county;

(31) three hundred forty-four thousand dollars (\$344,000) to purchase and equip vehicles for the Anthony senior center in Dona Ana county;

(32) three million eighty-three thousand dollars (\$3,083,000) to plan, design, construct, equip and furnish the East Mesa/Sage cafe senior center in Las Cruces in Dona Ana county;

(33) three hundred ten thousand dollars (\$310,000) to purchase and equip vehicles for the Munson senior center in Las Cruces in Dona Ana county;

(34) three hundred sixty-five thousand dollars (\$365,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Artesia senior center in Eddy county;

(35) one hundred two thousand dollars (\$102,000) for renovations to the Artesia senior center in Eddy county;

(36) five hundred thousand dollars (\$500,000) for renovations to the Santa Rosa senior center in Guadalupe county;

(37) eighty-two thousand dollars (\$82,000) to purchase and equip vehicles for the Santa Rosa senior center in Guadalupe county;

(38) seventy-three thousand dollars (\$73,000) to purchase and equip vehicles for the Eunice senior center in Lea county;

(39) one hundred twenty-three thousand dollars (\$123,000) to purchase and equip vehicles for the Betty Ehart senior center in Los Alamos in Los Alamos county;

(40) eighty thousand dollars (\$80,000) to purchase and install meals equipment and other equipment for the Deming senior center in Luna county;

(41) two hundred twenty-three thousand dollars (\$223,000) for renovations to the Baca senior center in the Baca-Prewitt chapter of the Navajo Nation in McKinley county;

(42) one million one hundred fifty-four thousand dollars (\$1,154,000) to plan, design, construct, equip and furnish the Breadsprings senior center in the Breadsprings chapter of the Navajo Nation in McKinley county;

(43) fourteen thousand dollars (\$14,000) to purchase and install meals equipment and other equipment for the Breadsprings chapter of the Navajo Nation in McKinley county;

(44) twenty-nine thousand dollars (\$29,000) for improvements to the facility to address code compliance issues and for the purchase and installation of

equipment and building systems at the Chichiltah senior center in the Chichiltah chapter of the Navajo Nation in McKinley county;

(45) eighty-seven thousand dollars (\$87,000) to plan, design, construct, equip and furnish the Chichiltah senior center in the Chichiltah chapter of the Navajo Nation in McKinley county;

(46) three million six hundred thirty-one thousand dollars (\$3,631,000) to plan, design, construct, equip and furnish the Ramah senior center in McKinley county;

(47) ninety-five thousand dollars (\$95,000) to purchase and equip vehicles for the Pinedale senior center in the Pinedale chapter of the Navajo Nation in McKinley county;

(48) ninety-five thousand dollars (\$95,000) to purchase and equip vehicles for the Pueblo Pintado senior center in the Pueblo Pintado chapter of the Navajo Nation in McKinley county;

(49) ninety-five thousand dollars (\$95,000) to purchase and equip vehicles for the Whitehorse Lake senior center in the Whitehorse chapter of the Navajo Nation in McKinley county;

(50) one hundred fifty-one thousand dollars (\$151,000) for renovations to the Alamo senior center in Alamogordo in Otero county;

(51) one hundred thirty-seven thousand dollars (\$137,000) to purchase and equip vehicles for the senior center for the Mescalero Apache Tribe in Otero county;

(52) twenty-five thousand dollars (\$25,000) for renovations to the Logan senior center in Quay county;

(53) two hundred sixty-six thousand dollars (\$266,000) for renovations to the Tucumcari senior center in Quay county;

(54) twenty-three thousand dollars (\$23,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Santa Clara Pueblo adult daycare in the Pueblo of Santa Clara in Rio Arriba county;

(55) forty-nine thousand dollars (\$49,000) for renovations to the Santa Clara Pueblo adult daycare in the Pueblo of Santa Clara in Rio Arriba county;

(56) one hundred eighty-seven thousand dollars (\$187,000) for renovations to the Santa Clara senior center in the Pueblo of Santa Clara in Rio Arriba county;

(57) six hundred thousand dollars (\$600,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Beclabito senior center in the Beclabito chapter of the Navajo Nation in San Juan county;

(58) twenty-nine thousand dollars (\$29,000) to purchase and install meals equipment and other equipment for the Bloomfield senior center in San Juan county;

(59) six hundred ninety-three thousand dollars (\$693,000) for renovations to the Bloomfield senior center in San Juan county;

(60) eighty thousand dollars (\$80,000) to purchase and equip vehicles for the Crystal senior center in the Crystal chapter of the Navajo Nation in San Juan county;

(61) twenty-one thousand dollars (\$21,000) to purchase and install meals equipment and other equipment for the Bonnie Dallas senior center in Farmington in San Juan county;

(62) twenty thousand dollars (\$20,000) to plan and design the Bonnie Dallas senior center in Farmington in San Juan county;

(63) one hundred twenty thousand dollars (\$120,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Hogback senior center in the Hogback chapter of the Navajo Nation in San Juan county;

(64) fifty thousand dollars (\$50,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Lake Valley senior center in the Lake Valley chapter of the Navajo Nation in San Juan county;

(65) ninety thousand dollars (\$90,000) to purchase and equip vehicles for the Lake Valley senior center in the Lake Valley chapter of the Navajo Nation in San Juan county;

(66) six hundred seventy thousand dollars (\$670,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Naschitti senior center in the Naschitti chapter of the Navajo Nation in San Juan county;

(67) one hundred twenty thousand dollars (\$120,000) to plan, design, construct, equip and furnish the Naschitti senior center in the Naschitti chapter of the Navajo Nation in San Juan county;

(68) six hundred fifty thousand dollars (\$650,000) to plan, design, construct, equip and furnish the Naschitti senior center in the Naschitti chapter of the Navajo Nation in San Juan county;

(69) sixty-five thousand dollars (\$65,000) to purchase and install meals equipment and other equipment for the Naschitti senior center in the Naschitti chapter of the Navajo Nation in San Juan county;

(70) eighty thousand dollars (\$80,000) to purchase and equip vehicles for the Naschitti senior center in the Naschitti chapter of the Navajo Nation in San Juan county;

(71) five hundred sixty thousand dollars (\$560,000) for renovations to the Newcomb senior center in the Newcomb chapter of the Navajo Nation in San Juan county;

(72) thirty-four thousand dollars (\$34,000) for renovations to the Blanco senior center in San Juan county;

(73) eighty-five thousand dollars (\$85,000) to purchase and equip vehicles for the Blanco senior center in San Juan county;

(74) ninety-six thousand dollars (\$96,000) to plan, design, construct, equip and furnish the Lower Valley senior center in Fruitland in San Juan county;

(75) one hundred nine thousand dollars (\$109,000) for renovations to the Lower Valley senior center in Fruitland in San Juan county;

(76) one hundred forty-four thousand dollars (\$144,000) to purchase and equip vehicles for the Lower Valley senior center in Fruitland in San Juan county;

(77) three hundred twenty-seven thousand dollars (\$327,000) for improvements to the facility to address code compliance issues and for the purchase and installation of equipment and building systems at the Sheep Springs senior center in the Sheep Springs chapter of the Navajo Nation in San Juan county;

(78) three hundred fifty thousand dollars (\$350,000) for renovations to the Sheep Springs senior center in the Sheep Springs chapter of the Navajo Nation in San Juan county;

(79) one hundred thirty-four thousand dollars (\$134,000) to purchase and equip vehicles for the Sheep Springs senior center in the Sheep Springs chapter of the Navajo Nation in San Juan county;

(80) forty-seven thousand dollars (\$47,000) to purchase and install meals equipment and other equipment for the Upper Fruitland senior center in the Upper Fruitland chapter of the Navajo Nation in San Juan county;

(81) sixty-five thousand dollars (\$65,000) to purchase and equip vehicles for the Upper Fruitland senior center in the Upper Fruitland chapter of the Navajo Nation in San Juan county;

(82) five hundred ninety thousand dollars (\$590,000) to plan, design, construct, equip and furnish the Upper Fruitland senior center in the Upper Fruitland chapter of the Navajo Nation in San Juan county;

(83) eighty-two thousand dollars (\$82,000) to purchase and equip vehicles for the Broadmoor senior center in Rio Rancho in Sandoval county;

(84) thirty thousand dollars (\$30,000) to purchase and install meals equipment and other equipment for the Broadmoor senior center in Rio Rancho in Sandoval county;

(85) sixty-four thousand dollars (\$64,000) to purchase and install meals equipment and other equipment for the Meadowlark senior center in Rio Rancho in Sandoval county;

(86) two hundred eighty-two thousand dollars (\$282,000) for renovations to the Meadowlark senior center in Rio Rancho in Sandoval county;

(87) thirty-one thousand dollars (\$31,000) to purchase and install meals equipment and other equipment for the Bernalillo senior center in Sandoval county;

(88) eighty-eight thousand dollars (\$88,000) to purchase and equip vehicles for the Bernalillo senior center in Sandoval county;

(89) thirty-one thousand dollars (\$31,000) to purchase and install meals equipment and other equipment for the Corrales senior center in Sandoval county;

(90) three hundred seventeen thousand dollars (\$317,000) for renovations to the Corrales senior center in Sandoval county;

(91) thirty-one thousand dollars (\$31,000) to purchase and install meals equipment and other equipment for the Cuba senior center in Sandoval county;

(92) thirty-one thousand dollars (\$31,000) to purchase and install meals equipment and other equipment for the Jemez senior center in the Pueblo of Jemez in Sandoval county;

(93) thirty-one thousand dollars (\$31,000) to purchase and install meals equipment and other equipment for the Placitas senior center in Sandoval county;

(94) eighty-eight thousand dollars (\$88,000) to purchase and equip vehicles for the Ken James senior center in Truth or Consequences in Sierra county;

(95) thirty-seven thousand dollars (\$37,000) for renovations to the Socorro senior center in Socorro county;

(96) one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, equip and furnish the Amalia senior center in Taos county;

(97) two million one hundred two thousand dollars (\$2,102,000) to plan, design, construct, equip and furnish the Des Moines senior center in Union county; and

(98) one hundred six thousand dollars (\$106,000) for renovations to the Del Rio senior center in Rio Communities in Valencia county;

B. for library acquisitions at public libraries, public school libraries, academic libraries and tribal libraries statewide:

(1) to the cultural affairs department:

(a) six million dollars (\$6,000,000) for equipment, library furniture, fixtures and supplemental library resource acquisitions, including print, non-print and electronic resources, collaborative library resources and information technology projects, and for the purchase and installation of broadband internet equipment and infrastructure at non-tribal public libraries statewide; and

(b) one million dollars (\$1,000,000) for equipment, library furniture, fixtures and supplemental library resource acquisitions, including print, non-print and electronic resources, collaborative library resources and information technology projects, and for the purchase and installation of broadband internet equipment and infrastructure at tribal libraries statewide;

(2) six million dollars (\$6,000,000) to the higher education department for supplemental library acquisitions, including books, equipment, electronic resources, collaborative library resources and information technology projects, for academic libraries statewide; and

(3) six million dollars (\$6,000,000) to the public education department for equipment and supplemental library resource acquisitions, including print, non-print and electronic resources, at public school libraries statewide;

C. for capital improvements and acquisitions at institutions of higher education, special schools and tribal schools statewide:

(1) to the board of regents of eastern New Mexico university:

(a) five million three hundred thousand dollars (\$5,300,000) to plan, design, construct, furnish and equip an addition to the aircraft maintenance technology building at the Roswell branch campus of eastern New Mexico university in Chaves county;

(b) three million dollars (\$3,000,000) to plan, design, construct, furnish and equip a workforce training facility, including demolition, at the Ruidoso branch campus of eastern New Mexico university in Lincoln county; and

(c) two million dollars (\$2,000,000) to plan, design, construct, renovate, repair and equip improvements to eastern New Mexico university in Portales in Roosevelt county;

(2) to the higher education department:

(a) ten million dollars (\$10,000,000) to plan, design, construct, furnish and equip a [makerspace] facility at central New Mexico community college in Albuquerque in Bernalillo county; *LINE ITEM VETO*

(b) six million dollars (\$6,000,000) to plan, design, renovate, repair and equip infrastructure and facilities at central New Mexico community college campuses in Albuquerque in Bernalillo county;

(c) two million dollars (\$2,000,000) to plan, design, construct, renovate and equip improvements to the cosmetology and classroom south building, including parking lot improvements, at Clovis community college in Clovis in Curry county;

(d) five million dollars (\$5,000,000) to plan, design, construct, furnish and equip a trades and technologies building at southeast New Mexico college in Carlsbad in Eddy county;

(e) four million dollars (\$4,000,000) to plan, design, construct, renovate and equip improvements to Mansur hall at New Mexico junior college in Lea county;

(f) one million dollars (\$1,000,000) to plan, design, construct, renovate, repair and equip improvements to Navajo technical university in Crownpoint in McKinley county;

(g) one million dollars (\$1,000,000) to plan, design, construct, renovate, repair and equip improvements to the south campus of Dine college in Shiprock in San Juan county;

(h) three million two hundred fifty thousand dollars (\$3,250,000) to plan, design, construct, renovate and equip mechanical systems campuswide, including replacement of boilers, at San Juan college in Farmington in San Juan county;

(i) one million dollars (\$1,000,000) to plan, design, construct, renovate, repair and equip improvements to Luna community college in Las Vegas in San Miguel county;

(j) four hundred eighty thousand dollars (\$480,000) to plan, design, construct and equip improvements and upgrades to the loop road and emergency evacuation routes at the institute of American Indian arts in Santa Fe county; and

(k) three million seven hundred thousand dollars (\$3,700,000) to plan, design, construct and renovate the main building at Santa Fe community college in Santa Fe county;

(3) to the board of regents of the New Mexico school for the blind and visually impaired, four million eight hundred thousand dollars (\$4,800,000) to plan, design, construct, renovate, furnish and equip an early childhood facility at the New Mexico school for the blind and visually impaired in Albuquerque in Bernalillo county;

(4) to the board of regents of New Mexico highlands university, four million three hundred sixty thousand dollars (\$4,360,000) to plan, design, construct and equip improvements to the Ivan Hilton science building at New Mexico highlands university in Las Vegas in San Miguel county;

(5) to the board of regents of the New Mexico institute of mining and technology, eight million five hundred thousand dollars (\$8,500,000) to plan, design, construct, furnish and equip the Kelly hall building at the New Mexico institute of mining and technology in Socorro in Socorro county;

(6) to the board of regents of New Mexico military institute, two million one hundred thousand dollars (\$2,100,000) to plan, design, construct and equip improvements to Willson hall, including heating, ventilation and air conditioning systems, at the New Mexico military institute in Roswell in Chaves county;

(7) to the board of regents of the New Mexico school for the deaf, three million dollars (\$3,000,000) to plan, design, construct, renovate, furnish and equip an early childhood facility at the New Mexico school for the deaf in Albuquerque in Bernalillo county;

(8) to the board of regents of New Mexico state university:

(a) three million dollars (\$3,000,000) to plan, design, renovate, construct and equip improvements to Martinez hall at the Grants branch campus of New Mexico state university in Cibola county;

(b) ten million dollars (\$10,000,000) to plan, design, construct, furnish and equip a [~~creative media~~] facility at New Mexico state university in Las Cruces in Dona Ana county; *LINE ITEM VETO*

(c) twenty million dollars (\$20,000,000) to plan, design, construct, renovate and equip infrastructure campuswide, including steam and electrical systems, at New Mexico state university in Las Cruces in Dona Ana county;

(d) one million five hundred seventy-five thousand dollars (\$1,575,000) to plan, design, construct and equip improvements and upgrades to the loop road and emergency evacuation routes at the Gadsden center at the Dona Ana branch community college of New Mexico state university in Anthony in Dona Ana county;

(e) one million dollars (\$1,000,000) to plan, design, construct, renovate and equip facilities and infrastructure at the Alamogordo branch campus of New Mexico state university in Otero county; and

(f) fifteen million dollars (\$15,000,000) to plan, design, construct, renovate, repair and equip agricultural science and experimentation stations statewide;

(9) to the board of regents of northern New Mexico state school, five million dollars (\$5,000,000) to plan, design, construct, renovate, repair, furnish and equip classrooms and facilities at the Espanola branch campus of northern New Mexico state school in Rio Arriba county;

(10) to the board of regents of the university of New Mexico:

(a) thirty-five million dollars (\$35,000,000) to plan, design, construct, renovate and equip facilities and infrastructure at the college of pharmacy at the university of New Mexico in Albuquerque in Bernalillo county;

(b) fifty-two million dollars (\$52,000,000) to plan, design, construct, furnish and equip a new humanities and social science facility, including abatement and demolition of existing facilities, at the university of New Mexico in Albuquerque in Bernalillo county;

(c) one million dollars (\$1,000,000) to plan, design, construct, renovate and equip facilities and infrastructure at the Los Alamos branch campus of the university of New Mexico in Los Alamos county;

(d) four million dollars (\$4,000,000) to plan, design, renovate, construct, furnish and equip improvements to Gurley hall at the Gallup branch campus of the university of New Mexico in McKinley county;

(e) one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, furnish and equip a science and space education center at the Taos branch campus of the university of New Mexico in Taos county; and

(f) one million dollars (\$1,000,000) to plan, design, construct, renovate, repair and equip facilities at the Valencia branch campus of the university of New Mexico in Valencia county; and

(11) to the board of regents of western New Mexico university, nine million dollars (\$9,000,000) to plan, design, construct, furnish and equip an early childhood development center building at western New Mexico university in Silver City in Grant county; and

D. for public safety radio communications improvements, to the department of information technology, ten million dollars (\$10,000,000) to plan, design, purchase, install and implement related infrastructure to stabilize and modernize public safety radio communications systems statewide.

Chapter 64 Section 11 Laws 2024

SECTION 11. ELECTION.--

A. Bonds issued pursuant to the 2024 Capital Projects General Obligation Bond Act shall be submitted to the registered voters of the state at the general election to be held in November 2024, and, if they receive a majority of all the votes cast thereon at such election, shall take effect upon certification of the state canvassing board announcing the results of the election. No bonds shall be issued or sold under that act until the registered voters of this state have voted upon and approved the bonds and property tax as provided in this section. Any bonds issued under that act shall be issued within thirty months from the date of such election.

B. The ballots used at the 2024 general election shall contain substantially the following language:

(1) "The 2024 Capital Projects General Obligation Bond Act authorizes the issuance and sale of senior citizen facility improvement, construction and equipment acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed thirty million seven hundred fifty-eight thousand one hundred dollars (\$30,758,100) to make capital expenditures for certain senior citizen facility improvement, construction and equipment acquisition projects and provide for a general property tax imposition and levy for the payment of principal of, interest on and

expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____";

(2) "The 2024 Capital Projects General Obligation Bond Act authorizes the issuance and sale of library acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed nineteen million three hundred five thousand dollars (\$19,305,000) to make capital expenditures for academic, public school, tribal and public library resource acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____";

(3) "The 2024 Capital Projects General Obligation Bond Act authorizes the issuance and sale of higher education, special schools and tribal schools capital improvement and acquisition bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed two hundred thirty million two hundred fifty-eight thousand four hundred dollars (\$230,258,400) to make capital expenditures for certain higher education, special schools and tribal schools capital improvements and acquisitions and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____"; and

(4) "The 2024 Capital Projects General Obligation Bond Act authorizes the issuance and sale of public safety radio system improvement bonds. Shall the state be authorized to issue general obligation bonds in an amount not to exceed ten million two hundred ninety-seven thousand one hundred dollars (\$10,297,100) to make capital expenditures for public safety radio communications systems stabilization and modernization and provide for a general property tax imposition and levy for the payment of principal of, interest on and expenses incurred in connection with the issuance of the bonds and the collection of the tax as permitted by law?

For _____ Against _____".

C. Each question set forth in this section includes a specific work or object to be financed by the bonds. If any such question is not approved by a majority vote of the electorate at the state's 2024 general election, the issuance of bonds for the work or object specified by the question shall be excluded from and shall not be part of the 2024 Capital Projects General Obligation Bond Act. The failure of a question to be approved by the electorate at the 2024 general election shall not affect those questions that are approved at the election.

D. The secretary of state shall include the submission of the capital projects general obligation bonds to the people at the 2024 general election, and it shall be included in the general election proclamation. The secretary of state shall cause the 2024 Capital Projects General Obligation Bond Act to be published in full in at least one newspaper in each county of the state if one be published therein, once each week, for four successive weeks next preceding the general election as required by the constitution of New Mexico.

Chapter 64 Section 12 Laws 2024

SECTION 12. ART IN PUBLIC PLACES.--Pursuant to Section 13-4A-4 NMSA 1978 and where applicable, the appropriations authorized in the 2024 Capital Projects General Obligation Bond Act include money for the art in public places fund.

Chapter 64 Section 13 Laws 2024

SECTION 13. PROJECT SCOPE--EXPENDITURES--REVERSION.--

A. If an appropriation for a project authorized in the 2024 Capital Projects General Obligation Bond Act is not sufficient to complete all the purposes specified, the appropriation may be expended for any portion of the purposes specified in the appropriation. Expenditures shall not be made for purposes other than those specified in the appropriation.

B. The state agencies and state institutions to which money has been appropriated in the 2024 Capital Projects General Obligation Bond Act shall be responsible for monitoring the projects funded in that act to ensure compliance with the constitution and laws of New Mexico and shall cause to be reverted any unexpended or unencumbered balance remaining at the earlier of the third full fiscal year after issuance of the bonds or the termination or completion of the specific project. Reverted funds shall be deposited in the debt service fund established by the state treasurer for the purpose of paying the principal of and interest on the state's general obligation bonds.

Chapter 64 Section 14 Laws 2024

SECTION 14. SEVERABILITY.--If any part or application of the 2024 Capital Projects General Obligation Bond Act is held invalid, the remainder or its application to other situations or persons shall not be affected.

Chapter 64 Section 15 Laws 2024

SECTION 15. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 65

SFC/Senate Bill 246, w/ec, partial veto
Approved March 6, 2024

AN ACT

RELATING TO CAPITAL EXPENDITURES; REAUTHORIZING OR REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES, EXTENDING EXPENDITURE PERIODS, CHANGING AGENCIES AND ESTABLISHING CONDITIONS FOR THE REVERSION OR TRANSFER OF UNEXPENDED BALANCES OF APPROPRIATIONS MADE BY THE LEGISLATURE IN PRIOR YEARS; DECLARING AN EMERGENCY.

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

Chapter 65 Section 1 Laws 2024

SECTION 1. SEVERANCE TAX BONDS--REVERSION OF PROCEEDS.--

A. Except as otherwise provided in another section of this act:

(1) the unexpended balance from the proceeds of severance tax bonds issued for a project that has been reauthorized in this act shall revert to the severance tax bonding fund:

(a) at the end of the expenditure period as set forth in this act, if the expenditure period is changed in this act; or

(b) if the expenditure period is not changed in this act, pursuant to the time frame set forth in the law that originally authorized the severance tax bonds or the time frame set forth in any law that has previously reauthorized the expenditure of the proceeds, whichever is later; and

(2) all remaining balances from the proceeds of severance tax bonds issued for a project that has been reauthorized in this act shall revert to the severance tax bonding fund three months after the reversion date for the unexpended balances.

B. For the purpose of this section, "unexpended balance" means the remainder of an appropriation after reserving for unpaid costs and expenses covered by binding written obligations to third parties.

Chapter 65 Section 2 Laws 2024

SECTION 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--REVERSIONS.--

A. Except as otherwise provided in another section of this act:

(1) the unexpended balance of an appropriation from the general fund or other state fund that has been changed in this act shall revert:

(a) at the end of the expenditure period as set forth in this act, if the expenditure period is changed in this act; or

(b) if the expenditure period is not changed in this act, pursuant to the time frame set forth in the law in which the original appropriation was made or the time frame set forth in any law that has previously changed the appropriation, whichever is later; and

(2) all remaining balances of an appropriation from the general fund or other state fund that has been changed in this act shall revert three months after the reversion date for the unexpended balance.

B. Except as provided in Subsection C of this section, the balance of an appropriation made from the general fund or other state fund shall revert pursuant to Subsection A of this section to the originating fund.

C. The balance of an appropriation made from the general fund or other state fund to the Indian affairs department or the aging and long-term services department for a project located on lands of an Indian nation, tribe or pueblo shall revert pursuant to Subsection A of this section to the tribal infrastructure project fund.

D. For the purpose of this section, "unexpended balance" means the remainder of an appropriation after reserving for unpaid costs and expenses covered by binding written obligations to third parties.

Chapter 65 Section 3 Laws 2024

SECTION 3. ATRISCO VISTA BOULEVARD CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 1 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way for and to plan, design, construct, extend and improve Atrisco Vista boulevard, including bike lanes, in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 4 Laws 2024

SECTION 4. BERNALILLO COUNTY SOUTH VALLEY FAMILY SERVICES FACILITY INFORMATION TECHNOLOGY--CHANGE TO FACILITY IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 53 of Section 26 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 8 to plan, design and construct renovations and improvements to the buildings and grounds of a child development and family services facility site in the South Valley in Bernalillo county and to purchase and install teleconferencing and information technology equipment at facility sites in the South Valley and the southeast heights in Albuquerque in Bernalillo county shall not be expended for the original or reauthorized purpose but is changed to plan, design, construct, replace and equip buildings, facilities and grounds at a child development and family services site in the South Valley in Bernalillo county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 5 Laws 2024

SECTION 5. BERNALILLO COUNTY GUTIERREZ-HUBBELL HOUSE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 16 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, equip and furnish site, accessibility and building improvements, including an addition to the main house, at the Gutierrez-Hubbell house open space in the traditional Pajarito village center in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 6 Laws 2024

SECTION 6. BERNALILLO COUNTY RIO BRAVO PARK IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 20 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, equip and furnish improvements, including to roads, drainage, trails, soccer fields, parking, bridges and circulation, at Rio Bravo park in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 7 Laws 2024

SECTION 7. BERNALILLO COUNTY STREET FOOD EQUIPMENT PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 26 of Section 30 of Chapter 53 of Laws 2022 to purchase, deliver, install and equip commercial equipment for a commissary kitchen for Bernalillo county food entrepreneurs for the street food institute in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 8 Laws 2024

SECTION 8. GATEWOOD AVENUE SOUTHWEST IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 4 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design and construct road and drainage improvements on Gatewood avenue SW from Bridge boulevard to Five Points road in the Atrisco community in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 9 Laws 2024

SECTION 9. ISLETA BOULEVARD RIGHTS-OF-WAY ACQUISITION AND IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 6 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way for and to plan, design, construct and improve Isleta boulevard SW to the south of Rio Bravo boulevard SW in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 10 Laws 2024

SECTION 10. QUIET LANE SOUTHWEST ROAD AND DRAIN IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 7 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design and construct road and storm drainage improvements on Quiet lane SW from Goff boulevard to the end of the road in the Atrisco community and for other road projects in house district 14 in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 11 Laws 2024

SECTION 11. KIRTLAND AIR FORCE BASE GROUND WATER MONITORING WELL CONSTRUCTION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The department of environment project in Subsection 2 of Section 21 of Chapter 138 of Laws 2021 to plan, design and construct a ground water monitoring well for the Albuquerque-Bernalillo county water utility authority to monitor ethylene dibromide contamination in the area of Kirtland air force base in Bernalillo county may include planning, designing and constructing ground water monitoring wells throughout the Albuquerque-Bernalillo county water utility authority service area in Bernalillo county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 12 Laws 2024

SECTION 12. ALBUQUERQUE-BERNALILLO COUNTY WATER UTILITY AUTHORITY GROUND WATER MONITOR WELL CONSTRUCTION--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The department of environment project in

Subsection 1 of Section 22 of Chapter 53 of Laws 2022 to plan, design and construct ground water monitoring wells in the area of the Kirtland air force base bulk fuel facility site for the Albuquerque-Bernalillo county water utility authority in Bernalillo county may include planning, designing and constructing ground water monitoring wells throughout the Albuquerque-Bernalillo county water utility authority service area in Bernalillo county.

Chapter 65 Section 13 Laws 2024

SECTION 13. ALBUQUERQUE SIGN LANGUAGE ACADEMY BUS PURCHASE--CHANGE TO PORTABLE GARAGE--EXTEND TIME--GENERAL FUND.-
-The unexpended balance of the appropriation to the public education department in Subsection 4 of Section 16 of Chapter 199 of Laws 2023 to purchase and equip activity buses, including wheelchair lifts, for the Albuquerque sign language academy charter school in Bernalillo county shall not be expended for the original purpose but is changed to purchase a portable building for use as a garage at the Albuquerque sign language academy charter school. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 14 Laws 2024

~~[SECTION 14. ALBUQUERQUE ADELANTE DEVELOPMENT CENTER EQUIPMENT AND VEHICLE PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 34 of Section 30 of Chapter 53 of Laws 2022 to purchase and equip vehicles, furniture and equipment, including information technology, sanitation equipment and warehouse equipment, for an organization providing residential and adult daycare services and employment training and assistance for disadvantaged populations in Albuquerque in Bernalillo county is extended through fiscal year 2026.]~~
LINE ITEM VETO

Chapter 65 Section 15 Laws 2024

SECTION 15. ALBUQUERQUE AFFORDABLE HOUSING CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 37 of Section 35 of Chapter 81 of Laws 2020 to acquire land for and to plan, design and construct affordable housing and homeless facilities in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 16 Laws 2024

~~[SECTION 16. ALBUQUERQUE ALL FAITHS VEHICLE AND EQUIPMENT PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 39 of Section 30 of Chapter 53 of Laws 2022 to purchase and equip vehicles and to purchase and install equipment and furnishings, including coronavirus-disease-2019-safe office furniture, playground equipment and information technology, including equipment and infrastructure, at a~~

facility promoting the healing of children in Albuquerque in Bernalillo county is extended through fiscal year 2026.] *LINE ITEM VETO*

Chapter 65 Section 17 Laws 2024

SECTION 17. ALBUQUERQUE BUSINESS INCUBATOR AND KITCHEN CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 46 of Section 35 of Chapter 81 of Laws 2020 to acquire property and to plan, design, construct, demolish, renovate, improve, equip, furnish and install equipment for a food business incubator and kitchen in the downtown area of Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 18 Laws 2024

SECTION 18. ALBUQUERQUE OPEN SPACE, PARKS AND TRAILS CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project originally authorized in Subsection 43 of Section 34 of Chapter 277 of Laws 2019 and reauthorized in Laws 2022, Chapter 52, Section 18 to acquire property for and to plan, design, construct and equip the Crestview bluff open space area, parks and trails in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 19 Laws 2024

SECTION 19. ALBUQUERQUE DISTRICT SIX ART CORRIDOR SAFETY IMPROVEMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the department of transportation project in Subsection 10 of Section 75 of Chapter 81 of Laws 2020 to plan, design, construct and improve pedestrian safety and access to businesses along the Albuquerque rapid transit corridor in city council district 6 in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 20 Laws 2024

SECTION 20. ALBUQUERQUE DISTRICT SIX STREET LIGHTING IMPROVEMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the department of transportation project in Subsection 11 of Section 75 of Chapter 81 of Laws 2020 to plan, design, construct, purchase and install improvements and additions to street lighting in city council district 6 in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 21 Laws 2024

~~[SECTION 21. ALBUQUERQUE DISTRICT FIVE MEDIAN IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the~~

~~department of transportation project in Subsection 9 of Section 38 of Chapter 81 of Laws 2020 to plan, design, construct, purchase and install irrigation and landscaping of medians in city council district 5 in Albuquerque in Bernalillo county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 22 Laws 2024

SECTION 22. ALBUQUERQUE WEST SIDE INDOOR SPORTS FACILITY CONSTRUCTION--CHANGE TO INDOOR SPORTS COMPLEX--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 108 of Section 29 of Chapter 138 of Laws 2021 to plan, design, construct, furnish and equip a west side indoor sports facility in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire land for and to plan, design, construct, improve, furnish and equip an indoor sports complex [~~near the Jennifer Riordan spark kindness sports complex~~] in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2026. *LINE ITEM VETO*

Chapter 65 Section 23 Laws 2024

SECTION 23. ALBUQUERQUE WEST SIDE SPORTS COMPLEX CONSTRUCTION--CHANGE TO INDOOR SPORTS COMPLEX--EXTEND TIME--~~[SEVERANCE TAX BONDS]~~.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 121 of Section 34 of Chapter 277 of Laws 2019 and reauthorized in Laws 2023, Chapter 203, Section 31 to acquire land and rights of way for and to plan, design, construct, furnish and equip an indoor sports complex in the west side area of Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire land for and to plan, design, construct, improve, furnish and equip an indoor sports complex [~~near the Jennifer Riordan spark kindness sports complex~~] in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2026. *LINE ITEM VETO*

Chapter 65 Section 24 Laws 2024

SECTION 24. ALBUQUERQUE WEST SIDE INDOOR RECREATION COMPLEX CONSTRUCTION--CHANGE TO INDOOR SPORTS COMPLEX IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 141 of Section 30 of Chapter 53 of Laws 2022 to acquire land and to plan, design, construct, improve and equip an indoor recreation complex on the west side of Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire land for and to plan, design, construct, improve, furnish and equip an indoor sports complex [~~near the Jennifer Riordan spark kindness sports complex~~] in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2026. *LINE ITEM VETO*

Chapter 65 Section 25 Laws 2024

~~[SECTION 25. JOAN JONES COMMUNITY CENTER IMPROVEMENT--
EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local
government division project originally authorized in Subsection 36 of Section 26 of
Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 24 to
plan, design, construct, expand, equip and furnish phase 2 improvements to the Joan
Jones community center in Albuquerque in Bernalillo county is extended through fiscal
year 2026.] LINE ITEM VETO~~

Chapter 65 Section 26 Laws 2024

SECTION 26. KIRTLAND PARK MURAL REPAIR--CHANGE TO KIRTLAND
PARK RENOVATION--GENERAL FUND.--The unexpended balance of the
appropriation to the local government division in Subsection 79 of Section 28 of Chapter
199 of Laws 2023 to plan, design, construct, repair and restore a mural on the grounds
of Kirtland park and the Thomas Bell community center in Albuquerque in Bernalillo
county shall not be expended for the original purpose but is changed to plan, design,
construct, renovate and equip Kirtland park in Albuquerque in Bernalillo county.

Chapter 65 Section 27 Laws 2024

SECTION 27. ALBUQUERQUE CRESTVIEW BLUFF OPEN SPACE AREA
CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the
local government division project originally authorized in Subsection 5 of Section 34 of
Chapter 277 of Laws 2019 and reauthorized in Laws 2022, Chapter 52, Section 17 to
acquire property for and to plan, design, construct and equip the Crestview bluff open
space area, parks and trails in Albuquerque in Bernalillo county is extended through
fiscal year 2026.

Chapter 65 Section 28 Laws 2024

SECTION 28. SAN JOSE NEIGHBORHOOD SOUND WALL CONSTRUCTION--
CHANGE TO SOUTH SAN JOSE PARK RENOVATION--CHANGE AGENCY--
GENERAL FUND.--The unexpended balance of the appropriation to the department of
transportation in Subsection 26 of Section 33 of Chapter 199 of Laws 2023 to plan,
design and construct a sound wall in the San Jose neighborhood in Albuquerque in
Bernalillo county shall not be expended for the original purpose but is appropriated to
the local government division to plan, design, construct, renovate, expand and equip
south San Jose park in Albuquerque in Bernalillo county.

Chapter 65 Section 29 Laws 2024

SECTION 29. ALBUQUERQUE SAN JOSE NEIGHBORHOOD SOUND WALL
CONSTRUCTION--CHANGE TO SOUTH SAN JOSE PARK RENOVATION--CHANGE

AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of transportation in Subsection 18 of Section 33 of Chapter 138 of Laws 2021 to plan, design and construct a sound wall in the San Jose neighborhood in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct, renovate, equip and expand south San Jose park in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 30 Laws 2024

SECTION 30. ALBUQUERQUE PROTON BEAM CANCER TREATMENT FACILITY CONSTRUCTION--CHANGE TO SURGICAL CENTER--GENERAL FUND.--The unexpended balance of the local government division project in Subsection 106 of Section 28 of Chapter 199 of Laws 2023 to plan, design, construct, furnish and equip a proton beam cancer treatment facility in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct, acquire, furnish and equip a surgical center for a clinically integrated health care network in Albuquerque in Bernalillo county.

Chapter 65 Section 31 Laws 2024

SECTION 31. ALBUQUERQUE TAYLOR RANCH LIBRARY IMPROVEMENT AND COMMUNITY ROOM CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 118 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, expand and make improvements, including a community room, to the Taylor Ranch library in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 32 Laws 2024

SECTION 32. UNSER MUSEUM CONSTRUCTION--CHANGE TO CONSTRUCT A WEST SIDE SPRAY PAD--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 133 of Section 28 of Chapter 199 of Laws 2023 to plan, design, construct, furnish and equip the Unser museum in the area of Central avenue and Unser boulevard in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct and equip a spray pad on the west side in Albuquerque in Bernalillo county.

Chapter 65 Section 33 Laws 2024

SECTION 33. ALBUQUERQUE WEST SIDE SPORTS COMPLEX CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 124 of Section 35 of Chapter 81 of Laws 2020 to acquire land and to plan, design, construct, furnish and equip an indoor sports complex [near the Jennifer Riordan spark kindness sports

complex] in Albuquerque in Bernalillo county is extended through fiscal year 2026. *LINE ITEM VETO*

Chapter 65 Section 34 Laws 2024

SECTION 34. ALBUQUERQUE YOUTH TEMPORARY HOUSING FACILITY CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 126 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, purchase and equip a facility to provide temporary housing for youth in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 35 Laws 2024

SECTION 35. ATRISCO LAND GRANT MONUMENT AND MEMORIAL PARK CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 9 of Section 35 of Chapter 81 of Laws 2020 to acquire land and to plan, design and construct an Atrisco land grant monument and memorial plaza park in the Atrisco community in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 36 Laws 2024

SECTION 36. ALBUQUERQUE SPORTS AND CULTURAL CENTER CONSTRUCTION--CHANGE TO BALLOON FIESTA PARK IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the local government division project in Subsection 116 of Section 35 of Chapter 81 of Laws 2020 to acquire land for and to plan, design and construct phase 1 of a sports and cultural center, including art exhibits, public outdoor spaces, retail and dining facilities and playing fields, in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire land for and to plan, design and construct infrastructure for a multi-use facility, including public outdoor spaces and playing fields, at Balloon Fiesta park in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 37 Laws 2024

SECTION 37. BARELAS LIVE/WORK INCUBATOR FOR CREATIVES--CHANGE TO BARELAS METROPOLITAN REDEVELOPMENT AREA IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 130 of Section 35 of Chapter 81 of Laws 2020 to plan, design, renovate and construct a building for a live/work incubator for creative entrepreneurs in the Barelas metropolitan redevelopment area in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct and improve the Barelas

metropolitan redevelopment area in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 38 Laws 2024

SECTION 38. BERNALILLO COUNTY METROPOLITAN COURT ELEVATOR GRIPPER INSTALLATION--CHANGE TO INFRASTRUCTURE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Bernalillo county metropolitan court in Subsection 1 of Section 6 of Chapter 53 of Laws 2022 to plan, design, purchase, equip and install linear rope grippers to secure elevators at the Bernalillo county metropolitan court in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct, purchase, repair and improve court facilities, including heating, ventilation and air conditioning systems, structural and drainage improvements, security access control panels and fire suppression systems, at the Bernalillo county metropolitan court. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 39 Laws 2024

SECTION 39. BERNALILLO COUNTY METROPOLITAN COURT LAND ACQUISITION AND SITE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Bernalillo county metropolitan court project in Subsection 1 of Section 6 of Chapter 81 of Laws 2020 to acquire property adjacent to the existing court facilities and for design, engineering, demolition, construction and equipment to improve security and access for the Bernalillo county metropolitan court in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 40 Laws 2024

SECTION 40. BERNALILLO COUNTY METROPOLITAN COURT PARKING SYSTEM AND SECURITY IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Bernalillo county metropolitan court project in Laws 2021, Chapter 138, Section 6 to plan, design, purchase, equip and install improvements, including a parking operating system and a courtroom security system, at the Bernalillo county metropolitan court in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 41 Laws 2024

SECTION 41. BERNALILLO COUNTY SPLASH PARK CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 131 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, equip and furnish a new splash park in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 42 Laws 2024

SECTION 42. BERNALILLO COUNTY TRANSITIONAL LIVING AND RECOVERY CENTER CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 28 of Section 35 of Chapter 81 of Laws 2020 to acquire land and buildings and to plan, design, construct, demolish and renovate new and existing buildings, parking lots, landscaping, utilities, fencing, roofs and water suppression systems facilities for a transitional living and substance abuse recovery center for adolescents and young adults in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 43 Laws 2024

SECTION 43. GREENWICH ROAD SOUTHWEST IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 5 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design and construct road and storm drainage improvements on Greenwich road SW from the cul-de-sac at the end of the road north to the sharp bend west of La Vega drive in the Atrisco community and for other road projects in house district 14 in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 44 Laws 2024

SECTION 44. INDIAN PUEBLO CULTURAL CENTER EARLY CHILDHOOD DEVELOPMENT CENTER CONSTRUCTION--CHANGE TO FACILITY EXPANSION--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 2 of Section 25 of Chapter 199 of Laws 2023 to plan, design, construct, furnish and equip an early childhood development center at the Indian Pueblo cultural center in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to acquire land for and to plan, design, construct and expand facilities at the Indian Pueblo cultural center.

Chapter 65 Section 45 Laws 2024

SECTION 45. MCMAHON BOULEVARD IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 11 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design and construct road, signal and safety improvements to McMahon boulevard from Rockcliff drive to Anasazi Ridge avenue and Kayenta street in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 46 Laws 2024

SECTION 46. PASEO DEL NORTE NORTHWEST IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of

transportation project in Subsection 12 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way on Paseo del Norte NW between Rainbow boulevard to Calle Nortena and to plan, design and construct improvements on Paseo del Norte NW from Kimmick drive to Unser boulevard in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 47 Laws 2024

SECTION 47. INDIGENOUS DESIGN AND PLANNING INSTITUTE INFORMATION TECHNOLOGY IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the university of New Mexico project in Subsection 8 of Section 43 of Chapter 53 of Laws 2022 to purchase and install upgrades to information technology, including related equipment, furniture and infrastructure, for the indigenous design and planning institute at the university of New Mexico in Albuquerque in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 48 Laws 2024

SECTION 48. WILDWOOD LANE SOUTHWEST IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 8 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design and construct road and drainage improvements on Wildwood lane SW from Goff boulevard to the end of the lane in the Atrisco community and for other road projects in house district 14 in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 49 Laws 2024

SECTION 49. ALBUQUERQUE PUBLIC SCHOOL DISTRICT CROSSWALK IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 13 of Section 38 of Chapter 81 of Laws 2020 to plan, design, construct, expand and improve crosswalks for schools in the Albuquerque public school district in Bernalillo county is extended through fiscal year 2026.

Chapter 65 Section 50 Laws 2024

SECTION 50. TIJERAS COMMUNITY WATER WELL CONSTRUCTION--CHANGE TO WATER SYSTEM IMPROVEMENT--GENERAL FUND.--The unexpended balance of the appropriation to the department of environment in Subsection 11 of Section 19 of Chapter 199 of Laws 2023 to plan, design and construct a water well for the Tijeras community water system in Tijeras in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct, purchase and install water system improvements, including meters and remote monitoring equipment, in Tijeras in Bernalillo county.

Chapter 65 Section 51 Laws 2024

SECTION 51. TIJERAS WELL CONSTRUCTION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The department of environment project in Subsection 5 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct a third well and related infrastructure in Tijeras in Bernalillo county may include planning, designing and constructing a storage tank. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 52 Laws 2024

SECTION 52. CHAVES COUNTY INDUSTRIAL SITE UTILITY AND INFRASTRUCTURE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 150 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, purchase, install and expand utilities and infrastructure, including water towers, power poles, utility lines, roads, sidewalks and pavement, at the Roswell industrial air center in Chaves county is extended through fiscal year 2026.

Chapter 65 Section 53 Laws 2024

SECTION 53. LAKE ARTHUR TOWN HALL ROOF REPLACEMENT--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The local government division project in Subsection 160 of Section 30 of Chapter 53 of Laws 2022 to design, construct and replace a roof for an administrative building in Lake Arthur in Chaves county may include the purchase and installation of fencing, site work, infrastructure improvements and relocation of a portable building in Lake Arthur. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 54 Laws 2024

SECTION 54. SAN RAFAEL WATER AND SANITATION DISTRICT WATER METER PURCHASE--CHANGE TO HEAVY EQUIPMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 13 of Section 22 of Chapter 53 of Laws 2022 to purchase, install and replace water meters, including related information technology, equipment and infrastructure, in the San Rafael water and sanitation district in Cibola county shall not be expended for the original purpose but is changed to purchase and equip heavy equipment and machinery for the San Rafael water and sanitation district. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 55 Laws 2024

SECTION 55. ACOMA PUEBLO BUSINESS DEVELOPMENT FACILITY CONSTRUCTION--CHANGE TO BROADBAND NETWORK OPERATIONS CENTER--

EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 6 of Section 25 of Chapter 138 of Laws 2021 to plan, design, construct, furnish and equip small business development facilities for the Pueblo of Acoma in Cibola county shall not be expended for the original purpose but is changed to plan, design, construct, furnish and equip a community broadband network operations center for the Pueblo of Acoma in Cibola county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 56 Laws 2024

SECTION 56. RAMAH CHAPTER EMERGENCY MEDICAL SERVICES SUBSTATION CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 10 of Section 70 of Chapter 81 of Laws 2020 to plan, design, construct, furnish and equip an emergency medical services substation for the Ramah chapter of the Navajo Nation in Cibola county is extended through fiscal year 2026.

Chapter 65 Section 57 Laws 2024

SECTION 57. NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS BUILDING IMPROVEMENT--CHANGE TO RAMAH CHAPTER COMMUNITY CENTER CONSTRUCTION--CHANGE AGENCY--SEVERANCE TAX BONDS.--Up to thirty-three percent of the unexpended balance of the appropriation to the local government division in Subsection 296 of Section 30 of Chapter 53 of Laws 2022 to plan, design, construct and improve the northwest New Mexico council of governments building in Gallup in McKinley county shall not be expended for the original purpose but is appropriated to the Indian affairs department to plan, design, construct, furnish and equip a community center for the Ramah chapter of the Navajo Nation in Cibola county.

Chapter 65 Section 58 Laws 2024

~~[SECTION 58. RAMAH CHAPTER SOLID WASTE TRANSFER STATION CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 6 of Section 20 of Chapter 81 of Laws 2016 and reauthorized in Laws 2020, Chapter 82, Section 32 and again reauthorized in Laws 2022, Chapter 52, Section 43 to plan, design and construct a solid waste transfer station, including a trash compactor dumpster, a trash bin and an operator building, in the Ramah chapter of the Navajo Nation in Cibola county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 59 Laws 2024

~~[SECTION 59. RAMAH CHAPTER SOLID WASTE TRANSFER STATION CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 6 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52,~~

~~Section 77 to plan, design, purchase, construct, equip and install a solid waste transfer station, including a trash compactor dumpster, a trash bin and an operator building, in the Ramah chapter of the Navajo Nation in Cibola county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 60 Laws 2024

SECTION 60. ANGEL FIRE VIETNAM VETERANS MEMORIAL IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the veterans' services department project originally authorized in Laws 2020, Chapter 81, Section 47 to plan, design, construct, repair, furnish, equip and make site improvements, including a memorial wall, at the Vietnam veterans memorial in Angel Fire in Colfax county and reauthorized to the capital program fund in Laws 2022, Chapter 52, Section 128 for that purpose is extended through fiscal year 2026.

Chapter 65 Section 61 Laws 2024

SECTION 61. TEXICO WATER TANK IMPROVEMENT--CHANGE TO CURRY COUNTY FAIRGROUND IMPROVEMENT--CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the department of environment originally authorized in Subsection 17 of Section 26 of Chapter 277 of Laws 2019 and reauthorized in Laws 2023, Chapter 203, Section 87 to plan, design, repair and rehabilitate water tanks in Texico in Curry county shall not be expended for the original or reauthorized purpose but is appropriated to the local government division to plan, design, construct and improve the fairgrounds, including fencing, lighting, parking and buildings, in Curry county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 62 Laws 2024

SECTION 62. TEXICO WATER SYSTEM IMPROVEMENT--CHANGE TO CURRY COUNTY FAIRGROUND IMPROVEMENTS--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment originally authorized in Subsection 56 of Section 26 of Chapter 81 of Laws 2020 and reauthorized in Laws 2022, Chapter 52, Section 49 to plan, design, construct and improve contaminated water systems in Texico in Curry county shall not be expended for the original or reauthorized purpose but is appropriated to the local government division to plan, design, construct and improve the fairgrounds, including fencing, lighting, parking and buildings, in Curry county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 63 Laws 2024

SECTION 63. CURRY COUNTY JUDICIAL CENTER MAGISTRATE COURT PLAN--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the administrative office of the courts project in Subsection 1 of Section 4 of Chapter 81 of

Laws 2020 to plan, design and construct a magistrate court judicial center in Curry county is extended through fiscal year 2026.

Chapter 65 Section 64 Laws 2024

SECTION 64. DESERT AIRE WASTEWATER SYSTEM IMPROVEMENTS--CHANGE TO ANTHONY WATER AND SANITATION DISTRICT VEHICLE PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 18 of Section 26 of Chapter 81 of Laws 2020 to acquire easements, rights of way and land and to plan, design, construct, purchase and equip wastewater system improvements for the community of Desert Aire in Dona Ana county shall not be expended for the original purpose but is changed to purchase and equip vehicles for the Anthony water and sanitation district in Dona Ana county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 65 Laws 2024

SECTION 65. THIRD JUDICIAL DISTRICT COURT CONSTRUCTION--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the third judicial district court in Laws 2023, Chapter 199, Section 13 to plan, design, construct and equip an addition to the third judicial district court facility in Dona Ana county is appropriated to the local government division for that purpose.

Chapter 65 Section 66 Laws 2024

SECTION 66. SPRING CANYON ARROYO DAM CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the office of the state engineer project originally authorized in Subsection 5 of Section 25 of Chapter 81 of Laws 2020 and reauthorized in Laws 2021, Chapter 139, Section 24 to plan, design, acquire property for, construct and equip a flood control dam on the lower Spring canyon arroyo in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 67 Laws 2024

SECTION 67. VISTA REY ESTATES MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION WATER SYSTEM IMPROVEMENT--CHANGE TO IMPROVE VISTA DEL REY ROAD--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 22 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct water system improvements, including booster station and water line improvements and interconnection with the High Valley Estates water system, for the Vista del Rey Estates mutual domestic water consumers association in Dona Ana county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design, construct and improve Vista del Rey road,

including protective measures for water lines, in Dona Ana county. The time of expenditure for the project is extended through fiscal year 2026.

Chapter 65 Section 68 Laws 2024

SECTION 68. DONA ANA COUNTY REPRODUCTIVE HEALTH CARE CLINIC CONSTRUCTION--CHANGE TO UNIVERSITY OF NEW MEXICO DONA ANA COUNTY CLINIC--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 1 of Section 21 of Chapter 199 of Laws 2023 to plan, design and construct a reproductive health care clinic in Dona Ana county shall not be expended for the original purpose but is appropriated to the board of regents of the university of New Mexico to plan, design, acquire, construct, improve, furnish and equip a reproductive health care clinic for the university of New Mexico in Dona Ana county.

Chapter 65 Section 69 Laws 2024

SECTION 69. DONA ANA COUNTY MAGISTRATE COURT PLAN--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the administrative office of the courts project in Subsection 2 of Section 4 of Chapter 81 of Laws 2020 to plan, design and construct a magistrate court building in Anthony in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 70 Laws 2024

SECTION 70. GARFIELD MUTUAL DOMESTIC WATER CONSUMERS AND MUTUAL SEWAGE WORKS ASSOCIATION WATER SUPPLY WELL DESIGN--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 63 of Section 22 of Chapter 53 of Laws 2022 to plan, design and permit a fluoride water treatment system for the Garfield mutual domestic water consumers and mutual sewage works association in Sierra and Dona Ana counties is extended through fiscal year 2026.

Chapter 65 Section 71 Laws 2024

SECTION 71. DONA ANA COUNTY MULTIPURPOSE TRAIL CONNECTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 192 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, equip and install a multipurpose trail to connect Mesilla with the Las Cruces trail system in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 72 Laws 2024

SECTION 72. DONA ANA COUNTY TORTUGAS TRAIL CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 204 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, furnish and equip a multipurpose trail with the Tortugas trail development in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 73 Laws 2024

SECTION 73. LAS CRUCES AMADOR HOTEL IMPROVEMENT--EXTEND TIME[~~--SEVERANCE TAX BONDS~~].--The time of expenditure for the local government division project originally authorized in Subsection 203 of Section 34 of Chapter 277 of Laws 2019 to plan, design, construct and equip a parking garage in Las Cruces in Dona Ana county and reauthorized in Laws 2022, Chapter 52, Section 52 to plan, design, construct, furnish, equip and install improvements, including related infrastructure, to the Amador hotel in Las Cruces in Dona Ana county is extended through fiscal year 2026.
LINE ITEM VETO

Chapter 65 Section 74 Laws 2024

SECTION 74. LAS CRUCES ARTS AND CULTURAL DISTRICT IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 207 of Section 35 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design, construct, improve, expand, purchase, equip and install way-finding and lighting systems, the restoration of two parks and a community garden, shade structures, bandstands and gateways in Klein park and the arts and cultural district in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 75 Laws 2024

SECTION 75. EAST MESA AVENUE IMPROVEMENT--CHANGE TO EAST MESA AREA ROADS--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 55 of Section 33 of Chapter 199 of Laws 2023 to acquire rights of way and to plan, design, construct and improve east Mesa avenue, including pavement replacement, curb and gutter, sidewalks, accessibility and code compliance, drainage, lighting, signage, striping and related infrastructure and utilities, in Las Cruces in Dona Ana county shall not be expended for the original purpose but is changed to acquire rights of way for and to plan, design, construct and improve roads in the east Mesa area, including pavement replacement, curb and gutter, sidewalks, accessibility and code compliance, drainage, lighting, signage, striping and related infrastructure and utilities, in Las Cruces in Dona Ana county.

Chapter 65 Section 76 Laws 2024

SECTION 76. LAS CRUCES EAST SIDE ROAD AND DRAIN CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 14 of Section 38 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design and construct roads, including curb and gutter, utilities and flood control, on the east side of Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 77 Laws 2024

SECTION 77. LAS CRUCES INTERNATIONAL AIRPORT RUNWAY EXTENSION--CHANGE TO INFRASTRUCTURE IMPROVEMENT--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the department of transportation project in Subsection 23 of Section 38 of Chapter 81 of Laws 2020 to plan, design and construct an extension to runway 12/30 at the Las Cruces international airport in Las Cruces in Dona Ana county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct, renovate, purchase, furnish and equip infrastructure improvements, including utilities, for the Las Cruces international airport. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 78 Laws 2024

~~[SECTION 78. LAS CRUCES INTERNATIONAL AIRPORT IMPROVEMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project originally authorized in Subsection 203 of Section 34 of Chapter 277 of Laws 2019 and reauthorized in Laws 2022, Chapter 52, Section 56 to plan, design, construct, furnish, equip and install improvements, including related infrastructure and landscaping, to the Las Cruces international airport in Dona Ana county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 79 Laws 2024

SECTION 79. LAS CRUCES PIONEER WOMEN'S PARK IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 213 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, purchase, equip and install improvements at Pioneer Women's park in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 80 Laws 2024

SECTION 80. LAS CRUCES SEPTIC TANK REPLACEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of

environment project in Subsection 24 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct a septic replacement project in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 81 Laws 2024

SECTION 81. LAS CRUCES SKATE PARK CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 218 of Section 35 of Chapter 81 of Laws 2020 to acquire land, rights of way and easements and to plan, design, construct, equip, purchase and install a new skate park in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 82 Laws 2024

SECTION 82. LAS CRUCES SKATE PARK RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 219 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate and equip the skate park in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 83 Laws 2024

SECTION 83. LAS CRUCES SOCCER COMPLEX IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 220 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, purchase, equip and install renovations at the High Noon soccer complex in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 84 Laws 2024

SECTION 84. MESILLA VALLEY COMMUNITY OF HOPE HEALTH FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 210 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, furnish and equip a health facility for Mesilla Valley community of hope in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 85 Laws 2024

SECTION 85. NEW MEXICO STATE UNIVERSITY WOMEN'S SOCCER FIELD TURF REPLACEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the New Mexico state university project in Subsection 13 of Section 41 of Chapter 53 of Laws 2022 to design and replace the women's soccer field at New

Mexico state university in Las Cruces in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 86 Laws 2024

SECTION 86. SOUTH CENTRAL REGIONAL TRANSIT DISTRICT MIDSIZED TRANSIT BUS PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 210 of Section 30 of Chapter 53 of Laws 2022 to match federal funding to purchase, equip and replace buses for the south central regional transit district in Dona Ana county is extended through fiscal year 2026.

Chapter 65 Section 87 Laws 2024

SECTION 87. EDDY COUNTY INFORMATION TECHNOLOGY PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 237 of Section 30 of Chapter 53 of Laws 2022 to upgrade information technology systems, including equipment and infrastructure, for the 911 center in Artesia and to purchase and equip an off-site backup system and monitoring hardware in Eddy county is extended through fiscal year 2026.

Chapter 65 Section 88 Laws 2024

SECTION 88. NATIONAL PARKS HIGHWAY SEWER LINE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 26 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct a sewer line, including a sewer interceptor, manholes, fittings and attachments, along National Parks highway in Carlsbad in Eddy county is extended through fiscal year 2026.

Chapter 65 Section 89 Laws 2024

SECTION 89. RADIO BOULEVARD CARLSBAD IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 15 of Section 38 of Chapter 81 of Laws 2020 to plan, design and construct improvements to Radio boulevard, including curb and gutter, in Carlsbad in Eddy county is extended through fiscal year 2026.

Chapter 65 Section 90 Laws 2024

SECTION 90. LOVING SEWER COLLECTION AND WASTEWATER TREATMENT PLANT IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 28 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct improvements to sewer collection and a wastewater treatment plant, including replacement of sewer

mains, replacement and installation of manholes, service reconnection and the installation of security fencing and gates, in Loving in Eddy county is extended through fiscal year 2026.

Chapter 65 Section 91 Laws 2024

SECTION 91. CASAS ADOBES MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION BACKHOE PURCHASE--EXPAND PURPOSE--EXTEND TIME--GENERAL FUND.--The department of environment project in Subsection 49 of Section 19 of Chapter 199 of Laws 2023 to purchase and equip a backhoe for the Casas Adobes mutual domestic water consumers association in Grant county may include planning, designing and constructing water system improvements and the purchase and installation of a supervisory control and data acquisition system for that association. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 92 Laws 2024

SECTION 92. ACEQUIA DE VADO DE JUAN PAIZ EROSION CONTROL IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 7 of Section 34 of Chapter 81 of Laws 2020 to purchase and install erosion control devices and to plan, design and construct infrastructure improvements for the acequia de Vado de Juan Paiz in Guadalupe county is extended through fiscal year 2026.

Chapter 65 Section 93 Laws 2024

~~[SECTION 93. NOR-LEA SPECIAL HOSPITAL DISTRICT EMERGENCY ROOM BEHAVIORAL HEALTH RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 254 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, expand and furnish the emergency room to improve privacy and service to behavioral health patients in the Nor-Lea special hospital district in Lea county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 94 Laws 2024

SECTION 94. EUNICE RODEO ARENA CONSTRUCTION--CHANGE PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division originally authorized in Subsection 220 of Section 29 of Chapter 138 of Laws 2021 and reauthorized in Laws 2022, Chapter 52, Section 62 to plan, design, construct and equip a youth sports complex, including baseball, softball, football and soccer fields, for Eunice in Lea county shall not be expended for the original or reauthorized purpose but is changed to plan, design, construct and furnish a covered rodeo arena, including a recreational vehicle park, landscaping, lighting, sidewalks, parking and fencing, in Eunice in Lea county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 95 Laws 2024

SECTION 95. EUNICE RODEO ARENA CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 248 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct and furnish a covered rodeo arena, including a recreational vehicle park, landscaping, lighting, sidewalks, parking and fencing, in Eunice in Lea county is extended through fiscal year 2026.

Chapter 65 Section 96 Laws 2024

SECTION 96. NEW MEXICO JUNIOR COLLEGE HAGELSTEIN INSTRUCTIONAL ARTS CENTER CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the higher education department project originally authorized in Subsection 5 of Section 39 of Chapter 81 of Laws 2020 and reauthorized in Laws 2023, Chapter 203, Section 114 to plan, design, construct, renovate, repair and equip the Mary Hagelstein instructional arts center at New Mexico junior college in Lea county is extended through fiscal year 2026.

Chapter 65 Section 97 Laws 2024

SECTION 97. NEW MEXICO JUNIOR COLLEGE VOCATIONAL TECHNICAL EQUIPMENT PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the higher education department project in Subsection 7 of Section 37 of Chapter 53 of Laws 2022 to purchase and equip portable teaching welding laboratories at New Mexico junior college in Lea county is extended through fiscal year 2026.

Chapter 65 Section 98 Laws 2024

SECTION 98. JAL WATER STORAGE TANKS IMPROVEMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the department of environment project in Subsection 5 of Section 66 of Chapter 81 of Laws 2020 to plan, design, purchase, construct and equip improvements to water storage tanks in Jal in Lea county is extended through fiscal year 2026.

Chapter 65 Section 99 Laws 2024

SECTION 99. LEA COUNTY HISTORIC COURTHOUSE RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 251 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, purchase, equip and furnish renovations to the historic county courthouse in Lovington in Lea county is extended through fiscal year 2026.

Chapter 65 Section 100 Laws 2024

SECTION 100. LOVINGTON LEA THEATRE IMPROVEMENTS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 252 of Section 35 of Chapter 81 of Laws 2020 to plan, design, purchase, construct and equip improvements to the historic Lea theatre in Lovington in Lea county is extended through fiscal year 2026.

Chapter 65 Section 101 Laws 2024

SECTION 101. LOVINGTON VETERANS' MEMORIAL CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 253 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, purchase and equip a veterans' memorial and park in Lovington in Lea county is extended through fiscal year 2026.

Chapter 65 Section 102 Laws 2024

SECTION 102. LOVINGTON WATER DEPARTMENT OFFICE BUILDING RENOVATION--EXPAND PURPOSE--SEVERANCE TAX BONDS.--The local government division project in Subsection 269 of Section 30 of Chapter 53 of Laws 2022 to plan, design, construct and equip an addition to the water department office building in Lovington in Lea county may include design, construction, purchase, installation and improvement of heating, ventilation and air conditioning systems in the building.

Chapter 65 Section 103 Laws 2024

~~[SECTION 103. LOVINGTON WELL CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 19 of Section 11 of Chapter 64 of Laws 2012 to plan, design and construct wells in Lovington in Lea county and reauthorized in Laws 2016, Chapter 83, Section 52 and again in Laws 2018, Chapter 68, Section 66 to include the purchase and installation of equipment for water wells and water system improvements in Lovington and again in Laws 2020, Chapter 82, Section 46 and again in Laws 2022, Chapter 52, Section 64 is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 104 Laws 2024

SECTION 104. CARRIZOZO WATER SYSTEM IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 38 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct water system improvements in Carrizozo in Lincoln county is extended through fiscal year 2026.

Chapter 65 Section 105 Laws 2024

SECTION 105. COLUMBUS PORT OF ENTRY FLOOD CONTROL INFRASTRUCTURE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the border authority project in Laws 2020, Chapter 81, Section 7 to plan, design, construct and make infrastructure improvements for flood and erosion control at the Columbus port of entry in Luna county is extended through fiscal year 2026.

Chapter 65 Section 106 Laws 2024

SECTION 106. COLUMBUS VEHICLE PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 284 of Section 30 of Chapter 53 of Laws 2022 to purchase and equip a waste refuse transfer truck for Columbus in Luna county is extended through fiscal year 2026.

Chapter 65 Section 107 Laws 2024

SECTION 107. MCKINLEY COUNTY BRIDGES CONSTRUCTION--CHANGE TO ROAD CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of transportation in Subsection 65 of Section 36 of Chapter 53 of Laws 2022 to plan, design, construct, improve, repair and replace bridges in McKinley county shall not be expended for the original purpose but is changed to plan, design and construct roads in the Baahaali chapter of the Navajo Nation in McKinley county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 108 Laws 2024

~~[SECTION 108. UNIVERSITY OF NEW MEXICO GALLUP CALVIN HALL REPAIR--CHANGE TO BAAHAALI CHAPTER HOUSE IMPROVEMENT--CHANGE AGENCY--GENERAL FUND.--The unexpended balance of the appropriation to the university of New Mexico Gallup in Subsection 31 of Section 40 of Chapter 199 of Laws 2023 to plan, design, construct, purchase and repair the exterior of Calvin hall, including stucco repairs, at the Gallup branch campus of the university of New Mexico in McKinley county shall not be expended for the original purpose but is appropriated to the Indian affairs department to plan, design, construct and equip improvements to the chapter house heating, ventilation and air conditioning systems in the Baahaali chapter of the Navajo Nation in McKinley county.] LINE ITEM VETO~~

Chapter 65 Section 109 Laws 2024

SECTION 109. BACA/PREWITT CHAPTER POWER LINE EXTENSION--CHANGE TO NAVAJO ROUTE 30 AND UNITED STATES HIGHWAY 491 LIGHTING--

CHANGE AGENCY--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 13 of Section 70 of Chapter 81 of Laws 2020 to acquire rights of way, to perform archaeological and environmental studies and to plan, design and construct a power line extension for the Baca/Prewitt chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design, construct and equip lighting at the junction of Navajo route 30 and United States highway 491 in the Mexican Springs chapter of the Navajo Nation in McKinley county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 110 Laws 2024

SECTION 110. BAAHAALI CHAPTER SEWAGE LAGOON IMPROVEMENT--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 12 of Section 70 of Chapter 81 of Laws 2020 to plan, design, construct and equip improvements to the sewage lagoon for the Baahaali chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.

Chapter 65 Section 111 Laws 2024

SECTION 111. BAAHAALI/CHICHILTAH REGIONAL TRANSFER STATION IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 46 of Section 26 of Chapter 81 of Laws 2020 and appropriated to the Indian affairs department in Laws 2021, Chapter 139, Section 46 to plan, design, construct, improve and equip the Baahaali/Chichiltah regional solid waste collection and recycling center in Vanderwagen for the Baahaali chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.

Chapter 65 Section 112 Laws 2024

SECTION 112. BECENTI CHAPTER VETERANS CENTER CONSTRUCTION--CHANGE PURPOSE--GENERAL FUND.--The unexpended balance of the appropriation to the Indian affairs department in Subsection 26 of Section 25 of Chapter 199 of Laws 2023 to plan, design, construct, equip and furnish a veterans center in the Becenti chapter of the Navajo Nation in McKinley county shall not be expended for the original purpose but is changed to plan, design, construct, renovate and equip a multipurpose building in the Becenti chapter of the Navajo Nation in McKinley county.

Chapter 65 Section 113 Laws 2024

SECTION 113. GALLUP REGIONAL ANIMAL SHELTER CONSTRUCTION--CHANGE TO CHALLENGER AND TELSTAR ROAD IMPROVEMENTS--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 282 of Section 35 of Chapter 81 of Laws 2020 to acquire property for and to plan, design, construct, furnish

and equip a regional animal shelter in Gallup in McKinley county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct improvements to Challenger road and Telstar road in the Church Rock chapter of the Navajo Nation in McKinley county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 114 Laws 2024

~~[SECTION 114. COYOTE CANYON CHAPTER CEMETERY CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 12 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 71 to plan, design and construct a community cemetery, including water lines and power lines, in the Coyote Canyon chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 115 Laws 2024

SECTION 115. CRYSTAL CHAPTER LAND USE MASTER PLAN DEVELOPMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 14 of Section 26 of Chapter 53 of Laws 2022 to develop a land use master plan for the Crystal chapter of the Navajo Nation in McKinley and San Juan counties is extended through fiscal year 2026.

Chapter 65 Section 116 Laws 2024

SECTION 116. OJO ENCINO CHAPTER EAGLE SPRING POWER LINE CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 48 of Section 70 of Chapter 81 of Laws 2020 for archaeological and environmental studies, to purchase easements and rights of way and to plan, design and construct the Eagle Spring power line for the Ojo Encino chapter of the Navajo Nation in McKinley and Sandoval counties is extended through fiscal year 2026.

Chapter 65 Section 117 Laws 2024

~~[SECTION 117. PUEBLO PINTADO CHAPTER POWER LINE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 14 of Section 20 of Chapter 81 of Laws 2016 and reauthorized in Laws 2020, Chapter 82, Section 51 and again in Laws 2022, Chapter 52, Section 69 to plan, design and construct a power line in the Pueblo Pintado chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 118 Laws 2024

SECTION 118. MANUELITO CHAPTER POWER LINE AND HOUSE WIRING CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 29 of Section 70 of Chapter 81 of Laws 2020 to conduct archaeological and environmental studies and to plan, design and construct power lines and house wiring in the Manuelito chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.

Chapter 65 Section 119 Laws 2024

SECTION 119. LAKE VALLEY CHAPTER VEHICLE AND EQUIPMENT PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 70 of Section 26 of Chapter 53 of Laws 2022 to purchase and equip road equipment for the Lake Valley chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 120 Laws 2024

SECTION 120. LAKE VALLEY CHAPTER YELLOW POINT ROCK POWER LINE CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 66 of Section 70 of Chapter 81 of Laws 2020 for archaeological and environmental studies, to purchase easements and rights of way and to plan, design and construct the Yellow Point Rock power line in the Lake Valley chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 121 Laws 2024

~~[SECTION 121. NAHODISHGISH CHAPTER HOUSE ACCESSIBILITY IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 17 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 73 to plan, design and construct accessibility improvements at the chapter house of the Nahodishgish chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 122 Laws 2024

~~[SECTION 122. NENAHNEZAD CHAPTER MULTIPURPOSE BUILDING ROOF RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 36 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 104 to plan, design, construct and renovate the roof on the multipurpose~~

~~building in the Nenahnezad chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 123 Laws 2024

~~SECTION 123. TO'HAJIILEE CHAPTER POWER LINE EXTENSION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 4 of Section 70 of Chapter 81 of Laws 2020 to plan, design, construct and extend a power line at Platero's community in the To'hajiilee chapter of the Navajo Nation in Bernalillo county is extended through fiscal year 2026.~~

Chapter 65 Section 124 Laws 2024

~~[SECTION 124. TOHATCHI CHAPTER POWER LINE EXTENSION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 16 of Section 20 of Chapter 81 of Laws 2016 and reauthorized in Laws 2020, Chapter 82, Section 54 and again in Laws 2022, Chapter 52, Section 70 to plan, design and construct power line extensions in the Tohatchi chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 125 Laws 2024

~~[SECTION 125. TOHATCHI CHAPTER RED WILLOW FARM UTILITY AND ROAD IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 17 of Section 20 of Chapter 81 of Laws 2016 and reauthorized in Laws 2017, Chapter 133, Section 66 to plan, design, construct and make improvements to water lines, power lines and roads for Red Willow farm in the Tohatchi chapter of the Navajo Nation in McKinley county and for which the time of expenditure was extended in Laws 2020, Chapter 82, Section 55 and Laws 2022, Chapter 52, Section 75 is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 126 Laws 2024

~~[SECTION 126. TOHATCHI CHAPTER WAREHOUSE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 19 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 76 to plan, design and construct a warehouse for the Tohatchi chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 127 Laws 2024

SECTION 127. TSE'DAA'KAAN CHAPTER WATER LINE EXTENSION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 89 of Section 26 of Chapter 81 of Laws 2020 and appropriated to the Indian affairs department in Laws 2021, Chapter 139, Section 65 to acquire easements and rights of way for and to plan, design and construct, including archaeological and environmental studies, a water line extension for the Tse'Daa'Kaan chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 128 Laws 2024

SECTION 128. SHEEPSPRINGS CHAPTER SCATTERED WATER LINE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 87 of Section 26 of Chapter 81 of Laws 2020 and appropriated to the Indian affairs department in Laws 2021, Chapter 139, Section 62 to acquire rights of way and to perform archaeological and environmental studies and to plan, design, construct and extend scattered water lines for the Sheepsprings chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 129 Laws 2024

SECTION 129. ACEQUIA CANONCITO DE LA CUEVA IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 9 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements to the acequia Canoncito de La Cueva in the Canoncito de La Cueva area in Mora county is extended through fiscal year 2026.

Chapter 65 Section 130 Laws 2024

SECTION 130. ACEQUIA DE LA ISLA MORPHY LAKE DAM EQUIPMENT PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 10 of Section 34 of Chapter 81 of Laws 2020 to purchase and install instrumentation to monitor water levels at Morphy Lake dam for the acequia de La Isla in Mora county is extended through fiscal year 2026.

Chapter 65 Section 131 Laws 2024

SECTION 131. ACEQUIA DEL ALTO AL NORTE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 13 of Section 34 of Chapter 81 of Laws 2020 to plan,

design and construct improvements to the acequia del Alto al Norte in Mora county is extended through fiscal year 2026.

Chapter 65 Section 132 Laws 2024

SECTION 132. CASSIDY DITCH IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 14 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct and install improvements to the Cassidy ditch in Mora county is extended through fiscal year 2026.

Chapter 65 Section 133 Laws 2024

SECTION 133. LEDOUX MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION WATER SYSTEM IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 55 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct and equip water system improvements for the Ledoux mutual domestic water consumers association in Mora county is extended through fiscal year 2026.

Chapter 65 Section 134 Laws 2024

SECTION 134. MORA COUNTY VETERANS' MEMORIAL CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 290 of Section 35 of Chapter 81 of Laws 2020 to plan, design and construct a veterans' memorial in Mora county is extended through fiscal year 2026.

Chapter 65 Section 135 Laws 2024

SECTION 135. ACEQUIA DEL DISTRITO IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 16 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements to the acequia del Distrito in Santa Fe and Rio Arriba counties is extended through fiscal year 2026.

Chapter 65 Section 136 Laws 2024

SECTION 136. NAVAJO NATION BROADBAND CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of information technology project in Subsection 2 of Section 31 of Chapter 81 of Laws 2020 to acquire easements and rights of way and to plan, design and construct improvements, including conducting archaeological and environmental studies and enhanced 911 and rural addressing, for the broadband internet access project across

the Navajo Nation in McKinley, San Juan, Rio Arriba, Sandoval, Bernalillo, Cibola and Socorro counties is extended through fiscal year 2026.

Chapter 65 Section 137 Laws 2024

SECTION 137. LOS ALAMOS STATE OFFICE BUILDING CONSTRUCTION--CHANGE TO CONSTRUCT AN OFFICE BUILDING FOR NORTHERN NEW MEXICO--GENERAL FUND.--The unexpended balance of the appropriation to the capital program fund in Subsection 4 of Section 7 of Chapter 199 of Laws 2023 to purchase, plan, design, renovate, construct, furnish and equip a building to house state offices in Los Alamos in Los Alamos county shall not be expended for the original purpose but is changed to purchase, plan, design, renovate, construct, furnish and equip a building to house state offices in northern New Mexico, including Los Alamos, Sandoval, Rio Arriba, Mora, Santa Fe and Taos counties.

Chapter 65 Section 138 Laws 2024

~~[SECTION 138. OJO ENCINO CHAPTER RURAL ADDRESSING SYSTEM CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 25 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 80 to plan, design and construct a rural addressing system in the Ojo Encino chapter of the Navajo Nation in Sandoval and McKinley counties is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 139 Laws 2024

~~[SECTION 139. NAGEEZI CHAPTER ELECTRIC POWER LINE EXTENSION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 23 of Section 20 of Chapter 81 of Laws 2016 and reauthorized in Laws 2020, Chapter 82, Section 59 and again in Laws 2022, Chapter 52, Section 68 to plan, design and construct the Eagle Spring power line in the Ojo Encino chapter of the Navajo Nation in Sandoval and McKinley counties is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 140 Laws 2024

SECTION 140. ELEVENTH JUDICIAL DISTRICT COURT COURTROOM TECHNOLOGY PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the eleventh judicial district court project in Subsection 1 of Section 15 of Chapter 53 of Laws 2022 to plan, design, purchase, equip and install courtroom technology at the eleventh judicial district court buildings in McKinley and San Juan counties is extended through fiscal year 2026.

Chapter 65 Section 141 Laws 2024

SECTION 141. REDI NET BROADBAND INFRASTRUCTURE CONSTRUCTION--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The agency for the department of information technology project originally authorized in Subsection 3 of Section 31 of Chapter 81 of Laws 2020 to plan, design, engineer, construct, purchase and equip broadband infrastructure in northern New Mexico is changed to the local government division. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 142 Laws 2024

SECTION 142. ACEQUIA ARRIBA DE CANONES IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 18 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements, including splash walls and culverts, to the acequia Arriba de Canones in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 143 Laws 2024

~~[SECTION 143. ACEQUIA DE ALCALDE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 19 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements, including erosion control structures, removal of top-heavy and native and/or non-native invasive tree species and for bank stabilization projects, for the acequia de Alcalde in Rio Arriba county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 144 Laws 2024

SECTION 144. ACEQUIA DE LA CANADA ANCHA IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 20 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements, including the replacement of a siphon, for the acequia de La Canada Ancha in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 145 Laws 2024

SECTION 145. ACEQUIA DE LA OTRA VANDA IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 22 of Section 34 of Chapter 81 of Laws 2020 to plan, design, purchase, construct and improve the acequia de La Otra Vanda in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 146 Laws 2024

SECTION 146. ACEQUIA DE LA PLAZA DE DIXON RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 23 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct and install improvements for restoration of the acequia de La Plaza de Dixon between New Mexico highways 75 and 68 in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 147 Laws 2024

SECTION 147. ACEQUIA DE LA PLAZA DE DIXON RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 24 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct and renovate improvements to the acequia de La Plaza de Dixon south of the Rio Embudo near New Mexico highway 75 in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 148 Laws 2024

SECTION 148. ACEQUIA DE LOS GARCIAS IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 28 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct, repair and improve, including desagues, the acequia de Los Garcias in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 149 Laws 2024

SECTION 149. ACEQUIA DE LOS GARCIAS PIPELINE INSTALLATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 29 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct and install improvements, including underground pipelines, for the acequia de Los Garcias in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 150 Laws 2024

SECTION 150. ACEQUIA DEL MEDIO IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 33 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements, including a sluice box, a headgate, pipeline and structures, for the acequia del Medio in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 151 Laws 2024

SECTION 151. ACEQUIA MESA DEL MEDIO RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 34 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements to the acequia Mesa del Medio in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 152 Laws 2024

SECTION 152. AGUA SANA WATER USERS' ASSOCIATION AND CHAMITA MUTUAL DOMESTIC WATER CONSUMERS AND SEWAGE WORKS ASSOCIATION INTERCONNECTION CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.-
-The time of expenditure for the department of environment project in Subsection 63 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct an interconnection between the Agua Sana water users' association and the Chamita mutual domestic water consumers and sewage works association in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 153 Laws 2024

SECTION 153. JICARILLA APACHE NATION EMERGENCY MEDICAL SERVICES EQUIPMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 49 of Section 26 of Chapter 53 of Laws 2022 to purchase and equip vehicles and equipment, including an ambulance cot, for the Jicarilla emergency medical services in the Jicarilla Apache Nation in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 154 Laws 2024

SECTION 154. JICARILLA APACHE NATION EMERGENCY MEDICAL SERVICES VEHICLE PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 50 of Section 26 of Chapter 53 of Laws 2022 to purchase and equip vehicles and equipment for the Jicarilla emergency medical services in the Jicarilla Apache Nation in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 155 Laws 2024

SECTION 155. VALLECITOS EAST DITCH ASSOCIATION INFRASTRUCTURE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 39 of Section 34 of Chapter 81 of Laws 2020 to plan, design, repair and construct acequia improvements, including a diversion dam, for the Vallecitos east ditch association in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 156 Laws 2024

SECTION 156. VALLECITOS WEST DITCH ASSOCIATION IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 40 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct, repair and make improvements, including a diversion dam and a headwall, for the Vallecitos west ditch association in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 157 Laws 2024

SECTION 157. ACEQUIA DE LA POSECION PIPELINE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 25 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct and equip improvements to the acequia de La Posecion in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 158 Laws 2024

SECTION 158. FERRAN COMMUNITY DITCH ASSOCIATION IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 35 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct acequia improvements and repairs for the Ferran community ditch association in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 159 Laws 2024

SECTION 159. GREATER CHIMAYO MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION WATER DISTRIBUTION SYSTEM CONSTRUCTION--CHANGE TO PURCHASE RADIO READ METERS--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 61 of Section 22 of Chapter 53 of Laws 2022 to plan, design, construct, purchase and install water lines along county road 93 from New Mexico highway 76 to county road 87 for the greater Chimayo mutual domestic water consumers association in Rio Arriba county shall not be expended for the original purpose but is changed to purchase and equip radio read water meters and to replace touch units for the greater Chimayo mutual domestic water consumers association.

Chapter 65 Section 160 Laws 2024

SECTION 160. JICARILLA APACHE NATION SECURITY CAMERA PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 52 of Section 26 of Chapter 53 of

Laws 2022 to purchase and equip security cameras for the supermarket in the Jicarilla Apache Nation in Dulce in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 161 Laws 2024

SECTION 161. ESPANOLA LIGHT-EMITTING DIODE LIGHTING INSTALLATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project in Subsection 17 of Section 38 of Chapter 81 of Laws 2020 to plan, design, purchase, construct and install light-emitting diode lighting citywide in Espanola in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 162 Laws 2024

SECTION 162. SAN JOAQUIN DEL RIO DE CHAMA LAND GRANT COMMUNITY CENTER CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 327 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, furnish and equip the San Joaquin del rio de Chama land grant-merced community center in Rio Arriba county is extended through fiscal year 2026.

Chapter 65 Section 163 Laws 2024

SECTION 163. TIERRA AMARILLA LAND GRANT LAND AND WATER RIGHTS ACQUISITION--CHANGE TO MULTIPURPOSE FACILITY CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 356 of Section 28 of Chapter 199 of Laws 2023 to acquire land and water rights within the exterior boundaries of the land grant-merced de los Pueblos de Tierra Amarilla in Rio Arriba county shall not be expended for the original purpose but is changed to acquire land and to plan, design, purchase, construct, renovate, furnish and equip a multipurpose facility for the land grant-merced de los Pueblos de Tierra Amarilla. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 164 Laws 2024

SECTION 164. ROOSEVELT COUNTY SPECIAL HOSPITAL DISTRICT SLEEP LABORATORY RENOVATION--CHANGE TO EQUIPMENT PURCHASE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 334 of Section 30 of Chapter 53 of Laws 2022 to plan, design, construct, renovate and equip a sleep laboratory for the Roosevelt county special hospital district in Roosevelt county shall not be expended for the original purpose but is changed to purchase equipment, including information technology systems, for the Roosevelt county special hospital district.

Chapter 65 Section 165 Laws 2024

SECTION 165. ELIDA WASTEWATER SYSTEM CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 77 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct, furnish and equip a wastewater system in Elida in Roosevelt county is extended through fiscal year 2026.

Chapter 65 Section 166 Laws 2024

SECTION 166. BLOOMFIELD IRRIGATION DISTRICT SPILLGATE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 44 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct a spillgate for the Citizens ditch and La Pumpa acequia for the Bloomfield irrigation district in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 167 Laws 2024

SECTION 167. JONES CANYON SIPHON SYSTEM REPLACEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 24 of Section 29 of Chapter 53 of Laws 2022 to replace the Jones canyon siphon system on the Hillside irrigation ditch in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 168 Laws 2024

SECTION 168. HUERFANO CHAPTER BATHROOM ADDITIONS AND WATER LINES CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 65 of Section 70 of Chapter 81 of Laws 2020 to acquire rights of way and easements, to conduct archaeological and environmental studies and to plan, design, construct and equip bathroom additions and the Carson north water line for the Huerfano chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 169 Laws 2024

~~[SECTION 169. LAKE VALLEY CHAPTER POWER LINE EXTENSION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 35 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 72 to plan, design and construct power line extensions in the Lake Valley chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 170 Laws 2024

SECTION 170. BLUEWATER WATER AND SANITATION DISTRICT WATER AND WASTEWATER SYSTEM IMPROVEMENT--CHANGE TO NAVAJO ROUTES 5010 AND 342 IMPROVEMENTS--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the department of environment in Subsection 12 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct, repair, purchase and equip and make improvements to the water and wastewater systems for the Bluewater water and sanitation district in Bluewater in Cibola county shall not be expended for the original purpose but is appropriated to the department of transportation to plan, design and construct road improvements to Navajo routes 5010 and 342 in the Tse Alnaozti'i' chapter of the Navajo Nation in San Juan county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 171 Laws 2024

~~[SECTION 171. NAGEEZI CHAPTER ELECTRIC POWER LINE EXTENSION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project originally authorized in Subsection 33 of Section 20 of Chapter 81 of Laws 2016 and reauthorized in Laws 2020, Chapter 82, Section 73 and again in Laws 2022, Chapter 52, Section 106 to construct the Kinnadiz and Pillow Crest electrical powerline extension project in the Nageezi chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 172 Laws 2024

SECTION 172. NAVAJO DAM DOMESTIC WATER CONSUMERS AND MUTUAL SEWAGE WORKS COOPERATIVE FIREPROOF BUILDINGS CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 85 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct, purchase, install, replace, furnish and equip insulated fireproof steel buildings for the Navajo Dam domestic water consumers and mutual sewage works cooperative at Navajo Dam in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 173 Laws 2024

SECTION 173. NAVAJO LAKE STATE PARK VEHICLE PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the state parks division of the energy, mineral and natural resources department project in Subsection 6 of Section 23 of Chapter 81 of Laws 2020 to purchase and equip vehicles and equipment and make improvements for Navajo Lake state park in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 174 Laws 2024

SECTION 174. SAN JUAN COUNTY REGIONAL MEDICAL CENTER WOMEN'S INPATIENT AND CHILDBIRTH UNIT RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project originally authorized in Subsection 340 of Section 35 of Chapter 81 of Laws 2020 and reauthorized in Laws 2023, Chapter 203, Section 196 to plan, design, construct, renovate and equip the women's inpatient and childbirth unit, including room expansions and bathroom improvements, at the San Juan regional medical center in Farmington in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 175 Laws 2024

SECTION 175. SAN JUAN COUNTY SHERIFF'S OFFICE HELICOPTER PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 337 of Section 30 of Chapter 53 of Laws 2022 to purchase and equip a helicopter for the sheriff's office in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 176 Laws 2024

SECTION 176. SHIPROCK CHAPTER EMERGENCY RESPONSE COMMAND CENTER CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 75 of Section 70 of Chapter 81 of Laws 2020 to plan, design, construct and equip an emergency response command center on the south side of the San Juan river in the Shiprock chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 177 Laws 2024

~~[SECTION 177. SHIPROCK CHAPTER WASTEWATER SYSTEM CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 59 of Section 18 of Chapter 81 of Laws 2016 and reauthorized in Laws 2020, Chapter 82, Section 74 and appropriated to the Indian affairs department in Laws 2021, Chapter 139, Section 64 and for which the time of expenditure was extended in Laws 2022, Chapter 52, Section 100 to acquire rights of way and easements and to plan, design and construct a wastewater system and extension south of Shiprock in the Navajo Nation in San Juan county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 178 Laws 2024

SECTION 178. ELEVENTH JUDICIAL DISTRICT ELECTRONIC ACCESS CONTROL SYSTEMS--EXTEND TIME--SEVERANCE TAX BONDS.--The time of

expenditure for the eleventh judicial district court project in Subsection 3 of Section 19 of Chapter 81 of Laws 2020 to plan, design, construct, replace and install an electronic access control system at the eleventh judicial district courthouse in Aztec in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 179 Laws 2024

SECTION 179. AZTEC OUTDOOR RECREATION MANUFACTURING AND RETAIL FACILITY CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 334 of Section 35 of Chapter 81 of Laws 2020 to acquire property for and to plan, design, construct, furnish and equip an outdoor recreation, manufacturing and retail facility in Aztec in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 180 Laws 2024

SECTION 180. AZTEC WATER LINE RELOCATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 81 of Section 26 of Chapter 81 of Laws 2020 to acquire utility easements and to plan, design and construct water lines along New Mexico highway 173 in Aztec in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 181 Laws 2024

SECTION 181. EAST AZTEC ARTERIAL CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of transportation project originally authorized in Subsection 63 of Section 25 of Chapter 66 of Laws 2014 to construct the east Aztec arterial route in Aztec in San Juan county and reauthorized in Laws 2018, Chapter 68, Section 98 and reauthorized again in Laws 2020, Chapter 82, Section 70 to include planning and design for that route and for which the time of expenditure was extended in Laws 2022, Chapter 52, Section 101 is extended through fiscal year 2026.

Chapter 65 Section 182 Laws 2024

SECTION 182. SAN JUAN COUNTY NORTH STAR/EAST CULPEPPER FLATS WATER LINE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 80 of Section 26 of Chapter 81 of Laws 2020 to acquire rights of way and to plan, design and construct water system improvements, including a water pipeline and water line, from the North Star system at Aztec along New Mexico highway 574 to San Juan county road 1350 for phase one of the Aztec/La Plata regional pipeline project in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 183 Laws 2024

SECTION 183. ELEVENTH JUDICIAL DISTRICT COURT FARMINGTON COURT EQUIPMENT--CHANGE TO RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the eleventh judicial district court in Subsection 2 of Section 15 of Chapter 53 of Laws 2022 to plan, design, construct, renovate and equip improvements, including safety and security upgrades, at the eleventh judicial district court in Farmington in San Juan county shall not be expended for the original purpose but is changed to plan, design, construct, renovate and equip the court facility in Farmington. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 184 Laws 2024

SECTION 184. FARMINGTON CHILLER PLANT INFRASTRUCTURE REPLACEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 83 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct, purchase, install and replace a plant cooling tower, including emergency power transfer switches and building automation systems, in Farmington in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 185 Laws 2024

SECTION 185. NASCHITTI CHAPTER POWER LINE CONSTRUCTION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 67 of Section 70 of Chapter 81 of Laws 2020 to plan, design and construct power line extensions in the Naschitti chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 186 Laws 2024

SECTION 186. SHIPROCK CHAPTER WATER AND WASTEWATER LINE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project originally authorized in Subsection 88 of Section 26 of Chapter 81 of Laws 2020 and appropriated to the Indian affairs department in Laws 2021, Chapter 139, Section 63 to plan, design and construct water and wastewater lines on the south side of Shiprock in the Shiprock chapter of the Navajo Nation in San Juan county is extended through fiscal year 2026.

Chapter 65 Section 187 Laws 2024

~~[SECTION 187. SMITH LAKE CHAPTER PARKING LOT IMPROVEMENT--CHANGE TO VETERANS' BUILDING PARKING LOT--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the Indian affairs~~

~~department originally authorized in Subsection 18 of Section 22 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 78 to plan and design parking lots, including curbs and lighting, for the chapter complex in the Smith Lake chapter of the Navajo Nation in McKinley county shall not be expended for the original or reauthorized purpose but is changed to plan, design and construct parking lots, including curbs and lighting, for a veterans' building in the chapter complex in the Smith Lake chapter. The time of expenditure is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 188 Laws 2024

SECTION 188. ACEQUIA DE LOS SEGURAS IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 45 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements, including bank stabilization, for the acequia de Los Seguras in San Miguel county is extended through fiscal year 2026.

Chapter 65 Section 189 Laws 2024

SECTION 189. ACEQUIA MADRE DE EL CERRITO PIPE PURCHASE--CHANGE TO ACEQUIA IMPROVEMENT--GENERAL FUND.--The unexpended balance of the appropriation to the interstate stream commission in Subsection 39 of Section 27 of Chapter 199 of Laws 2023 to purchase and equip piping for the acequia Madre de el Cerrito in San Miguel county shall not be expended for the original purpose but is changed to plan, design, construct, improve and equip the acequia Madre de el Cerrito in San Miguel county.

Chapter 65 Section 190 Laws 2024

SECTION 190. EL VALLE WATER ALLIANCE STORAGE TANK CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 93 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct a water storage tank for El Valle water alliance in San Miguel county is extended through fiscal year 2026.

Chapter 65 Section 191 Laws 2024

SECTION 191. PECOS WATER AND WASTEWATER LINE CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 96 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct, upgrade, purchase and equip water and sewer lines in Pecos in San Miguel county is extended through fiscal year 2026.

Chapter 65 Section 192 Laws 2024

SECTION 192. SAN MIGUEL DEL BADO LAND GRANT CENTER IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 344 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, furnish, purchase and equip improvements to the San Miguel del Bado land grant-merced center in San Miguel county is extended through fiscal year 2026.

Chapter 65 Section 193 Laws 2024

SECTION 193. PASEO DEL VOLCAN RIGHTS-OF-WAY ACQUISITION AND CONSTRUCTION--CHANGE TO SANDOVAL COUNTY PASEO DEL VOLCAN CONSTRUCTION--EXTEND TIME[~~--SEVERANCE TAX BONDS~~].--The following projects shall not be expended for the original or reauthorized purposes but are changed to acquire easements and rights of way for and to plan, design and construct Paseo del Volcan in Sandoval county, and the time of expenditure is extended through fiscal year 2026: *LINE ITEM VETO*

~~[A. the department of transportation project originally authorized in Subsection 57 of Section 25 of Chapter 66 of Laws 2014 and reauthorized in Laws 2018, Chapter 68, Section 3 and for which the time of expenditure was extended in Laws 2020, Chapter 82, Section 3 and reauthorized in Laws 2022, Chapter 52, Section 3 to acquire rights of way for and to plan, design and construct Paseo del Volcan in Bernalillo and Sandoval counties;]~~

~~B. the department of transportation project originally authorized in Subsection 1 of Section 32 of Chapter 80 of Laws 2018 and reauthorized in Laws 2022, Chapter 52, Section 4 to acquire rights of way and to design and construct Paseo del Volcan, also known as New Mexico highway 347, in Sandoval and Bernalillo counties;~~

~~C. the department of transportation project originally authorized in Subsection 1 of Section 24 of Chapter 81 of Laws 2016 and for which the time of expenditure was extended in Laws 2020, Chapter 82, Section 4 and reauthorized in Laws 2022, Chapter 52, Section 5 to acquire rights of way and to design and construct Paseo del Volcan, also known as New Mexico highway 347, in Sandoval and Bernalillo counties;~~

~~D. the department of transportation project originally authorized in Subsection 61 of Section 24 of Chapter 81 of Laws 2016 and for which the time of expenditure was extended in Laws 2020, Chapter 82, Section 79 and reauthorized in Laws 2022, Chapter 52, Section 6 to acquire rights of way and to plan, design and construct Paseo del Volcan in Bernalillo and Sandoval counties; and] *LINE ITEM VETO*~~

E. the department of transportation project originally authorized in Subsection 106 of Section 40 of Chapter 277 of Laws 2019 and reauthorized in Laws 2023, Chapter

203, Section 5 to acquire rights of way for and to plan, design and construct Paseo del Volcan, also known as New Mexico highway 347, in Bernalillo and Sandoval counties.

Chapter 65 Section 194 Laws 2024

SECTION 194. CORRALES WASTEWATER BYPASS AND COLLECTION SYSTEM CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 108 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct a wastewater emergency bypass and collection system for Corrales in Sandoval county is extended through fiscal year 2026.

Chapter 65 Section 195 Laws 2024

SECTION 195. SANDOVAL COUNTY THERAPEUTIC RIDING FACILITY IMPROVEMENT--CHANGE TO PURCHASE VEHICLES AND EQUIPMENT--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 409 of Section 28 of Chapter 199 of Laws 2023 to plan, design, construct, repair and improve the roofs at a therapeutic riding facility for children and adults with disabilities in Corrales in Sandoval county shall not be expended for the original purpose but is changed to purchase vehicles and equipment for a therapeutic riding facility in Corrales in Sandoval county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 196 Laws 2024

SECTION 196. JEMEZ SPRINGS WASTEWATER TREATMENT PLANT EQUIPMENT--CHANGE TO WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the department of environment in Subsection 105 of Section 19 of Chapter 199 of Laws 2023 to plan, design, construct, purchase and improve operational equipment for the wastewater treatment plant in Jemez Springs in Sandoval county is changed to plan, design, construct, purchase, equip and improve the wastewater treatment plant and collection system in Jemez Springs.

Chapter 65 Section 197 Laws 2024

SECTION 197. ASK ACADEMY CHARTER SCHOOL IMPROVEMENT--EXPAND PURPOSE--GENERAL FUND.--The public education department project in Subsection 192 of Section 16 of Chapter 199 of Laws 2023 to plan, design, construct, furnish and equip improvements to buildings and grounds at the ASK Academy charter school, including fencing, information technology, security infrastructure and installation of related equipment, in Rio Rancho in Sandoval county may include the purchase of property, buildings and equipment.

Chapter 65 Section 198 Laws 2024

SECTION 198. RIO RANCHO LOMA COLORADO MAIN LIBRARY ROOF REPLACEMENT--CHANGE TO SERVICE DESK RENOVATION--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 420 of Section 28 of Chapter 199 of Laws 2023 to plan, design, construct and replace the roof at the Loma Colorado main library in Rio Rancho in Sandoval county shall not be expended for the original purpose but is changed to renovate and furnish service desks at the Loma Colorado main library and the Esther Bone memorial library in Rio Rancho in Sandoval county.

Chapter 65 Section 199 Laws 2024

SECTION 199. ACEQUIA DE LA OTRA BANDA IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 56 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements, including a diversion, to the acequia de La Otra Banda in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 200 Laws 2024

SECTION 200. ACEQUIA DEL CANO IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 59 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements to the acequia del Cano in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 201 Laws 2024

SECTION 201. ACEQUIA LARGA DE JACONA BARRIER CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 62 of Section 34 of Chapter 81 of Laws 2020 to plan, design and construct improvements, including a concrete canvas barrier, for the acequia Larga de Jacona in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 202 Laws 2024

SECTION 202. DEPARTMENT OF PUBLIC SAFETY FIRING RANGE IMPROVEMENTS--CHANGE TO IMPROVE A REALITY-BASED TRAINING FACILITY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 5 of Section 8 of Chapter 81 of Laws 2020 to plan and design infrastructure and site improvements, including utilities, restrooms, lighting and acoustic controls, at the firing range operated and maintained by the department of public safety in Santa Fe county shall not be expended for the original purpose but is changed to plan, design, construct, furnish and equip improvements to

the department of public safety's statewide reality-based training facility to support compliance with training standards set for law enforcement agencies and maintained by the department of public safety. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 203 Laws 2024

~~[SECTION 203. MCCURDY COMMUNITY FACILITIES DEVELOPMENT--
EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local
government division project in Subsection 390 of Section 30 of Chapter 53 of Laws
2022 to remediate and demolish existing facilities and to prepare a site for
redevelopment of community facilities in Espanola in Santa Fe county is extended
through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 204 Laws 2024

SECTION 204. RIO CHIQUITO MUTUAL DOMESTIC WATER CONSUMERS AND MUTUAL SEWAGE WORKS ASSOCIATION WATER SYSTEM IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 118 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct water system improvements, including a water storage tank, for the Rio Chiquito mutual domestic water consumers and mutual sewage works association in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 205 Laws 2024

SECTION 205. SANTA FE COUNTY YOUTH DEVELOPMENT FACILITY CONVERSION--CHANGE TO COUNTY CLERK'S WAREHOUSE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 397 of Section 30 of Chapter 53 of Laws 2022 to plan, design, construct and renovate the Santa Fe county youth development facility, including converting space for use as the county clerk elections warehouse and for secure long-term document storage and related equipment, in Santa Fe county shall not be expended for the original purpose but is changed to plan, design, construct, renovate and equip space for use as the county clerk's elections warehouse and secure long-term document storage facility in Santa Fe county.

Chapter 65 Section 206 Laws 2024

SECTION 206. SANTA FE COUNTY CLERK'S OFFICE STORAGE FACILITY IMPROVEMENT--CHANGE TO ELECTIONS WAREHOUSE RENOVATION--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 441 of Section 28 of Chapter 199 of Laws 2023 to plan, design, construct, renovate and equip an area at the juvenile detention center for use as a storage facility for voting machines, elections equipment and vital records by the county clerk's office, including security, technology, broadband, heating, ventilation,

air conditioning and fire suppression systems, in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to plan, design, construct, renovate and equip space for use as the county clerk's office elections warehouse and long-term document storage facility in Santa Fe county.

Chapter 65 Section 207 Laws 2024

SECTION 207. FIRST JUDICIAL DISTRICT ATTORNEY'S OFFICE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the office of the first judicial district attorney project originally authorized in Section 12 of Chapter 81 of Laws 2020 and reauthorized in Laws 2022, Chapter 52, Section 120 to purchase, equip and install telecommunications systems, security systems, information technology, furniture and office equipment, including partitions and fixtures, in the first judicial district court in Santa Fe in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 208 Laws 2024

SECTION 208. CHILDREN, YOUTH AND FAMILIES DEPARTMENT THERAPEUTIC GROUP HOMES CONSTRUCTION--CHANGE TO ACQUISITION AND CONSTRUCTION OF PROPERTY STATEWIDE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 15 of Section 8 of Chapter 53 of Laws 2022 to acquire, plan, design, construct, renovate, equip and furnish therapeutic group homes for the children, youth and families department statewide shall not be expended for the original purpose but is changed to acquire property for and to plan, design, construct, repair, renovate, furnish and equip improvements for children, youth and families department facilities statewide.

Chapter 65 Section 209 Laws 2024

SECTION 209. CHILDREN, YOUTH AND FAMILIES DEPARTMENT HUMAN TRAFFICKING SAFE HOUSE IMPROVEMENT--CHANGE TO PROPERTY ACQUISITION AND IMPROVEMENTS STATEWIDE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 14 of Section 8 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, improve and equip a safe place to live for youth who are human trafficking victims at a facility and location to be determined by the children, youth and families department shall not be expended for the original purpose but is changed to acquire property and to plan, design, construct, repair, renovate, furnish and equip improvements for children, youth and families department facilities statewide. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 210 Laws 2024

SECTION 210. ELDORADO AREA WATER AND SANITATION DISTRICT PARKING LOT SOLAR CANOPY CONSTRUCTION--EXPAND PURPOSE--GENERAL

FUND.--The local government division project in Subsection 428 of Section 28 of Chapter 199 of Laws 2023 to plan, design and construct a solar canopy over the maintenance vehicle parking lot at the district administration building for the Eldorado area water and sanitation district in Santa Fe county may include planning, designing and constructing a solar canopy at a field workshop parking lot for the district.

Chapter 65 Section 211 Laws 2024

SECTION 211. GREATER GLORIETA COMMUNITY MUTUAL DOMESTIC WATER CONSUMERS AND SEWAGE WORKS ASSOCIATION WELL DRILLING--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 117 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct, purchase, equip and install a drinking water project for the greater Glorieta community regional mutual domestic water consumers and sewage works in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 212 Laws 2024

SECTION 212. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT WAREHOUSE CONSTRUCTION--CHANGE AGENCY--SEVERANCE TAX BONDS.--The agency for the homeland security and emergency management department project in Laws 2022, Chapter 53, Section 25 to plan, design, construct, purchase and equip a warehouse storage building at the homeland security and emergency management department in Santa Fe in Santa Fe county is changed to the facilities management division of the general services department.

Chapter 65 Section 213 Laws 2024

SECTION 213. ROMERO PARK AREA WATER LINE SYSTEM EXTENSION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the department of environment project in Subsection 14 of Section 66 of Chapter 81 of Laws 2020 to plan, design and construct meters and water line system extensions to provide service for Romero park, La Familia, the Nancy Rodriguez community center and the Agua Fria fire station in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 214 Laws 2024

SECTION 214. SECRETARY OF STATE BALLOT SORTING AND SCANNING SYSTEM PURCHASE--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the office of the secretary of state in Laws 2022, Chapter 53, Section 32 to purchase, equip and install a vote-by-mail ballot sorting and scanning system for the office of the secretary of state in Santa Fe county shall not be expended for the original purpose but is appropriated to the local government division to purchase, equip and install a vote-by-mail ballot sorting and scanning system for the county clerk's office in Santa Fe county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 215 Laws 2024

SECTION 215. SANTA FE COUNTY RECOVERY CENTER PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project originally authorized in Subsection 385 of Section 35 of Chapter 81 of Laws 2020 and reauthorized in Laws 2022, Chapter 52, Section 123 to purchase land and buildings and to plan, design, construct, renovate, furnish and equip a facility for a recovery program in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 216 Laws 2024

SECTION 216. SANTA FE COUNTY RECOVERY PROGRAM BUILDING PURCHASE--EXTEND TIME--GENERAL FUND.--The time of expenditure for the local government division project originally authorized in Subsection 386 of Section 34 of Chapter 277 of Laws 2019 and reauthorized in Laws 2022, Chapter 52, Section 116 to purchase land and buildings and to plan, design, construct, renovate, furnish and equip a facility for a recovery program in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 217 Laws 2024

SECTION 217. SANTA FE EL MUSEO CULTURAL FACILITY IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 390 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, furnish, equip and install improvements, including roofing, lighting and heating, ventilation and air conditioning systems, to El Museo Cultural de Santa Fe in Santa Fe in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 218 Laws 2024

SECTION 218. SANTA FE HOMEBOUND MEALS PROGRAM FACILITY IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 394 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, purchase, furnish, equip and install improvements, including information technology and related equipment, furniture and infrastructure, for a meals program serving homebound and special needs individuals in Santa Fe in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 219 Laws 2024

SECTION 219. SANTA FE MUNICIPAL COURT RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 396 of Section 35 of Chapter 81 of Laws 2020 to plan,

design, construct, furnish and equip renovations, including air conditioning and roof repairs, to the municipal court in Santa Fe in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 220 Laws 2024

SECTION 220. SANTA FE SUPPORTIVE HOUSING FACILITIES RENOVATION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 401 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct and renovate a facility for homeless and below-market renters, including housing and services, in Santa Fe in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 221 Laws 2024

SECTION 221. STATE LAND OFFICE LIGHTING AND CEILING REPLACEMENT--CHANGE TO RENOVATE BATHROOMS--EXTEND TIME--STATE LANDS MAINTENANCE FUND.--The unexpended balance of the appropriation to the state land office in Laws 2020, Chapter 81, Section 86 to plan, design and install energy-efficient lighting and for ceiling replacement at the state land office in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to plan, design, construct and renovate the bathroom facilities at the state land office in Santa Fe in Santa Fe county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 222 Laws 2024

~~[SECTION 222. SANTA FE STATE POLICE DISTRICT OFFICE CONSTRUCTION--EXTEND TIME--CAPITAL BUILDINGS REPAIR FUND.--The time of expenditure for the capital program fund project in Laws 2018, Chapter 80, Section 54 for which the time of expenditure was previously extended in Laws 2022, Chapter 52, Section 124 to plan, design, construct, renovate, furnish and equip a new state police district office in Santa Fe in Santa Fe county is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 223 Laws 2024

SECTION 223. VETERANS' SERVICES DEPARTMENT VETERANS CEMETERY SITE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the veterans' services department project originally authorized in Laws 2014, Chapter 66, Section 34 and reauthorized in Laws 2016, Chapter 83, Section 104 to match federal funding to plan, design and construct regional veterans cemeteries statewide is extended through fiscal year 2030.

Chapter 65 Section 224 Laws 2024

SECTION 224. SANTA FE PUBLIC SCHOOL DISTRICT INFORMATION TECHNOLOGY UPGRADE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the public education department project in Subsection 206 of Section 18 of Chapter 53 of Laws 2022 to provide connectivity and infrastructure upgrades with district-wide area network fiber-optic lines for preschool and for mainframe distribution rooms at central offices, the educational service center and the B.F. Young building in the Santa Fe public school district in Santa Fe county is extended through fiscal year 2026.

Chapter 65 Section 225 Laws 2024

SECTION 225. SPACEPORT AMERICA PAYLOAD PROCESSING, INFORMATION TECHNOLOGY AND VISITOR ACCESS CONTROL CENTER CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the spaceport authority project in Laws 2020, Chapter 81, Section 37 to plan, design, construct and equip a payload processing center, an information technology building and a visitor access control facility at Spaceport America in Sierra county is extended through fiscal year 2026.

Chapter 65 Section 226 Laws 2024

SECTION 226. SUNSET RIDGE ROAD IMPROVEMENT--CHANGE TO ROAD IMPROVEMENTS--GENERAL FUND.--The unexpended balance of the appropriation to the department of transportation in Subsection 96 of Section 33 of Chapter 199 of Laws 2023 to plan, design, construct and improve Sunset Ridge road in Elephant Butte in Sierra county shall not be expended for the original purpose but is changed to plan, design, construct, repair and improve roads in Elephant Butte.

Chapter 65 Section 227 Laws 2024

SECTION 227. ALAMO CHAPTER SATELLITE INTERNET INFORMATION TECHNOLOGY PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the Indian affairs department project in Subsection 106 of Section 26 of Chapter 53 of Laws 2022 to plan, design, purchase and install information technology for the Alamo chapter of the Navajo Nation in Socorro county is extended through fiscal year 2026.

Chapter 65 Section 228 Laws 2024

SECTION 228. ACEQUIA DE LA JOYA IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 55 of Section 34 of Chapter 81 of Laws 2020 to plan,

design and construct improvements to the acequia de la Joya in Socorro county is extended through fiscal year 2026.

Chapter 65 Section 229 Laws 2024

SECTION 229. NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY ELECTRONIC LOCK SYSTEM CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the New Mexico institute of mining and technology project in Subsection 2 of Section 42 of Chapter 81 of Laws 2020 to plan, design, construct and equip an electronic door lock system campuswide on the New Mexico institute of mining and technology campus in Socorro in Socorro county is extended through fiscal year 2026.

Chapter 65 Section 230 Laws 2024

~~[SECTION 230. ADMINISTRATIVE OFFICE OF THE COURTS MAGISTRATE AND DISTRICT COURTS SECURITY EQUIPMENT PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the administrative office of the courts project originally authorized in Laws 2018, Chapter 80, Section 3 and reauthorized in Laws 2022, Chapter 52, Section 121 to purchase and install security systems and for technology upgrades to security systems at magistrate courts and judicial district courts statewide is extended through fiscal year 2026.] LINE ITEM VETO~~

Chapter 65 Section 231 Laws 2024

SECTION 231. CHILDREN, YOUTH AND FAMILIES DEPARTMENT THERAPEUTIC GROUP HOMES CONSTRUCTION--CHANGE TO ACQUISITION AND CONSTRUCTION OF PROPERTY STATEWIDE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund originally authorized in Subsection 13 of Section 8 of Chapter 53 of Laws 2022 and reauthorized in Laws 2023, Chapter 203, Section 276 to acquire property and to plan, design, construct, renovate, equip and furnish therapeutic group homes for the children, youth and families department shall not be expended for the original or reauthorized purpose but is changed to acquire property and to plan, design, construct, repair, renovate, furnish and equip improvements for children, youth and families department facilities statewide.

Chapter 65 Section 232 Laws 2024

SECTION 232. CHILDREN, YOUTH AND FAMILIES DEPARTMENT THERAPEUTIC GROUP HOMES CONSTRUCTION--CHANGE TO ACQUISITION AND CONSTRUCTION OF PROPERTY STATEWIDE--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund originally authorized in Subsection 14 of Section 8 of Chapter 53 of Laws 2022 and reauthorized in Laws 2023, Chapter 203, Section 275 to acquire property and to plan, design, construct, renovate, equip and furnish therapeutic group homes for the children, youth

and families department shall not be expended for the original or reauthorized purpose but is changed to acquire property and to plan, design, construct, repair, renovate, furnish and equip improvements for children, youth and families department facilities statewide.

Chapter 65 Section 233 Laws 2024

SECTION 233. CAMINO NUEVO AND JOHN PAUL TAYLOR YOUTH CENTERS IMPROVEMENTS--CHANGE TO CHILDREN, YOUTH AND FAMILIES DEPARTMENT FACILITIES STATEWIDE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 2 of Section 8 of Chapter 81 of Laws 2020 to plan, design, construct, repair and renovate facilities, including upgrading exterior and interior wall finishing and stucco, and to make other improvements at the youth diagnostic and development center and Camino Nuevo youth center facilities in Albuquerque in Bernalillo county and at the John Paul Taylor center in Las Cruces in Dona Ana county shall not be expended for the original purpose but is changed to acquire property for and to plan, design, construct, repair, renovate, furnish and equip improvements for children, youth and families department facilities statewide. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 234 Laws 2024

SECTION 234. DEPARTMENT OF PUBLIC SAFETY OFFICE BUILDING CONSTRUCTION--CHANGE PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 6 of Section 8 of Chapter 81 of Laws 2020 to plan, design, construct, furnish and equip a new state police district office in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to plan, design, construct, renovate, furnish and equip infrastructure improvements at state police facilities statewide. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 235 Laws 2024

SECTION 235. EARLY CHILDHOOD WELLNESS CENTER IMPROVEMENT--CHANGE TO EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT FACILITY IMPROVEMENTS STATEWIDE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 1 of Section 9 of Chapter 138 of Laws 2021 to plan, design, construct, improve, repair, renovate, furnish and equip the child wellness center in Albuquerque in Bernalillo county shall not be expended for the original purpose but is changed to plan, design, construct, renovate, improve and equip early childhood education and care department facilities statewide. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 236 Laws 2024

SECTION 236. STATEWIDE FACILITY DECOMMISSIONING AND DEMOLITION--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the capital program fund project in Subsection 12 of Section 8 of Chapter 81 of Laws 2020 to decommission and demolish buildings, including abatement of hazardous materials, and other programmatic renovations and construction at state-owned facilities statewide is extended through fiscal year 2026.

Chapter 65 Section 237 Laws 2024

SECTION 237. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT BUILDING IMPROVEMENT--CHANGE TO CONSTRUCT AND IMPROVE FACILITIES STATEWIDE--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 4 of Section 8 of Chapter 81 of Laws 2020 to plan, design, renovate and replace electrical systems, roofing and flooring at the homeland security and emergency management department in Santa Fe in Santa Fe county shall not be expended for the original purpose but is changed to plan, design, construct, renovate, improve and equip facilities at the homeland security and emergency management department statewide. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 238 Laws 2024

SECTION 238. MAINSTREET ARTS AND CULTURAL DISTRICT IMPROVEMENT STATEWIDE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the economic development department project in Laws 2020, Chapter 81, Section 21 to plan, design and construct infrastructure improvements in mainstreet districts and local arts and cultural districts statewide is extended through fiscal year 2026.

Chapter 65 Section 239 Laws 2024

SECTION 239. SCHOOL BUS CAMERA PURCHASE--EXTEND TIME--PUBLIC SCHOOL CAPITAL OUTLAY FUND.--The time of expenditure for the public education department project in Subsection 2 of Section 49 of Chapter 53 of Laws 2022 to purchase, install and equip district-owned school buses with cameras statewide is extended through fiscal year 2026.

Chapter 65 Section 240 Laws 2024

SECTION 240. SCHOOL BUS REPLACEMENT STATEWIDE--EXTEND TIME--PUBLIC SCHOOL CAPITAL OUTLAY FUND.--The time of expenditure for the public education department project in Subsection 3 of Section 49 of Chapter 53 of Laws 2022

to purchase, replace and equip school buses for school districts statewide is extended through fiscal year 2026.

Chapter 65 Section 241 Laws 2024

SECTION 241. WORKFORCE SOLUTIONS DEPARTMENT OFFICE INFRASTRUCTURE IMPROVEMENT--CHANGE TO CONSTRUCTION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the capital program fund in Subsection 21 of Section 8 of Chapter 53 of Laws 2022 to plan, design, repair and replace infrastructure at workforce solutions department offices statewide shall not be expended for the original purpose but is changed to plan, design, construct, renovate, improve and equip infrastructure at workforce solutions department offices statewide. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 242 Laws 2024

SECTION 242. ACEQUIA DE LA SEBADILLA IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 68 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct and improve, including encasement, a section of the acequia de La Sebadilla for the acequias de Chamisal y Ojito in Taos county is extended through fiscal year 2026.

Chapter 65 Section 243 Laws 2024

SECTION 243. ACEQUIA DEL LLANO DE SAN MIGUEL IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 70 of Section 34 of Chapter 81 of Laws 2020 to plan, design, construct, repair and improve the acequia del Llano de San Miguel in Taos county is extended through fiscal year 2026.

Chapter 65 Section 244 Laws 2024

SECTION 244. CHAMISAL MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION INFRASTRUCTURE IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 126 of Section 26 of Chapter 81 of Laws 2020 to plan, design and construct improvements to infrastructure, including the painting of a water tank and installation of fencing and culverts, for the Chamisal mutual domestic water consumers association in Taos county is extended through fiscal year 2026.

Chapter 65 Section 245 Laws 2024

SECTION 245. CHAMISAL MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION WATER METER SYSTEM REPLACEMENT--EXTEND TIME--

SEVERANCE TAX BONDS.--The time of expenditure for the department of environment project in Subsection 127 of Section 26 of Chapter 81 of Laws 2020 to plan, design, construct, furnish and equip the replacement of the water metering system for the Chamisal mutual domestic water consumers association in Taos county is extended through fiscal year 2026.

Chapter 65 Section 246 Laws 2024

SECTION 246. LAS ACEQUIAS DE LAS TRAMPAS IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the interstate stream commission project in Subsection 72 of Section 34 of Chapter 81 of Laws 2020 to plan, design, repair, construct and make improvements, including a diversion dam, the purchase and installation of ditch lining and reinforcement of the ditch banks, to las acequias de Las Trampas in Taos county is extended through fiscal year 2026.

Chapter 65 Section 247 Laws 2024

SECTION 247. SANTO TOMAS APOSTOL DEL RIO DE LAS TRAMPAS LAND GRANT-MERCED EQUIPMENT PURCHASE--CHANGE TO IMPROVE PLAZA PARKING--EXTEND TIME--GENERAL FUND.--The unexpended balance of the appropriation to the local government division in Subsection 475 of Section 28 of Chapter 199 of Laws 2023 to purchase and equip a wood processor and trailer for the Santo Tomas Apostol del Rio de las Trampas land grant-merced in Taos county shall not be expended for the original purpose but is changed to plan, design, construct and improve the plaza parking lot of the Santo Tomas Apostol del Rio de las Trampas land grant-merced. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 248 Laws 2024

SECTION 248. QUESTA LIBRARY AND PARKING LOT IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 417 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct, renovate, furnish and equip improvements to the public library and parking area in Questa in Taos county is extended through fiscal year 2026.

Chapter 65 Section 249 Laws 2024

SECTION 249. QUESTA EQUIPMENT AND VEHICLE PURCHASE--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 429 of Section 30 of Chapter 53 of Laws 2022 to purchase and equip vehicles and equipment for the public works department in Questa in Taos county is extended through fiscal year 2026.

Chapter 65 Section 250 Laws 2024

SECTION 250. TAOS REGIONAL AIRPORT IMPROVEMENT--EXTEND TIME--SEVERANCE TAX BONDS.--The time of expenditure for the local government division project in Subsection 424 of Section 35 of Chapter 81 of Laws 2020 to plan, design, construct and equip improvements to the Taos regional airport in Taos in Taos county is extended through fiscal year 2026.

Chapter 65 Section 251 Laws 2024

SECTION 251. UNION COUNTY COURTHOUSE RENOVATION--CHANGE TO RENOVATE A JUDICIAL COMPLEX AND A LAW ENFORCEMENT COMPLEX--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 448 of Section 30 of Chapter 53 of Laws 2022 to plan, design, construct, furnish, renovate and equip improvements to the Union county courthouse for a judicial and law enforcement complex in Clayton in Union county shall not be expended for the original purpose but is changed to plan, design, construct, renovate, furnish and equip a judicial complex and a law enforcement complex in Clayton.

Chapter 65 Section 252 Laws 2024

~~[SECTION 252. VALENCIA COUNTY ABANDONED PROPERTY ABATEMENT--CHANGE TO BUILDING DEMOLITION--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the appropriation to the local government division in Subsection 449 of Section 35 of Chapter 81 of Laws 2020 for abatement of abandoned properties in Valencia county shall not be expended for the original purpose but is changed to plan, design, construct, improve, demolish and remove abandoned buildings on properties under abatement in Valencia county. The time of expenditure is extended through fiscal year 2026.]~~ *LINE ITEM VETO*

Chapter 65 Section 253 Laws 2024

SECTION 253. VALENCIA COUNTY RAILROAD QUIET ZONES CONSTRUCTION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX BONDS.-The department of transportation project originally authorized in Subsection 21 of Section 38 of Chapter 81 of Laws 2020 and reauthorized in Laws 2022, Chapter 52, Section 148 to plan, design and construct a railroad quiet zone on Los Lentos road and Luscombe lane in Los Lunas in Valencia county may include planning, designing and constructing a railroad quiet zone on Gabaldon road in Belen in Valencia county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 254 Laws 2024

SECTION 254. SALAM ACADEMY BUILDING SYSTEMS IMPROVEMENT--CHANGE TO MANZANO MESA PICKLEBALL COURT CONSTRUCTION--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of the public education department project in Subsection 26 of Section 18 of Chapter 53 of Laws 2022 to purchase and install solar panels and to replace heating, ventilation and air conditioning units at Salam academy in Albuquerque in Bernalillo county shall not be expended for the original purpose but is appropriated to the local government division to plan, design, construct and equip pickleball courts near Manzano Mesa multigenerational center in Albuquerque in Bernalillo county. The time of expenditure is extended through fiscal year 2026.

Chapter 65 Section 255 Laws 2024

SECTION 255. BAHAST'LAH CHAPTER WATER LINE EXTENSION--EXTEND TIME--GENERAL FUND.--The time of expenditure for the Indian affairs department project in Subsection 44 of Section 70 of Chapter 81 of Laws 2020 to plan, design, construct, extend and repair a water line for the Bahast'lah chapter of the Navajo Nation in McKinley county is extended through fiscal year 2026.

Chapter 65 Section 256 Laws 2024

SECTION 256. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 66

**SFC/Senate Bill 275, aa, w/ec, w/cc, partial veto
Approved March 6, 2024**

AN ACT

RELATING TO CAPITAL EXPENDITURES; MAKING APPROPRIATIONS FROM THE GENERAL FUND AND OTHER STATE FUNDS; AUTHORIZING EXPENDITURES FROM CERTAIN FUNDS AND BALANCES; PROVIDING FOR THE ISSUANCE OF SEVERANCE TAX BONDS AND APPROPRIATION OF SEVERANCE TAX BOND PROCEEDS FOR CERTAIN PROJECTS PREVIOUSLY AUTHORIZED BY LAW AND TO CERTAIN FUNDS AS PROVIDED BY SECTIONS 7-27-10.1 AND 7-27-12.5 NMSA 1978 (BEING LAWS 2003, CHAPTER 134, SECTION 1 AND LAWS 2010, CHAPTER 10, SECTION 9, AS AMENDED); ELIMINATING CERTAIN ENCUMBRANCE REQUIREMENTS, REQUIRING CERTIFICATIONS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND PROVIDING REVERSION DATE EXTENSIONS FOR CERTAIN APPROPRIATIONS FOR PROJECTS MADE IN LAWS

2023, CHAPTER 199; ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED BALANCES; AUTHORIZING THE ISSUANCE OF SEVERANCE TAX BONDS FOR CERTAIN TRANSPORTATION PROJECTS AND PROJECTS WITHIN TRIBAL COMMUNITIES; ESTABLISHING CONDITIONS FOR THE EXPENDITURE AND APPROPRIATION OF THE BOND PROCEEDS AND FOR THE REVERSION OF UNEXPENDED BALANCES OF BOND PROCEEDS; ESTABLISHING CRITERIA FOR THE BONDS; MAKING APPROPRIATIONS; DECLARING AN EMERGENCY.

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

Chapter 66 Section 1 Laws 2024

SECTION 1. GENERAL FUND APPROPRIATIONS--LIMITATIONS--REVERSIONS.--

A. Except as otherwise specifically provided by law, the unexpended balance of an appropriation made in this act from the general fund shall revert:

(1) no later than September 30 following:

(a) the end of fiscal year 2026 for a project for which an appropriation was made to purchase vehicles, including emergency vehicles and other vehicles that require special equipment; heavy equipment; books; educational technology; or other equipment or furniture that is not related to a more inclusive construction or renovation project; or

(b) the end of fiscal year 2028 for a project for which an appropriation was made related to an inclusive construction or renovation project; or

(2) within six months of completion of the project for any other project for which an appropriation was made, but no later than the end of fiscal year 2028.

B. The agencies named in this act shall certify to the department of finance and administration that the money appropriated in this act is needed for the purposes specified in the applicable section of this act. If an agency has not certified the need for the appropriation for a particular project by the end of fiscal year 2026, the authorization for that project is void.

C. Money that is appropriated from the general fund pursuant to this act shall not be subject to a binding written agreement with a third party prior to the authorized state agency's approval to enter into that agreement.

D. For the purposes of this section, "unexpended balance" means the remainder of an appropriation after reserving for unpaid costs and expenses subject to a binding written agreement with a third party.

Chapter 66 Section 2 Laws 2024

SECTION 2. FUND APPROPRIATIONS OTHER THAN GENERAL FUND-- LIMITATIONS--REVERSIONS.--

A. Except as otherwise specifically provided by law:

(1) the unexpended balance of an appropriation made in this act from a fund other than the general fund shall revert no later than the following dates:

(a) for a project for which an appropriation was made to match federal grants, six months after completion of the project;

(b) for a project for which an appropriation was made to purchase vehicles, including emergency vehicles and other vehicles that require special equipment; heavy equipment; books; educational technology; or other equipment or furniture that is not related to a more inclusive construction or renovation project, at the end of the fiscal year two years following the fiscal year in which the appropriation was made for the purchase; and

(c) for any other project for which an appropriation was made, within six months of completion of the project, but no later than the end of fiscal year 2028; and

(2) all remaining balances from an appropriation made in this act for a project shall revert three months after the latest reversion date specified for that type of project in Paragraph (1) of this subsection.

B. Except for appropriations to the capital program fund, money from appropriations made in this act shall not be used to pay indirect project costs.

C. Money that is appropriated from a fund other than the general fund pursuant to this act shall not be subject to a binding written agreement with a third party prior to the authorized state agency's approval to enter into that agreement.

D. For the purposes of this section, "unexpended balance" means the remainder of an appropriation after reserving for unpaid costs and expenses subject to a binding written agreement with a third party.

Chapter 66 Section 3 Laws 2024

**SECTION 3. ADMINISTRATIVE OFFICE OF THE COURTS PROJECTS--
GENERAL FUND.--**The following amounts are appropriated from the general fund to the administrative office of the courts for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. three million dollars (\$3,000,000) to plan, design, construct, furnish and equip a new magistrate court in Clovis in Curry county;
2. one hundred fifty thousand dollars (\$150,000) to acquire land for the Guadalupe county magistrate court in Guadalupe county;
3. two hundred thousand dollars (\$200,000) to purchase and install equipment, security alarm systems, surveillance systems and security fencing and to make improvements at the magistrate court building in Deming in Luna county;
4. fifteen million dollars (\$15,000,000) to plan, design, construct, furnish and equip a new magistrate court in Bernalillo in Sandoval county;
5. eleven million dollars (\$11,000,000) to plan, design, construct, furnish and equip a new magistrate court in Santa Fe in Santa Fe county;
6. four million dollars (\$4,000,000) to design, purchase, install and equip technological and systems improvements to district courts statewide;
7. ten million dollars (\$10,000,000) to plan, design, construct, renovate, furnish and equip district court improvements statewide, contingent upon a county match of at least fifty percent of project costs and requiring the administrative office of the courts to prioritize projects based on critical need and county financial capacity; and
8. two million dollars (\$2,000,000) to plan, design, construct, repair, renovate, furnish and equip magistrate courts statewide.

Chapter 66 Section 4 Laws 2024

SECTION 4. AGING AND LONG-TERM SERVICES DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the aging and long-term services department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. one hundred thousand dollars (\$100,000) to plan, design, construct, repair, furnish, equip and improve the Barelvas senior center in Albuquerque in Bernalillo county;
2. three hundred thousand dollars (\$300,000) to plan, design, construct, equip and improve Los Volcanes senior center, including flooring, kitchens and accessibility, in Albuquerque in Bernalillo county;
3. ten thousand dollars (\$10,000) to plan, design, construct, furnish and equip a senior public health complex for the Pueblo of Acoma in Cibola county;

4. twenty-five thousand dollars (\$25,000) to purchase, replace and equip windows for the Acoma senior center in the Pueblo of Acoma in Cibola county;
5. fifty thousand dollars (\$50,000) to plan, design, construct, repair, replace and improve the Grady senior center roof, including solar panels, in Grady in Curry county;
6. five hundred seventy-five thousand dollars (\$575,000) to plan, design and construct a senior center in Roy in Harding county;
7. one hundred ten thousand dollars (\$110,000) to plan, design, construct, furnish and equip an outdoor patio for the Coyote Canyon senior center in the Coyote Canyon chapter of the Navajo Nation in McKinley county;
8. five hundred thousand dollars (\$500,000) to plan, design, construct, furnish and equip a senior citizen center, including parking areas, in Wagon Mound in Mora county;
9. three hundred ninety-five thousand dollars (\$395,000) to purchase and equip vehicles, including a truck with a plow, for the Mescalero Apache senior center for the Mescalero Apache Tribe in Otero county;
10. fifty thousand dollars (\$50,000) to purchase and install equipment for senior centers in Rio Arriba county;
11. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, furnish, equip and improve the Jicarilla senior center for the Jicarilla Apache Nation in Rio Arriba county;
12. two hundred fifty thousand dollars (\$250,000) to purchase easements and rights of way and to plan, design, construct, furnish and equip a senior center and parking lot for the Gadii'ahi/To'koi chapter of the Navajo Nation in San Juan county;
13. sixty thousand eight hundred eighty-three dollars (\$60,883) to purchase and equip trucks and vehicles for the Ken James senior center in Truth or Consequences in Sierra county;
14. fifty thousand dollars (\$50,000) to purchase and equip vehicles for the Ken James senior center in Truth or Consequences in Sierra county;
15. one million dollars (\$1,000,000) to address emergency needs to include renovations and immediate code compliance, to purchase and install furnishings, to purchase and equip vehicles and meals equipment and for delivery and installation of building systems at senior centers statewide; and

16. seven hundred thousand dollars (\$700,000) to plan, design, construct, equip, remediate and demolish the old La Cienega school site in Questa in Taos county.

Chapter 66 Section 5 Laws 2024

SECTION 5. BERNALILLO COUNTY METROPOLITAN COURT PROJECT--GENERAL FUND.--Two million five hundred thousand dollars (\$2,500,000) is appropriated to the Bernalillo county metropolitan court for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to plan, design, purchase, install and equip fire safety systems at the Bernalillo county metropolitan court in Albuquerque in Bernalillo county.

Chapter 66 Section 6 Laws 2024

SECTION 6. CAPITAL PROGRAM FUND PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the capital program fund for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. five hundred thousand dollars (\$500,000) to purchase, plan, design, renovate and construct improvements to a radio communications building in Las Vegas in San Miguel county;
2. thirty million dollars (\$30,000,000) to plan, design, construct, furnish and equip a new forensic unit at the New Mexico behavioral health institute at Las Vegas in San Miguel county;
3. three million dollars (\$3,000,000) to plan, design and construct a fire training facility and a firefighter memorial in northern New Mexico;
4. five million dollars (\$5,000,000) to plan, design, construct, renovate, equip and furnish the Bataan memorial building, including historic preservation renovations and improvements, in Santa Fe in Santa Fe county;
5. two million two hundred fifty thousand dollars (\$2,250,000) to plan, design, construct, improve, furnish and equip a training facility for use by law enforcement agencies statewide in Santa Fe in Santa Fe county;
6. two million dollars (\$2,000,000) to plan, design, renovate, furnish and equip improvements to a state-owned facility to accommodate the early childhood education and care department in Santa Fe in Santa Fe county;
7. four hundred twenty thousand dollars (\$420,000) to plan, design, construct, repair, renovate, furnish and equip a warehouse for the homeland security and emergency management department in Santa Fe in Santa Fe county;

8. four million dollars (\$4,000,000) to plan, design, construct, renovate, repair, furnish and equip improvements to the supreme court, including elevator, electrical, heating, cooling and ventilation systems, in Santa Fe in Santa Fe county;
9. two hundred fifty thousand dollars (\$250,000) to plan, design, construct and improve the emergency operations center in Socorro in Socorro county;
10. two million dollars (\$2,000,000) to plan, design, repair, renovate, furnish and equip the fire training academy in Socorro in Socorro county;
11. one million dollars (\$1,000,000) for a comprehensive master plan for corrections department facilities, including consideration of long-term programmatic needs and the impact of revisions to the inmate classification systems statewide;
12. nine million dollars (\$9,000,000) to plan, design, construct, renovate, repair, furnish, purchase and install equipment and to make other infrastructure improvements to correctional facilities statewide;
13. five million dollars (\$5,000,000) to plan, design, construct, renovate, repair, furnish, equip and make improvements to children, youth and families department facilities statewide;
14. five million dollars (\$5,000,000) to plan, design, construct, furnish and equip improvements to department of health facilities statewide;
15. three million dollars (\$3,000,000) to plan, design, construct, renovate, repair, furnish and equip department of public safety facilities, including infrastructure improvements, roads and parking lots, security and technology upgrades, statewide;
16. ten million dollars (\$10,000,000) to plan, design, construct, renovate, repair, furnish and equip improvements to state-owned facilities statewide;
17. three million dollars (\$3,000,000) to plan, design, construct, repair, furnish, equip and make improvements to veterans' cemeteries and memorials statewide;
18. three million five hundred thousand dollars (\$3,500,000) to plan, design, construct, renovate, repair, furnish and equip improvements to workforce solutions department facilities statewide;
19. thirty-four million thirty-five thousand dollars (\$34,035,000) to purchase the northeastern New Mexico correctional facility in Union county; and
20. one million two hundred thousand dollars (\$1,200,000) for a feasibility study on purchasing, leasing or constructing a veterans' resource center to identify the most economical and effective approach for supporting veterans in accessing state and

federal benefits and for planning and design to support the approach identified in such a study.

Chapter 66 Section 7 Laws 2024

SECTION 7. COURT OF APPEALS PROJECT--GENERAL FUND.--Five hundred thousand dollars (\$500,000) is appropriated from the general fund to the court of appeals for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to plan, design, purchase, install and equip security improvements and systems, including ballistic glass, at the court of appeals building in Albuquerque in Bernalillo county.

Chapter 66 Section 8 Laws 2024

SECTION 8. CULTURAL AFFAIRS DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the cultural affairs department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. four hundred forty thousand dollars (\$440,000) to plan, design, construct, repair, purchase, equip and improve exhibits and facilities at the national Hispanic cultural center in Bernalillo county;
2. one million six hundred thousand dollars (\$1,600,000) to plan, design, construct, repair, purchase, equip and improve exhibits and facilities at the New Mexico museum of natural history and science in Albuquerque in Bernalillo county;
3. four hundred thousand dollars (\$400,000) to plan, design, construct, repair, improve and equip exhibits and facilities at the New Mexico farm and ranch heritage museum in Dona Ana county;
4. three million one hundred twenty-five thousand dollars (\$3,125,000) to plan, design, purchase, repair and improve exhibits and facilities at the Taylor Reynolds Barela Mesilla historic site in Mesilla in Dona Ana county;
5. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, repair, purchase, equip and improve exhibits and facilities at the Fort Stanton historic site in Lincoln county;
6. seventy-five thousand dollars (\$75,000) to plan, design, construct, repair, improve and equip exhibits and facilities at the Lincoln historic site in Lincoln county;
7. one million ten thousand dollars (\$1,010,000) to plan, design, construct, repair, purchase, equip and improve exhibits and facilities at the museum of space history in Alamogordo in Otero county;

8. two hundred thirty thousand dollars (\$230,000) to plan, design, construct, repair, purchase, equip and improve exhibits and facilities at Los Luceros historic site in Rio Arriba county;

9. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, repair, purchase, equip and improve exhibits and facilities at the Coronado historic site in Sandoval county;

10. one hundred thousand dollars (\$100,000) to plan, design, construct, repair, equip and improve exhibits and facilities at the Jemez historic site in Sandoval county;

11. one hundred forty-two thousand dollars (\$142,000) to plan, design, construct, repair, purchase, equip and improve facilities for the center for New Mexico archaeology in Santa Fe county;

12. one hundred sixty thousand dollars (\$160,000) to plan, design and construct improvements to the cinemas, including seating, floor lighting, carpeting, security and accessibility improvements, at the center for contemporary arts in Santa Fe in Santa Fe county;

13. one hundred ninety thousand dollars (\$190,000) to plan, design, construct, repair, improve and equip exhibits and facilities at the museum of Indian arts and culture in Santa Fe in Santa Fe county;

14. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, repair, improve and equip exhibits and facilities at the museum of international folk art in Santa Fe in Santa Fe county;

15. seventy-five thousand dollars (\$75,000) to plan, design and construct the main garden path, including accessibility improvements, channel drains, area grading and stabilized crusher fines, at the Santa Fe botanical garden at museum hill in Santa Fe in Santa Fe county;

~~[16. eighty thousand dollars (\$80,000) to plan, design, construct and improve the service road and pedestrian walkway from camino Lejo to the northwest end of the art trail in the Santa Fe botanical garden at museum hill in Santa Fe in Santa Fe county;] LINE ITEM VETO~~

17. six hundred ten thousand dollars (\$610,000) to plan, design, construct, repair, improve and equip exhibits and facilities at the New Mexico history museum in Santa Fe in Santa Fe county;

18. five hundred ten thousand dollars (\$510,000) to plan, design, construct, replace and improve the building and grounds, including safety and accessibility features, outdoor play facilities, electrical systems, building restoration, plumbing,

heating, ventilation and air conditioning systems and parking lots, at a museum for children in Santa Fe in Santa Fe county;

19. one hundred fifty thousand dollars (\$150,000) to plan, design and construct a memorial sculpture to New Mexico miners at the New Mexico institute of mining and technology in Socorro in Socorro county; and

20. five million dollars (\$5,000,000) to plan, design, construct, repair, renovate, furnish, equip and make improvements to sites, facilities and exhibits at museums, monuments, historic sites and cultural facilities statewide.

Chapter 66 Section 9 Laws 2024

SECTION 9. CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the Cumbres and Toltec scenic railroad commission for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, repair, replace and improve the Cumbres Pass pavilion for the Cumbres and Toltec scenic railroad commission in Rio Arriba county; and

2. two million dollars (\$2,000,000) to plan, design, construct, repair, renovate, furnish, equip and make improvements to the Chama roundhouse and Cumbres Pass pavilion and for track rehabilitation and related infrastructure improvements, including locomotive and boiler upgrades to comply with federal railroad administration standards, and for improvements to passenger cars for the Cumbres and Toltec scenic railroad operating between New Mexico and Colorado.

Chapter 66 Section 10 Laws 2024

SECTION 10. DISTRICT ATTORNEY OF THE FIRST JUDICIAL DISTRICT PROJECT--GENERAL FUND.--Fifty thousand dollars (\$50,000) is appropriated from the general fund to the office of the district attorney of the first judicial district for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to purchase and equip vehicles for the office of the first judicial district attorney in Santa Fe county.

Chapter 66 Section 11 Laws 2024

SECTION 11. DISTRICT ATTORNEY OF THE SIXTH JUDICIAL DISTRICT PROJECT--GENERAL FUND.--Two hundred thousand dollars (\$200,000) is appropriated from the general fund to the office of the district attorney of the sixth judicial district for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to design, purchase, install, replace and improve

information technology and equipment, including network-attached storage infrastructure, for the offices of the district attorney of the sixth judicial district in Silver City in Grant county, in Deming in Luna county and in Lordsburg in Hidalgo county.

Chapter 66 Section 12 Laws 2024

SECTION 12. DISTRICT ATTORNEY OF THE THIRTEENTH JUDICIAL DISTRICT PROJECT--GENERAL FUND.--One million one hundred fifty thousand dollars (\$1,150,000) is appropriated from the general fund to the office of the district attorney of the thirteenth judicial district for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to plan, design, construct, furnish and expand the thirteenth judicial district courthouse in Sandoval county.

Chapter 66 Section 13 Laws 2024

SECTION 13. EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the early childhood education and care department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. thirteen thousand five hundred dollars (\$13,500) to plan, design, construct, renovate, improve and equip the Haak'u learning center in the Pueblo of Acoma in Cibola county;
2. one hundred two thousand five hundred dollars (\$102,500) to plan, design, construct, renovate, improve and equip an early childhood center, including sidewalks, parking and pavement repairs, in the Pueblo of Laguna in Cibola county;
3. two million one hundred two thousand dollars (\$2,102,000) to plan, design, construct, renovate, improve and equip a child and family education center, including the acquisition of a new building, in the Jicarilla Apache Nation in Rio Arriba county;
4. one hundred fourteen thousand five hundred dollars (\$114,500) to plan, design, construct, renovate, improve and equip the head start center, including playground improvements, in Ohkay Owingeh in Rio Arriba county;
5. two hundred eighty-nine thousand dollars (\$289,000) to plan, design, construct, renovate, improve and equip the head start center, including playground improvements, in the Pueblo of Santa Clara in Rio Arriba county;
6. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, renovate, improve and equip the Keres children's learning center, including playground improvements, in the Pueblo of Cochiti in Sandoval county;

7. two hundred eighty-seven thousand dollars (\$287,000) to plan, design, construct, renovate, furnish and equip the early childhood learning center, including playground improvements, in the Pueblo of Santo Domingo in Sandoval county;

8. ninety thousand dollars (\$90,000) to plan, design, construct, renovate, improve and equip, including the purchase and installation of playground equipment, an early child care center in the Pueblo of San Ildefonso in Santa Fe county; and

9. one hundred forty-three thousand dollars (\$143,000) to plan, design, construct, renovate, improve and equip an early childhood center, including playground improvements, in the Pueblo of Tesuque in Santa Fe county.

Chapter 66 Section 14 Laws 2024

SECTION 14. ECONOMIC DEVELOPMENT DEPARTMENT PROJECT--GENERAL FUND.--Ten million dollars (\$10,000,000) is appropriated from the general fund to the economic development department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to plan, design, construct, renovate, repair, furnish and equip improvements to downtown mainstreet and arts and cultural districts statewide.

Chapter 66 Section 15 Laws 2024

SECTION 15. HIGHER EDUCATION DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the higher education department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. twenty-five thousand dollars (\$25,000) to purchase and deliver information technology equipment, office equipment and furniture for a mentorship program for higher education students in mental and behavioral health disciplines in Bernalillo county;

2. four hundred ten thousand dollars (\$410,000) to plan, design, construct, equip, improve, furnish and install a [makerspace] building, including information technology and related infrastructure, for central New Mexico community college in Albuquerque in Bernalillo county; *LINE ITEM VETO*

3. two hundred thousand dollars (\$200,000) to plan, design, construct and improve infrastructure, including exterior tile grout on the P building, at the Joseph M. Montoya campus of central New Mexico community college in Albuquerque in Bernalillo county;

4. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, furnish, equip and improve facilities at the south valley campus of central

New Mexico community college, including information technology and infrastructure, in Albuquerque in Bernalillo county;

5. seventy-five thousand dollars (\$75,000) to plan, design, construct, improve and install exterior tile grout improvements on the westside 2 building, including infrastructure, at the westside campus of central New Mexico community college in Albuquerque in Bernalillo county;

6. two hundred fifty thousand dollars (\$250,000) to purchase and equip vehicles at Clovis community college in Curry county;

7. six hundred thousand dollars (\$600,000) to plan, design, construct, furnish and equip a vocational-technical building at southeast New Mexico college in Carlsbad in Eddy county;

8. two hundred twenty thousand dollars (\$220,000) to plan, design, renovate, repair and make safety infrastructure improvements, including lighting and drainage, at New Mexico junior college in Lea county;

9. two hundred thousand dollars (\$200,000) to plan, design, construct, repair and improve the western heritage museum, including exterior recladding, at New Mexico junior college in Lea county;

10. nine hundred fifty thousand dollars (\$950,000) to plan, design, abate and demolish facilities at Navajo technical university in Crownpoint in McKinley county;

11. five hundred thousand dollars (\$500,000) to purchase and equip a fire engine for a fire science training program at San Juan college in Farmington in San Juan county;

12. one hundred fifty thousand dollars (\$150,000) to purchase and equip a school bus for a school bus driver training program at San Juan college in Farmington in San Juan county;

13. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and furnish a teacher education classroom laboratory at the Shiprock campus of Diné college in San Juan county;

14. six hundred fifty thousand dollars (\$650,000) for site preparation and to plan, design, construct, replace, furnish and equip an applied technology programs building, including surrounding infrastructure, at a campus of the central New Mexico community college in Sandoval county;

15. one million eighty-seven thousand dollars (\$1,087,000) to plan, design, construct and equip infrastructure improvements at Santa Fe community college in Santa Fe county;

16. one hundred thousand dollars (\$100,000) to plan, design, renovate, expand, construct and equip three-dimensional art studio classrooms at the institute of American Indian arts in Santa Fe in Santa Fe county;

17. forty-five thousand dollars (\$45,000) to [~~plan, design, construct, furnish,~~] equip and upgrade the automotive technologies program facility at Santa Fe community college in Santa Fe county; *LINE ITEM VETO*

18. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, renovate, equip and upgrade the controlled environment agriculture program greenhouse facility at Santa Fe community college in Santa Fe county;

19. seventy-five thousand dollars (\$75,000) to plan, design, construct, furnish, equip and upgrade plumbing and electrical program learning spaces at Santa Fe community college in Santa Fe county; and

20. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct and equip an outdoor learning space, including awnings, exhaust systems and sound mitigation systems, for the Santa Fe community college welding program in Santa Fe county.

Chapter 66 Section 16 Laws 2024

SECTION 16. PUBLIC EDUCATION DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the public education department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. one hundred seventy-five thousand dollars (\$175,000) to acquire land for and to plan, design, construct, equip, furnish and renovate buildings and grounds, including infrastructure, wiring, safety systems and information technology, for Twenty-First Century public academy in Albuquerque in Bernalillo county;

2. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, purchase, renovate, expand, furnish and equip buildings and grounds, classrooms, a multipurpose area and early childhood facilities at ACES technical charter school in Albuquerque in Bernalillo county;

3. twenty-five thousand dollars (\$25,000) to plan, design, construct, renovate, purchase and equip buildings and grounds, including fencing, wiring, safety systems, information technology and playground equipment, for Albuquerque Collegiate charter school in Albuquerque in Bernalillo county;

4. fifty thousand dollars (\$50,000) to plan, design, construct and renovate parking and bus areas at Albuquerque School of Excellence charter school in Albuquerque in Bernalillo county;

5. fifty thousand dollars (\$50,000) to purchase and install furnishings, equipment and fixtures at an Albuquerque sign language academy facility in Albuquerque in Bernalillo county;
6. two hundred ninety-five thousand dollars (\$295,000) to plan, design, construct, purchase, install and equip buildings and grounds, including fencing, wiring, safety systems, information technology and athletic fields, at Albuquerque aviation academy in Albuquerque in Bernalillo county;
7. one hundred seventy-five thousand dollars (\$175,000) to purchase, install and improve information technology, including related equipment, furniture and infrastructure, at Altura preparatory school in Albuquerque in Bernalillo county;
8. seventy-five thousand dollars (\$75,000) to plan, design, construct and replace the chiller in the historic Amy Biehl high school building in Albuquerque in Bernalillo county;
9. one hundred thousand dollars (\$100,000) to purchase and install furniture and equipment for a hybrid adult learning center in Albuquerque in Bernalillo county;
10. fifty thousand dollars (\$50,000) to plan, design, construct, equip, furnish, renovate and install improvements to facilities, including fencing, wiring, information technology and safety systems, at Cesar Chavez community school in Albuquerque in Bernalillo county;
11. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip, furnish, install and improve facilities, including infrastructure, security and landscaping, at Cottonwood Classical preparatory school in Albuquerque in Bernalillo county;
12. one million one hundred five thousand dollars (\$1,105,000) for the purchase of a career development center at Gordon Bernell charter school in Albuquerque in Bernalillo county;
13. one hundred thirty-five thousand dollars (\$135,000) to plan, design, construct, equip, furnish and renovate buildings and grounds, including infrastructure, fencing, wiring, safety systems and information technology, for the Media Arts collaborative charter school in Albuquerque in Bernalillo county;
14. sixty thousand dollars (\$60,000) to plan, design, construct, equip, furnish, install and improve campus facilities, including security and playgrounds, at Mission Achievement and Success charter school in Albuquerque in Bernalillo county;
15. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, renovate, furnish, equip and install improvements, including fencing, wiring,

safety systems and information technology, for the Montessori elementary and middle school in Albuquerque in Bernalillo county;

16. twenty-five thousand dollars (\$25,000) to purchase and equip vehicles and to plan, design, construct, equip, furnish, install and improve facilities, including information technology, outdoor learning space and a marquee, at the New America school in Albuquerque in Bernalillo county;

17. one hundred sixty thousand dollars (\$160,000) to plan, design, construct, equip, furnish and renovate buildings and grounds, including infrastructure, fencing, wiring, safety systems, information technology and equipment, for Rio Grande academy of fine arts charter school in Albuquerque in Bernalillo county;

18. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, install and equip buildings and grounds, including fencing, wiring, safety systems, information technology and playground equipment, for Solare Collegiate charter school in Albuquerque in Bernalillo county;

19. twenty-five thousand dollars (\$25,000) to plan, design, construct, improve and equip facilities, including parking, at South Valley preparatory school in Albuquerque in Bernalillo county;

20. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, equip, furnish and renovate buildings and grounds, including infrastructure, wiring, safety systems, information technology and bathroom facilities, at Southwest Secondary learning center in Albuquerque in Bernalillo county;

21. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, install and equip buildings and grounds, including fencing, wiring, safety systems and information technology, at the International school at Mesa del Sol in the Albuquerque public school district in Bernalillo county;

22. fifty thousand dollars (\$50,000) to plan, design, construct and improve signage, including a marquee, for Tierra Adentro charter school in Albuquerque in Bernalillo county;

23. two hundred ten thousand dollars (\$210,000) to plan, design, construct, purchase and renovate school facilities, including storage space and portable buildings, for Tierra Adentro charter school in Albuquerque in Bernalillo county;

24. three hundred thousand dollars (\$300,000) to plan, design, construct and renovate buildings and grounds at ACE Leadership high school in the Albuquerque public school district in Bernalillo county;

25. twenty-five thousand dollars (\$25,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including

the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Adobe Acres elementary school in the Albuquerque public school district in Bernalillo county;

26. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Alameda elementary school in the Albuquerque public school district in Bernalillo county;

27. four hundred ten thousand dollars (\$410,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Alamosa elementary school in the Albuquerque public school district in Bernalillo county;

28. two hundred thousand dollars (\$200,000) to plan, design, construct, improve and equip playgrounds, shade structures, landscaping, fields and drainage at Alice King community school in the Albuquerque public school district in Bernalillo county;

29. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Alvarado elementary school in the Albuquerque public school district in Bernalillo county;

30. two hundred thousand dollars (\$200,000) to plan, design, construct and improve buildings and facilities for the junior reserve officer training corps program, including the purchase and installation of related equipment, furniture, rifles and marksmanship target ranges, in the Albuquerque public school district in Bernalillo county;

31. two hundred fifteen thousand dollars (\$215,000) to make facility improvements, including the purchase and installation of information technology and related equipment, for 89.1 KANW-FM in the Albuquerque public school district in Bernalillo county;

32. one hundred fifty thousand dollars (\$150,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Atrisco elementary school in the Albuquerque public school district in Bernalillo county;

33. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Atrisco Heritage academy high school in the Albuquerque public school district in Bernalillo county;

34. four hundred thousand dollars (\$400,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Bandelier elementary school in the Albuquerque public school district in Bernalillo county;

35. one hundred seventy-five thousand dollars (\$175,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Barcelona elementary school in the Albuquerque public school district in Bernalillo county;

36. ten thousand dollars (\$10,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Bel-Air elementary school in the Albuquerque public school district in Bernalillo county;

37. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Bellehaven elementary school in the Albuquerque public school district in Bernalillo county;

38. twenty-five thousand dollars (\$25,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at the career enrichment center in the Albuquerque public school district in Bernalillo county;

39. two hundred seventy-five thousand dollars (\$275,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Carlos Rey elementary in the Albuquerque public school district in Bernalillo county;

40. fifty thousand dollars (\$50,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Chamiza elementary school in the Albuquerque public school district in Bernalillo county;

41. three hundred thirty thousand dollars (\$330,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Chaparral elementary school in the Albuquerque public school district in Bernalillo county;

42. one hundred fifty thousand dollars (\$150,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books,

information technology and infrastructure at Chelwood elementary school in the Albuquerque public school district in Bernalillo county;

43. eighty thousand dollars (\$80,000) to plan, design, construct, renovate, furnish and equip buildings and grounds, including the purchase and installation of information technology and related equipment, furniture and infrastructure, at Christine Duncan heritage academy in the Albuquerque public school district in Bernalillo county;

44. one hundred thousand dollars (\$100,000) to purchase, acquire, furnish, improve or install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for the improvements for classrooms at Cibola high school in the Albuquerque public school district in Bernalillo county;

45. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, replace and equip flooring at Cien Aguas international school in the Albuquerque public school district in Bernalillo county;

46. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Cleveland middle school in the Albuquerque public school district in Bernalillo county;

47. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Cochiti elementary school in the Albuquerque public school district in Bernalillo county;

48. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Collet Park elementary school in the Albuquerque public school district in Bernalillo county;

49. one hundred thousand dollars (\$100,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Del Norte high school in the Albuquerque public school district in Bernalillo county;

50. fifty thousand dollars (\$50,000) to purchase, acquire, furnish, improve or install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for the improvements for classrooms at Dennis Chavez elementary in the Albuquerque public school district in Bernalillo county;

51. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and renovate outdoor spaces for Digital Arts and Technology academy in the Albuquerque public school district in Bernalillo county;

52. one hundred ten thousand dollars (\$110,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Dolores Gonzales elementary school in the Albuquerque public school district in Bernalillo county;

53. fifty thousand dollars (\$50,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at East San Jose elementary school in the Albuquerque public school district in Bernalillo county;

54. one hundred seventy thousand dollars (\$170,000) to purchase and install meals equipment and other equipment at East Mountain high school in the Albuquerque public school district in Bernalillo county;

55. fifty thousand dollars (\$50,000) to plan, design, construct, equip, furnish and improve buildings and grounds, including windows and sidewalks, at East Mountain high school in the Albuquerque public school district in Bernalillo county;

56. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Edmund G. Ross elementary school in the Albuquerque public school district in Bernalillo county;

57. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Edward Gonzales elementary school in the Albuquerque public school district in Bernalillo county;

58. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Eisenhower middle school in the Albuquerque public school district in Bernalillo county;

59. fifty thousand dollars (\$50,000) to plan, design, construct, equip and renovate science laboratories, including electrical capacity and accessibility improvements, at El Camino Real academy in the Albuquerque public school district in Bernalillo county;

60. two hundred fifty thousand dollars (\$250,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Eldorado high school in the Albuquerque public school district in Bernalillo county;

61. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Emerson elementary school in the Albuquerque public school district in Bernalillo county;

62. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Ernie Pyle middle school in the Albuquerque public school district in Bernalillo county;

63. one hundred sixty thousand dollars (\$160,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Eugene Field elementary school in the Albuquerque public school district in Bernalillo county;

64. eighty thousand dollars (\$80,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Freedom high school in the Albuquerque public school district in Bernalillo county;

65. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Garfield STEM magnet and community school in the Albuquerque public school district in Bernalillo county;

66. twenty-five thousand dollars (\$25,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at George I. Sanchez K-8 collaborative community school in the Albuquerque public school district in Bernalillo county;

67. twenty-five thousand dollars (\$25,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Georgia O'Keeffe elementary school in the Albuquerque public school district in Bernalillo county;

68. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, renovate, furnish and equip an additional school building and grounds, including fencing, security systems and information technology, for Gilbert L. Sena charter high school in the Albuquerque public school district in Bernalillo county;

69. one hundred thousand dollars (\$100,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Grant middle school in the Albuquerque public school district in Bernalillo county;

70. one hundred twenty-five thousand dollars (\$125,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books,

information technology and infrastructure at Harrison middle school in the Albuquerque public school district in Bernalillo county;

71. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Hawthorne elementary school in the Albuquerque public school district in Bernalillo county;

72. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Hayes middle school in the Albuquerque public school district in Bernalillo county;

73. five hundred thousand dollars (\$500,000) to plan, design, construct, renovate and equip buildings and grounds, including solar technology, at Health Leadership high school in the Albuquerque public school district in Bernalillo county;

74. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Helen Cordero elementary school in the Albuquerque public school district in Bernalillo county;

75. three hundred thousand dollars (\$300,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Highland high school in the Albuquerque public school district in Bernalillo county;

76. ten thousand dollars (\$10,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Hodgin elementary school in the Albuquerque public school district in Bernalillo county;

77. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Hoover middle school in the Albuquerque public school district in Bernalillo county;

78. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Hubert H. Humphrey elementary school in the Albuquerque public school district in Bernalillo county;

79. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Inez elementary school in the Albuquerque public school district in Bernalillo county;

80. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Jackson middle school in the Albuquerque public school district in Bernalillo county;

81. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at James Monroe middle school in the Albuquerque public school district in Bernalillo county;

82. fifty thousand dollars (\$50,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Janet Kahn school of integrated arts in the Albuquerque public school district in Bernalillo county;

83. three hundred thousand dollars (\$300,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Jefferson middle school in the Albuquerque public school district in Bernalillo county;

84. seventy-five thousand dollars (\$75,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Jimmy Carter middle school in the Albuquerque public school district in Bernalillo county;

85. three hundred thirty thousand dollars (\$330,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at John Adams middle school in the Albuquerque public school district in Bernalillo county;

86. one hundred thirty thousand dollars (\$130,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at John Baker elementary school in the Albuquerque public school district in Bernalillo county;

87. three hundred seventy-five thousand dollars (\$375,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at the juvenile detention center in the Albuquerque public school district in Bernalillo county;

88. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Kennedy middle school in the Albuquerque public school district in Bernalillo county;

89. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Kirtland elementary school in the Albuquerque public school district in Bernalillo county;

90. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Kit Carson elementary school in the Albuquerque public school district in Bernalillo county;

91. one hundred eighty-five thousand dollars (\$185,000) to plan, design, construct, renovate, purchase, furnish and equip improvements to buildings and grounds, including cameras, fencing, information technology and security system infrastructure, for La Academia de Esperanza charter school in the Albuquerque public school district in Bernalillo county;

92. fifty thousand dollars (\$50,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at La Cueva high school in the Albuquerque public school district in Bernalillo county;

93. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at La Mesa elementary school in the Albuquerque public school district in Bernalillo county;

94. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Lavaland elementary school in the Albuquerque public school district in Bernalillo county;

95. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Lyndon B. Johnson middle school in the Albuquerque public school district in Bernalillo county;

96. two hundred thousand dollars (\$200,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Lew Wallace elementary school in the Albuquerque public school district in Bernalillo county;

97. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Longfellow elementary school in the Albuquerque public school district in Bernalillo county;

98. twenty-five thousand dollars (\$25,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Los Padillas elementary school in the Albuquerque public school district in Bernalillo county;

99. twenty-five thousand dollars (\$25,000) to plan, design, construct, purchase, equip and furnish infrastructure, shade structures, benches and landscaping for an outdoor classroom, including equipment and infrastructure needed for wi-fi connectivity for outdoor learning spaces, at Los Padillas elementary school in the Albuquerque public school district in Bernalillo county;

100. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, renovate, furnish and equip Los Puentes charter school, including solar panels, fencing, information technology and security infrastructure, in the Albuquerque public school district in Bernalillo county;

101. two hundred twenty-five thousand dollars (\$225,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Los Ranchos elementary school in the Albuquerque public school district in Bernalillo county;

102. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Lowell elementary school in the Albuquerque public school district in Bernalillo county;

103. one hundred twenty-five thousand dollars (\$125,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at MacArthur elementary school in the Albuquerque public school district in Bernalillo county;

104. one hundred fifty thousand dollars (\$150,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Madison middle school in the Albuquerque public school district in Bernalillo county;

105. two hundred seventy-five thousand dollars (\$275,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Manzano high school in the Albuquerque public school district in Bernalillo county;

106. one hundred thousand dollars (\$100,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Manzano Mesa elementary school in the Albuquerque public school district in Bernalillo county;

107. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Marie Hughes elementary school in the Albuquerque public school district in Bernalillo county;

108. seventy-five thousand dollars (\$75,000) to plan, design, construct, purchase, renovate, furnish, equip and expand facilities, including classrooms, multipurpose areas and early childhood facilities, for Mark Armijo academy in the Albuquerque public school district in Bernalillo county;

109. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, purchase and improve the main facilities at Mark Armijo academy in the Albuquerque public school district in Bernalillo county;

110. ten thousand dollars (\$10,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Mark Twain elementary school in the Albuquerque public school district in Bernalillo county;

111. two hundred thousand dollars (\$200,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Mary Ann Binford elementary school in the Albuquerque public school district in Bernalillo county;

112. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at McCollum elementary school in the Albuquerque public school district in Bernalillo county;

113. two hundred ten thousand dollars (\$210,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at McKinley middle school in the Albuquerque public school district in Bernalillo county;

114. one hundred twenty-five thousand dollars (\$125,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Mission Avenue elementary school in the Albuquerque public school district in Bernalillo county;

115. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Mitchell elementary school in the Albuquerque public school district in Bernalillo county;

116. one hundred fifty thousand dollars (\$150,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books,

information technology and infrastructure at Monte Vista elementary school in the Albuquerque public school district in Bernalillo county;

117. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Montezuma elementary school in the Albuquerque public school district in Bernalillo county;

118. one hundred fifty thousand dollars (\$150,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Navajo elementary school in the Albuquerque public school district in Bernalillo county;

119. ten thousand dollars (\$10,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at New Futures school in the Albuquerque public school district in Bernalillo county;

120. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, purchase, equip and install security improvements, including windows, door locks, surveillance cameras and related equipment, at New Mexico international school in the Albuquerque public school district in Bernalillo county;

121. fifty thousand dollars (\$50,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Ocate elementary school in the Albuquerque public school district in Bernalillo county;

122. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Osuna elementary school in the Albuquerque public school district in Bernalillo county;

123. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Painted Sky elementary school in the Albuquerque public school district in Bernalillo county;

124. twenty-five thousand dollars (\$25,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Pajarito elementary school in the Albuquerque public school district in Bernalillo county;

125. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Petroglyph elementary school in the Albuquerque public school district in Bernalillo county;

126. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Polk middle school in the Albuquerque public school district in Bernalillo county;

127. nine hundred fifty thousand dollars (\$950,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Rio Grande high school in the Albuquerque public school district in Bernalillo county;

128. seven hundred thousand dollars (\$700,000) to plan, design, construct, purchase, furnish and equip technology infrastructure, security equipment and student transportation for Robert F. Kennedy charter school in the Albuquerque public school district in Bernalillo county;

129. twenty-five thousand dollars (\$25,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Rudolfo Anaya elementary school in the Albuquerque public school district in Bernalillo county;

130. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct and renovate entrance areas at South Valley academy charter school in the Albuquerque public school district in Bernalillo county;

131. one hundred thirty thousand dollars (\$130,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at S.Y. Jackson elementary school in the Albuquerque public school district in Bernalillo county;

132. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Sandia high school in the Albuquerque public school district in Bernalillo county;

133. eighty-five thousand dollars (\$85,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at School on Wheels high school in the Albuquerque public school district in Bernalillo county;

134. eighty-five thousand dollars (\$85,000) to plan, design, construct, renovate, furnish, equip and install improvements, including fencing, wiring, safety systems and information technology, at Siembra Leadership high school in the Albuquerque public school district in Bernalillo county;

135. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Sierra Vista elementary school in the Albuquerque public school district in Bernalillo county;

136. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Sombra del Monte elementary school in the Albuquerque public school district in Bernalillo county;

137. three hundred thirty thousand dollars (\$330,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Susie Rayos Marmon elementary school in the Albuquerque public school district in Bernalillo county;

138. two hundred seventy-five thousand dollars (\$275,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Taft middle school in the Albuquerque public school district in Bernalillo county;

139. one hundred seventy-five thousand dollars (\$175,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Taylor middle school in the Albuquerque public school district in Bernalillo county;

140. twenty thousand dollars (\$20,000) to plan, design, construct, equip, furnish, improve and expand Technology Leadership high school in the Albuquerque public school district in Bernalillo county;

141. ten thousand dollars (\$10,000) to purchase and equip vehicles and to plan, design, construct, purchase, equip and improve Technology Leadership high school, including security systems, internet migration infrastructure and fencing, in the Albuquerque public school district in Bernalillo county;

142. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Tierra Antigua elementary school in the Albuquerque public school district in Bernalillo county;

143. one hundred seventy-five thousand dollars (\$175,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Tomasita elementary school in the Albuquerque public school district in Bernalillo county;

144. fifty thousand dollars (\$50,000) to plan, design, construct and renovate the grounds, fields, track areas, gymnasium floors and tennis courts, including the purchase and installation of related equipment, weight room equipment, sports equipment, fencing, bleachers, track resurfacing, asphalt paving, drainage, artificial turf and landscaping, at Tony Hillerman middle school in the Albuquerque public school district in Bernalillo county;

145. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Tres Volcanes collaborative community school in the Albuquerque public school district in Bernalillo county;

146. three hundred thousand dollars (\$300,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Truman middle school in the Albuquerque public school district in Bernalillo county;

147. two hundred ten thousand dollars (\$210,000) to plan, design, construct, purchase, equip and furnish outdoor benches and shade structures at Valle Vista elementary school in the Albuquerque public school district in Bernalillo county;

148. fifty thousand dollars (\$50,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Valley high school in the Albuquerque public school district in Bernalillo county;

149. two hundred thousand dollars (\$200,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Van Buren middle school in the Albuquerque public school district in Bernalillo county;

150. three hundred thousand dollars (\$300,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at Ventana Ranch elementary school in the Albuquerque public school district in Bernalillo county;

151. four hundred thousand dollars (\$400,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Volcano Vista high school in the Albuquerque public school district in Bernalillo county;

152. one hundred ten thousand dollars (\$110,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Washington middle school in the Albuquerque public school district in Bernalillo county;

153. three hundred fifty thousand dollars (\$350,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure for libraries and bookrooms at West Mesa high school in the Albuquerque public school district in Bernalillo county;

154. four hundred thousand dollars (\$400,000) to purchase, furnish, improve and install library equipment, furniture, fixtures, bookshelves, books, information

technology and infrastructure for libraries and bookrooms at Wilson middle school in the Albuquerque public school district in Bernalillo county;

155. one hundred thousand dollars (\$100,000) to purchase, furnish, improve and install classroom equipment, furniture, fixtures, bookshelves, books, information technology and infrastructure at Zia elementary school in the Albuquerque public school district in Bernalillo county;

156. fifty thousand dollars (\$50,000) to plan, design, construct, upgrade and equip shooting ranges for high schools in communities in the southeast region of Roswell in Chaves county;

157. one hundred twenty thousand dollars (\$120,000) to plan, design, construct and replace roofs and gutters at the administrative building in the Hagerman municipal school district in Chaves county;

158. one hundred twenty thousand dollars (\$120,000) to purchase and equip a light-emitting diode marquee for the Hagerman municipal school district in Chaves county;

159. four hundred thousand dollars (\$400,000) to purchase and install playground equipment for the Lake Arthur municipal school district in Chaves county;

160. three hundred thousand dollars (\$300,000) to purchase and equip vehicles and equipment, including food trucks, for career technical education programs in the Gadsden independent school district in Dona Ana county;

161. one hundred fifty-five thousand dollars (\$155,000) to plan, design, construct, purchase and equip a prefabricated greenhouse learning laboratory at Hatch Valley middle school in the Hatch Valley public school district in Dona Ana county;

162. three hundred thousand dollars (\$300,000) to plan, design, construct and renovate an employee assistance and staff wellness center in the Las Cruces public school district in Dona Ana county;

163. two million three hundred eighty thousand dollars (\$2,380,000) to plan, design, construct and renovate a family support center for the Las Cruces public school district in Dona Ana county;

164. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, renovate, furnish and equip an outdoor learning space at the teaching and learning center in the Las Cruces public school district in Dona Ana county;

165. nine hundred fifty thousand dollars (\$950,000) to plan, design, construct, furnish and equip a career technical education building, including training spaces and

classrooms, for Rio Grande preparatory institute in the Las Cruces public school district in Dona Ana county;

166. five hundred thousand dollars (\$500,000) to plan, design, construct and install a heating, ventilation and air conditioning system for the Artesia junior high school kitchen and cafeteria in the Artesia public school district in Eddy county;

167. three hundred thousand dollars (\$300,000) to plan, design, construct, furnish, equip and improve athletic complexes, including a girls' softball field, in the Cobre consolidated school district in Grant county;

168. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and furnish improvements for the outdoor classroom at Aldo Leopold charter school in Silver City in Grant county;

~~169. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, equip and install a portable building for Guadalupe Montessori school in Silver City in Grant county;~~ *LINE ITEM VETO*

170. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, replace, purchase and equip improvements, including sod and irrigation systems, to the schools in Cliff in the Silver consolidated school district in Grant county;

171. ninety thousand dollars (\$90,000) to plan, design, construct and repair roofs for a cafeteria and an auditorium at Animas high school in the Animas public school district in Hidalgo county;

172. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, equip and furnish improvements to facilities in the Animas public school district in Animas in Hidalgo county;

173. twenty-five thousand dollars (\$25,000) to plan, design and construct water system improvements, including water pump controls, storage monitoring systems, backup pump controls and irrigation control, for the Animas public school district in Hidalgo county;

174. one hundred thousand dollars (\$100,000) to plan, design, construct and replace playground equipment at R.V. Traylor and Central elementary schools in the Lordsburg municipal school district in Hidalgo county;

175. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, renovate, expand, furnish and equip the autism center, including modular classrooms, information technology infrastructure, the electrical, plumbing, security and fire protection systems, an accessibility ramp and fencing, for the Lovington municipal school district in Lea county;

176. four hundred sixty thousand dollars (\$460,000) to plan, design, construct and replace the roof of Tatum high school in the Tatum municipal school district in Lea county;

177. two hundred eighty-five thousand dollars (\$285,000) to plan, design, construct and replace the roof on the Tatum high school vocational building in the Tatum municipal school district in Lea county;

178. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, furnish and equip the career technical education facilities, including expanding laboratory space and upgrading equipment, in the Corona public school district in Lincoln county;

179. sixty-one thousand dollars (\$61,000) to purchase and equip vehicles for the Hondo Valley public school district in Lincoln county;

180. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct and renovate the water treatment plant for the Hondo Valley public school district in Lincoln county;

181. seventy-five thousand dollars (\$75,000) to plan, design, construct, renovate, furnish and equip the first floor, including an elevator and bathrooms that meet accessibility requirements, at the region 9 education cooperative offices in Ruidoso in Lincoln county;

182. one hundred twenty-one thousand dollars (\$121,000) to plan, design, construct and improve the grounds, including walkways and accessibility improvements, at the region 9 education cooperative office building in Ruidoso in Lincoln county;

183. one hundred fifty thousand dollars (\$150,000) to purchase and equip buses for Hozho academy charter school in Gallup in McKinley county;

184. eighty-five thousand dollars (\$85,000) to purchase and equip vehicles for the Hozho academy charter school maintenance department in Gallup in McKinley county;

185. three hundred thousand dollars (\$300,000) to purchase interactive projectors and equipment for the Gallup-McKinley county school district in McKinley county;

186. one hundred eighty-five thousand dollars (\$185,000) to purchase and equip vehicles for the Mora independent school district in Mora county;

187. one hundred thousand dollars (\$100,000) to purchase and install security equipment, including sensors and cameras, in the Wagon Mound public school district in Mora county;

188. fifty thousand dollars (\$50,000) to purchase and equip vehicles for the Wagon Mound public school district in Mora county;

189. one hundred sixty thousand dollars (\$160,000) to plan, design and construct a greenhouse for a career technical education program in the Jemez Mountain public school district in Rio Arriba county;

190. sixty-five thousand dollars (\$65,000) to plan, design, construct and expand dining and learning spaces at McCurdy charter school in Espanola in Rio Arriba county;

191. fifty thousand dollars (\$50,000) to purchase, install and upgrade refrigeration equipment for the Espanola public school district in Rio Arriba county;

192. eighty thousand dollars (\$80,000) to purchase, equip and install security systems using artificial intelligence and sensor technology in the Espanola public school district in Rio Arriba county;

193. one hundred twenty thousand dollars (\$120,000) to purchase and equip maintenance and utility trucks for the Espanola public school district in Rio Arriba county;

194. forty-five thousand dollars (\$45,000) to purchase and equip a portable vehicle lift for the district repair garage in the Espanola public school district in Rio Arriba county;

195. two hundred ten thousand dollars (\$210,000) to plan, design, construct, upgrade and equip security systems, including visor control and an automatic gate, at Espanola Valley high school in the Espanola public school district in Rio Arriba county;

196. one hundred fifty thousand dollars (\$150,000) to purchase and equip an activity bus for the Mesa Vista consolidated school district in Rio Arriba county;

197. seventy-five thousand dollars (\$75,000) to purchase and equip vehicles and information technology for a film editing laboratory at Robertson high school in the Las Vegas city public school district in San Miguel county;

198. thirty thousand dollars (\$30,000) to plan, design, construct and equip a health and wellness center at West Las Vegas high school in the West Las Vegas public school district in San Miguel county;

199. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and repair track and field facilities for the Pecos independent school district in Pecos in San Miguel county;

200. thirty thousand dollars (\$30,000) to purchase, equip and install a public address system for the theater in Valley elementary school in the West Las Vegas public school district in San Miguel county;

201. two hundred thousand dollars (\$200,000) to purchase and equip an activity bus for Rio Gallinas school for ecology and the arts in the West Las Vegas public school district in San Miguel county;

202. seventy-five thousand dollars (\$75,000) to replace the gymnasium floor at Cleveland high school in the Rio Rancho public school district in Sandoval county;

203. seventy-six thousand dollars (\$76,000) to plan, design, construct and replace the auxiliary gymnasium floor at Rio Rancho high school in the Rio Rancho public school district in Sandoval county;

204. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate and equip the Cochiti multicultural center and a gymnasium in the Bernalillo public school district in Sandoval county;

205. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and equip a bus barn, including drain channels and accessibility improvements, for the Cuba independent school district in Sandoval county;

206. thirty-three thousand five hundred dollars (\$33,500) to purchase, replace and install a gymnasium washer and dryer at Rio Rancho high school in the Rio Rancho public school district in Sandoval county;

207. five hundred thousand dollars (\$500,000) to plan, design, construct, renovate, purchase and equip buildings and grounds, including fencing, wiring, safety systems and information technology, for the Sandoval academy of bilingual education in Rio Rancho in Sandoval county;

208. nine hundred fifty-one thousand dollars (\$951,000) to plan, design, construct, equip, furnish and renovate buildings and grounds, including infrastructure, fencing, wiring, safety systems and information technology, at the ASK academy charter school in Rio Rancho in Sandoval county;

209. two hundred thousand dollars (\$200,000) to purchase and install intercom systems for Colinas Del Norte elementary school in the Rio Rancho public school district in Sandoval county;

210. thirty-five thousand dollars (\$35,000) to purchase and install intercom systems in Lincoln middle school in the Rio Rancho public school district in Sandoval county;

211. forty thousand dollars (\$40,000) to purchase and install a sound system in Rio Rancho middle school in the Rio Rancho public school district in Sandoval county;

212. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and improve security systems in the Rio Rancho public school district in Sandoval county;

213. two hundred thousand dollars (\$200,000) to purchase and install safety infrastructure at Turquoise Trail charter school in Santa Fe county;

214. seventy thousand dollars (\$70,000) to plan, design, construct, improve, furnish and equip head start sites, including playgrounds, for the Santa Fe public school district in Santa Fe county;

215. one million six hundred fifty thousand dollars (\$1,650,000) to plan, design, construct, furnish and equip track and field areas, including playgrounds, outdoor learning spaces, benches, tables, shade structures, turf, landscaping and fencing, at Estancia Valley Classical academy in Edgewood in Santa Fe county;

216. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, expand and upgrade classroom space and security systems for Monte del Sol charter school in Santa Fe in Santa Fe county;

217. two hundred thousand dollars (\$200,000) to purchase and equip vehicles for Monte del Sol charter school in Santa Fe in Santa Fe county;

218. one hundred thousand dollars (\$100,000) to purchase and equip vehicles, including a maintenance truck with a snowplow and a student activity vehicle, for the New Mexico school for the arts in Santa Fe in Santa Fe county;

219. two hundred fifty thousand dollars (\$250,000) to plan, design, construct and install solar panels and artificial turf at the New Mexico school for the arts in Santa Fe in Santa Fe county;

220. two hundred seventy thousand dollars (\$270,000) to plan, design, construct, purchase, install and equip buildings and grounds, including fencing, wiring, safety systems, information technology, cameras, magnetic locks, playground equipment and furniture, for Thrive community charter school in Santa Fe in Santa Fe county;

221. seven hundred fifty thousand dollars (\$750,000) to plan, design and construct affordable housing for lease to district staff on property owned by the Santa Fe public school district in Santa Fe county;

222. five hundred thousand dollars (\$500,000) to plan, design, construct, renovate, furnish and equip buildings and grounds, including heating, ventilation and air

conditioning systems, at an early childhood learning center facility in the Santa Fe public school district in Santa Fe county;

223. two hundred fifty thousand dollars (\$250,000) to acquire land for and to plan, design, construct, replace, equip, furnish and install buildings and grounds, including playground safety surfacing, electrical code updates, security fencing and parking lots, at Cottonwood Valley charter school in the Socorro consolidated school district in Socorro county;

224. one hundred seventy thousand dollars (\$170,000) to plan, design and construct drainage system improvements for the campus field and track at Socorro high school in the Socorro consolidated school district in Socorro county;

225. one hundred forty-nine thousand four hundred ninety-five dollars (\$149,495) to purchase and equip a student activities sport utility vehicle for the Questa independent school district in Taos county;

226. one hundred ninety-five thousand dollars (\$195,000) to plan, design, construct, repair and renovate phase 3 improvements to buildings and grounds, including modular buildings and drainage, at the Roots and Wings community school in Taos county;

227. two hundred thousand dollars (\$200,000) to plan, design, construct, replace and renovate a career technical education building, including flooring, restrooms, heating, ventilation and air conditioning systems and local exhaust ventilation and filter systems, in the Penasco independent school district in Taos county;

228. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and equip facilities, including parking lots, fencing and playground equipment, for the Red River Valley charter school in Red River in Taos county;

229. two hundred thousand dollars (\$200,000) to acquire land for and to plan, design, construct and renovate campus buildings for preschool, special education and ancillary classrooms, occupational therapy, physical therapy and speech therapy spaces, a nurse's office, counseling space and community schooling at the Anansi charter school in the Taos municipal school district in Taos county;

230. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, repair and replace boiler systems and heating, ventilation and air conditioning systems in the Taos municipal school district in Taos county;

231. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, renovate and improve school security systems, including upgrades to cameras, technology and facilities, in the Taos municipal school district in Taos county;

232. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, furnish and equip a multipurpose gymnasium in the Taos municipal school district in Taos county;

233. seventy thousand dollars (\$70,000) to purchase and equip a hydraulic ironworker machine for a career technical education welding program at Mountainair high school in the Mountainair public school district in Torrance county;

234. one million dollars (\$1,000,000) to plan and design a facility for the School of Dreams academy in Los Lunas in Valencia county; and

235. ninety thousand dollars (\$90,000) to plan, design, construct, equip, furnish and renovate the campus, including infrastructure and additional learning spaces, at Coral community charter school in the Albuquerque public school district in Bernalillo county.

Chapter 66 Section 17 Laws 2024

SECTION 17. ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the energy, minerals and natural resources department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. fourteen million dollars (\$14,000,000) to plan, design, acquire, construct, renovate, furnish and equip facilities to support New Mexico hotshot crews in San Miguel and Socorro counties and for vehicles and equipment related to wildland firefighting operations; and

2. five million dollars (\$5,000,000) to plan, design and construct watershed restoration and community wildfire protection improvements, including forest thinning, statewide.

Chapter 66 Section 18 Laws 2024

SECTION 18. STATE PARKS DIVISION OF THE ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the state parks division of the energy, minerals and natural resources department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. fifty thousand dollars (\$50,000) to plan, design and construct improvements to park access, boat ramps, parking areas and campsites at El Vado Lake state park in Rio Arriba county;

2. fifty thousand dollars (\$50,000) to plan, design and construct improvements to park access, boat ramps, parking areas and campsites at Heron Lake state park in Rio Arriba county; and

3. sixteen million dollars (\$16,000,000) to plan, design, construct, renovate, repair, furnish and equip improvements to state park facilities and infrastructure, including Conchas Lake state park, Storrie Lake state park, Elephant Butte Lake state park and Navajo Lake state park, statewide.

Chapter 66 Section 19 Laws 2024

SECTION 19. OFFICE OF THE STATE ENGINEER PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the office of the state engineer for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. twenty-five thousand dollars (\$25,000) to plan, design and construct water measurement infrastructure and devices for the middle Rio Grande conservancy district in Bernalillo county;

2. fifty thousand dollars (\$50,000) to plan and design the Cimarroncito dam rehabilitation project in Colfax county;

3. two million two hundred thirty-five thousand dollars (\$2,235,000) to acquire property and easements for and to plan, design, construct and equip an extension to the Brahman diversion channel flood control structure to convey surface runoff west to Isaacks lake in Dona Ana county;

4. two hundred sixty thousand dollars (\$260,000) to plan, design, construct and improve the Santa Cruz flood control dam site 1 in the Santa Fe-Pojoaque soil and water conservation district in Rio Arriba and Santa Fe counties;

5. two million nine hundred forty-nine thousand dollars (\$2,949,000) to plan, design, construct and install siphons in the Angostura area of the Citizens ditch for the Bloomfield irrigation district in San Juan county;

6. fifteen thousand dollars (\$15,000) to plan, design, construct, repair and improve areas along the south side of the spillway stilling basin at the Santa Cruz dam in the Santa Cruz irrigation district in Santa Fe county;

7. thirty-seven thousand dollars (\$37,000) to plan, design, construct, repair and install riprap in eroded areas of the Santa Cruz dam, including the spillway and stilling basin, in Santa Fe county;

8. one million dollars (\$1,000,000) to plan, design and construct river channel improvements above Elephant Butte dam;

9. nine million dollars (\$9,000,000) to plan, design and construct river channel maintenance, habitat restoration and flood control projects on the Rio Grande;

10. one million dollars (\$1,000,000) to the strategic water reserve;

11. one million dollars (\$1,000,000) to purchase, construct, install, map and calibrate surface and ground water measurement structures, equipment and related software statewide;

12. two hundred thousand dollars (\$200,000) for a feasibility study and conceptual design for green storm water technology for the Hahn arroyo in Bernalillo county; and

13. five hundred thousand dollars (\$500,000) to plan, design, construct, repair and improve the flood control canal in the Macho draw north of Roswell in Chaves county.

Chapter 66 Section 20 Laws 2024

SECTION 20. DEPARTMENT OF ENVIRONMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the department of environment for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. two hundred thousand dollars (\$200,000) to plan, design, construct and equip an arsenic treatment plant for the Albuquerque-Bernalillo county water utility authority in Bernalillo county;

2. one hundred twenty thousand dollars (\$120,000) to plan, design, construct, furnish and equip a non-potable water reuse treatment plant, including reuse water distribution pipelines and pumping facilities, for the Albuquerque-Bernalillo county water utility authority in Bernalillo county;

3. two million dollars (\$2,000,000) to plan, design, construct and equip a water collections system from the Albuquerque-Bernalillo county water utility authority system to Carnuel in Bernalillo county;

4. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, extend and equip a wastewater collection system, including sewers, from the Albuquerque-Bernalillo county water utility authority wastewater system to Carnuel in Bernalillo county;

5. two hundred fifty thousand dollars (\$250,000) to plan, design and construct water system improvements and to connect to the Albuquerque-Bernalillo county water utility authority system for the Paakweree Village mutual domestic water consumers association in Bernalillo county;

6. twenty-five thousand dollars (\$25,000) to acquire rights of way and easements for and to plan, design, construct and equip an aquifer storage and recovery facility in Albuquerque in Bernalillo county;
7. fifty thousand dollars (\$50,000) to plan, design and construct a municipal wastewater sewer system for Tijeras in Bernalillo county;
8. two hundred thousand dollars (\$200,000) to plan, design and construct wastewater and water system improvements for Reserve in Catron county;
9. seven hundred thousand dollars (\$700,000) to plan, design and construct water system improvements in Hagerman in Chaves county;
10. three hundred twenty-five thousand dollars (\$325,000) to plan, design, construct and equip water system improvements for Lake Arthur in Chaves county;
11. four hundred thousand dollars (\$400,000) to plan, design, construct, equip and install water system improvements for the Bluewater water and sanitation district in Cibola county;
12. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, furnish and equip wastewater system improvements in Milan in Cibola county;
13. one hundred thousand dollars (\$100,000) to plan, design, construct, replace and improve water and wastewater systems, including water supply lines, system controls and hydrants, for the Monte Verde lake area in Angel Fire in Colfax county;
14. fifty thousand dollars (\$50,000) to plan, design, construct, replace and equip sewer lines in Maxwell in Colfax county;
15. four hundred thousand dollars (\$400,000) to plan, design, construct and equip a bulk water filling station in Melrose in Curry county;
16. one million six hundred eleven thousand dollars (\$1,611,000) to replace and rehabilitate a wastewater collection line under Fort Sumner municipal school district buildings in Fort Sumner in De Baca county;
17. sixty thousand dollars (\$60,000) for a feasibility study for installation of a wastewater collection system for the La Union area in Dona Ana county;
18. three hundred sixty thousand dollars (\$360,000) to plan, design, construct, repair and improve the wastewater system in the south central area of Dona Ana county;

19. five hundred thousand dollars (\$500,000) to acquire land, easements and rights of way for and to plan, design, construct and equip water system improvements, including water supply, distribution, storage, fire protection and treatment, for the Leasburg mutual domestic water consumers association in Dona Ana county;

20. three hundred thousand dollars (\$300,000) to acquire land, easements and rights of way for and to plan, design, construct and equip flood control improvements in the Chaparral area of Dona Ana county;

21. two hundred thirty-one thousand dollars (\$231,000) to plan, design, construct, equip and improve the south central solid waste authority recycling center in Las Cruces in Dona Ana county;

22. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, purchase, equip and permit a solid waste transfer and recycling facility for the south central solid waste authority in Las Cruces in Dona Ana county;

23. one hundred twenty thousand dollars (\$120,000) to plan, design, construct and install a well and water tank, including appurtenances, in Mesilla in Dona Ana county;

24. one million three hundred eighty thousand dollars (\$1,380,000) to plan, design and construct a sewer line for the National Parks highway area, including sewer interceptors, manholes, fittings and attachments, in Eddy county;

25. seven hundred thousand dollars (\$700,000) to purchase, equip and install a generator for Sheep's Draw wellfield near Carlsbad in Eddy county;

26. three hundred thousand dollars (\$300,000) to plan, design, construct, replace and improve water systems for the Malaga mutual domestic water consumers and sewage works association in the areas of Giovengo and Rabbit Hill in Eddy county;

27. three hundred thousand dollars (\$300,000) to plan, design, construct and replace water system improvements for the Malaga mutual domestic water consumers and sewage works association in Eddy county; 28. four hundred ninety-five thousand dollars (\$495,000) to plan, design, purchase and install a water well generator in Artesia in Eddy county;

29. one million dollars (\$1,000,000) to plan, design, construct and replace water lines in the Double Eagle water wellfield in Carlsbad in Eddy county;

30. three hundred thousand dollars (\$300,000) to plan, design and construct improvements to a pump house, including an electrical box, walls, a roof, windows, doors and heating, ventilation and air conditioning systems, in Hope in Eddy county;

31. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and furnish improvements to water and wastewater systems for the Tyrone water and wastewater association in Grant county;

32. one million six hundred thousand dollars (\$1,600,000) to plan, design, construct, equip and furnish wastewater system improvements for Bayard in Grant county;

33. one hundred thirty thousand dollars (\$130,000) to plan, design and construct water system improvements for the Arenas Valley water development association in Grant county;

34. one hundred fifty thousand dollars (\$150,000) to plan, design and construct water system improvements, including installing water lines, for the Puerto de Luna mutual domestic water consumers' association in Guadalupe county;

35. thirty thousand dollars (\$30,000) to plan, design, construct, renovate and equip a water supply well, including the purchase of spare parts, for the Sangre de Cristo regional mutual domestic water consumers and sewage works association in Guadalupe county;

36. sixty-two thousand five hundred dollars (\$62,500) to purchase, equip and install water meters in Roy in Harding county;

37. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip water system improvements for Virden in Hidalgo county;

38. five hundred twenty-five thousand dollars (\$525,000) to plan, design, construct and equip water wells, including backup generators, for Hobbs in Lea county;

39. five hundred thousand dollars (\$500,000) to plan, design, construct, equip and install improvements to the wastewater system, including surface aeration tubes for treatment basins, in Lovington in Lea county;

40. five hundred thousand dollars (\$500,000) to plan, design, construct, replace, furnish and install a wastewater system in Lovington in Lea county;

41. one million one hundred thousand dollars (\$1,100,000) to plan, design, construct and replace a water system for the Enchanted Forest mutual domestic water consumers association in Lincoln county;

42. one hundred thousand dollars (\$100,000) to purchase and equip a grapple truck and green waste collection system for the Greentree solid waste authority in Lincoln county;

43. one hundred thousand dollars (\$100,000) to plan, design and construct a solar array and associated power system for the wastewater treatment facility in Capitan in Lincoln county;

44. three hundred fifty thousand dollars (\$350,000) to purchase and install information technology, including a supervisory control and data acquisition system, in Carrizozo in Lincoln county;

45. nine hundred thousand dollars (\$900,000) to plan, design and construct a water pipeline to the Pajarito reservoir for the Jemez mountain fire protection project in Los Alamos county;

46. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish water and wastewater system improvements in Columbus in Luna county;

47. one hundred thousand dollars (\$100,000) to plan, design, construct and equip a water well for the Gamarco water and sanitation district in McKinley county;

48. two hundred fifty thousand dollars (\$250,000) to plan, design and construct a metering station and connecting lines for the White Cliffs mutual domestic water users association service area in McKinley county;

49. one hundred thousand dollars (\$100,000) to purchase, equip and replace commercial-grade heavy machinery for the northwest New Mexico solid waste authority in McKinley county;

50. three million dollars (\$3,000,000) to plan, design, construct, improve and equip the wastewater treatment plant, including construction of a reverse osmosis treatment plant, in Gallup in McKinley county;

51. eighty thousand dollars (\$80,000) to plan, design and construct water system improvements, including a well and water supply lines, for the Agua Pura mutual domestic water consumers and mutual sewage works association in Mora county;

52. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and replace touch water meters for the greater Chimayo mutual domestic water consumers association in Rio Arriba and Santa Fe counties;

53. five hundred thousand dollars (\$500,000) to plan, design, construct, demolish, replace, purchase and install potable water storage tank 3 for the Timberon water and sanitation district in Otero county;

54. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct, purchase, equip and install improvements, including a fan press and emergency generators, for the wastewater treatment plant in Cloudcroft in Otero county;

55. three hundred thousand dollars (\$300,000) to plan, design and construct water system improvements, including a well and storage tank monitoring system, in Logan in Quay county;
56. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct and repair water lines in Tucumcari in Quay county;
57. seventy-five thousand dollars (\$75,000) to plan water system improvements for the Alcalde mutual domestic water consumers' and mutual sewage works association in Rio Arriba county;
58. seventy-five thousand dollars (\$75,000) to plan, design, construct and improve water systems for the Canjilon mutual domestic water consumers' and mutual sewage works association in Rio Arriba county;
59. fifty thousand dollars (\$50,000) to plan, design and construct water system improvements, including a well and connecting water line, well houses, a booster station, meters, valves and flush hydrants, for the Capulin mutual domestic water consumers association in Rio Arriba county;
60. one hundred eighty thousand dollars (\$180,000) to plan, design, construct, purchase and install water system improvements, including a generator, for the Chamita mutual domestic water consumers and sewage works association and the Agua Sana water users association in Rio Arriba county;
61. fifty thousand dollars (\$50,000) to plan, design and construct phase 2 of a water storage tank project for La Madera mutual domestic water consumers association in Rio Arriba county;
62. fifty thousand dollars (\$50,000) to purchase and install automated water meter reading systems for Los Ojos mutual domestic water consumers and sewage works association in Rio Arriba county;
63. one hundred fifty thousand dollars (\$150,000) to purchase and install improvements, including micro filtration modules and a pneumatic solenoid manifold, for the Lumberton mutual domestic water consumers and sewage works association treatment facility in Rio Arriba county;
64. one hundred thousand dollars (\$100,000) to plan, design, construct, repair and replace water lines across the Chama river for the Plaza Blanca mutual domestic water association in Rio Arriba county;
65. eight hundred forty-seven thousand dollars (\$847,000) to purchase and equip heavy equipment for solid waste treatment and transport in Rio Arriba county;

66. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, improve and upgrade a water system for the Vallecitos mutual domestic water consumers association in Rio Arriba county;
67. fifty thousand dollars (\$50,000) to plan, design, construct and improve water systems for the Santa Cruz water association in Rio Arriba county;
68. five hundred thousand dollars (\$500,000) to plan, design, construct and equip water storage system improvements in Portales in Roosevelt county;
69. two hundred ninety-six thousand dollars (\$296,000) to plan, design, construct, furnish, equip and install water system improvements, including supervisory control and data acquisition, automated metering and billing, operational monitoring for distribution system and regional coordination, for the Blanco mutual domestic water consumer's and mutual sewage works association in San Juan county;
70. one million nine hundred twenty-five thousand dollars (\$1,925,000) to plan, design and construct a potable water storage tank for the Northstar domestic water consumers and mutual sewage works cooperative in San Juan county;
71. two million five hundred thousand dollars (\$2,500,000) to plan, design, construct, equip and replace a water supply bladder tank in Aztec in San Juan county;
72. seven hundred thousand dollars (\$700,000) to plan, design and construct sewer system improvements, including replacing sewer lines, in Kirtland in San Juan county;
73. one hundred fifty thousand dollars (\$150,000) to plan, design and construct water system improvements, including infiltration gallery rehabilitation, for the Chappelle mutual domestic consumers association in San Miguel county;
74. three hundred eighty-five thousand dollars (\$385,000) to plan, design, construct and expand a water system and drinking water lines and to install radio-read water meters for the East Pecos mutual domestic water consumers' association in San Miguel county;
75. ten thousand dollars (\$10,000) to purchase, replace and equip water pump control boxes in well houses for El Valle water alliance in San Miguel county;
76. forty thousand dollars (\$40,000) to plan, design, construct, renovate and repair well houses for El Valle water alliance in San Miguel county;
77. seventy-five thousand dollars (\$75,000) to plan, design, construct and equip a water storage tank for the Benedictine monastery in Pecos in San Miguel county;

78. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and improve water supply lines and wells for Pendaries Village mutual domestic water consumers' association in San Miguel county;

79. three hundred fifty thousand dollars (\$350,000) to plan, design and construct water system improvements, including water line replacement, for the Sena mutual domestic water consumers' association in San Miguel county;

80. two hundred fifty thousand dollars (\$250,000) to plan, design and construct water and wastewater system improvements, including lagoons, in Pecos in San Miguel county;

81. one million five hundred twenty-five thousand dollars (\$1,525,000) to plan, design, construct, replace and install water lines and water system improvements in Pecos in San Miguel county;

82. fifteen thousand dollars (\$15,000) to plan, design and construct water system improvements, including gate valves, valve boxes and related equipment, for the Canon mutual domestic water consumers and sewage works association in Sandoval county;

83. fifty thousand dollars (\$50,000) to plan, design, construct and replace water service lines under the Jemez river at Gallagher spring in Sandoval county;

84. eighty-five thousand dollars (\$85,000) to plan, design and construct water storage tanks, including replacement and relocation, for the Jemez Springs domestic water association in Sandoval county;

85. fifty thousand dollars (\$50,000) to plan, design, construct and replace a water line from the Jemez ranger station to the intersection of Redondo road and New Mexico highway 4 for the Jemez Springs domestic water association in Sandoval county;

86. three hundred thousand dollars (\$300,000) to plan, design and construct water line replacements for the Jemez Springs domestic water association in the area of Jemez Springs in Sandoval county;

87. one hundred thousand dollars (\$100,000) to plan, design, construct, improve and replace water storage tanks for La Jara water users' association in Sandoval county;

88. ninety thousand dollars (\$90,000) to purchase and equip vehicles for the Pena Blanca water and sanitation district in Sandoval county;

89. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip, furnish and improve a glass-fused-to-steel storage tank, including site testing,

geotechnical investigations, pressure-reducing valves, chlorination and a maintenance building, for the Ponderosa mutual domestic water consumers' association and sewage works association in Sandoval county;

90. six hundred fifty thousand dollars (\$650,000) to plan, design and construct an arsenic treatment system for well 2A in the Ranchos de Placitas sanitation district in Sandoval county;

91. two hundred forty-nine thousand dollars (\$249,000) to plan, design and construct water system improvements for the San Luis Cabezon mutual domestic water association in Sandoval county;

92. fifty thousand dollars (\$50,000) to plan, design and construct water system improvements for the Sile mutual domestic water consumers association in Sandoval county;

93. six hundred thousand dollars (\$600,000) to plan, design and construct bank stabilization and grade control structures in Los Montoyas arroyo between Northern boulevard and Broadmoor boulevard for the southern Sandoval county arroyo flood control authority in Sandoval county;

94. three hundred thousand dollars (\$300,000) to plan, design and construct improvements to storm water transmission facilities along the Trevino channel for the southern Sandoval county arroyo flood control authority in Sandoval county;

95. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase and equip a fire suppression line and water holding tank on Angel hill in Corrales in Sandoval county;

96. one hundred fifty thousand dollars (\$150,000) to purchase and install radio-read water meters in Cuba in Sandoval county;

97. two hundred seventy thousand dollars (\$270,000) to plan, design, construct, equip and improve the Jemez Springs wastewater treatment plant and collection system in Sandoval county;

98. three hundred nineteen thousand dollars (\$319,000) to plan, design, construct, equip and improve water systems, including water distribution and the replacement of an asbestos concrete line, in San Ysidro in Sandoval county;

99. two hundred seventy thousand dollars (\$270,000) to acquire water rights, including applications and transfers, and to plan, design and construct improvements to water distribution systems, including wells and water line extensions, for the Agua Fria community water system association in Santa Fe county;

100. five million four hundred fifty-five thousand dollars (\$5,455,000) to plan, design, construct and expand the sewer system, including lateral sewer lines, for Agua Fria village in Santa Fe county;

101. one million six hundred thousand dollars (\$1,600,000) to acquire land for and to plan, design, construct, purchase, repair, permit and improve a regional wastewater treatment plant for Santa Fe in Santa Fe county;

102. one million dollars (\$1,000,000) to plan, design, construct, equip and improve the sewer system, including pipes, in Glorieta in Santa Fe county;

103. two hundred ten thousand dollars (\$210,000) to plan, design and construct improvements on Jemez road, including a sewer line south of Airport road, to improve residential septic systems in Santa Fe in Santa Fe county;

104. one hundred sixty thousand dollars (\$160,000) to plan, design and construct wastewater system improvements, including sewer services and a storm water plan, for Vereda de Valencia in Santa Fe county;

105. three hundred twenty-five thousand dollars (\$325,000) to plan, design, construct and improve erosion control for a water supply well house for the Garfield mutual domestic water consumers' and mutual sewage works association in Sierra county;

106. four million four hundred thousand dollars (\$4,400,000) to plan, design and construct water system improvements, including replacement of water distribution lines, in Truth or Consequences in Sierra county;

107. three hundred seventy thousand dollars (\$370,000) to plan, design, construct, equip and furnish a water well in Magdalena in Socorro county;

108. two hundred thousand dollars (\$200,000) to purchase and equip drones statewide;

109. seven hundred ten thousand dollars (\$710,000) to purchase and equip a mobile laboratory for the radiation control bureau statewide;

110. two million dollars (\$2,000,000) to plan, design and construct projects that improve surface water quality and river habitat statewide;

111. one hundred fifty thousand dollars (\$150,000) to plan, design and construct a well for the Cerro regional mutual domestic water consumers and sewage works association in Taos county;

112. fifty thousand dollars (\$50,000) to plan, design, construct, replace, furnish and equip water systems, including infrastructure, water meters and a main water line, for the Chamisal mutual domestic water consumers association in Taos county;

113. one hundred forty thousand dollars (\$140,000) to plan, design and construct a garage for a sewer cleaning truck in El Valle de los Ranchos water and sanitation district in Taos county;

114. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, purchase and install a community domestic well, including a pump, pumphouse and associated equipment and community water lines, for the Llano Quemado mutual domestic water consumers association in Taos county;

115. one hundred thousand dollars (\$100,000) to plan, design and construct water system improvements for the Penasco mutual domestic water consumers and mutual sewage works association in Taos county;

116. one hundred thirty-eight thousand seven hundred sixty-two dollars (\$138,762) to plan, design, construct and improve the water system, including replacing a domestic water tank, for the San Cristobal mutual domestic water consumers association in Taos county;

117. one hundred twenty thousand dollars (\$120,000) to develop a regional water transmission plan and to plan, design and construct water treatment system improvements, including a seepage receiver station and pretreatment facilities, in Taos county;

118. twenty-five thousand dollars (\$25,000) to plan, design, construct and equip water lines, including distribution and consumer connections and meters, for the Trampas domestic water consumers' and mutual sewage works association in Taos county;

119. forty thousand dollars (\$40,000) to purchase and equip automated water meter reading systems for the Union del Llano mutual domestic water consumers association in Taos county;

120. one hundred ninety thousand dollars (\$190,000) to plan, design and construct a water tank, including appurtenances, for the Vadito mutual domestic water consumers association in Taos county;

121. two hundred thirty thousand dollars (\$230,000) to plan, design, construct, upgrade and equip a wastewater treatment plant, including information technology and infrastructure, in Questa in Taos county;

122. two hundred thousand dollars (\$200,000) for the design of a regional water transmission plan and to plan, design and construct water system improvements for Taos in Taos county;

123. six hundred thousand dollars (\$600,000) to acquire water rights for and to plan, design and construct water infrastructure improvements for the Estancia, Moriarty, Willard and Torrance regional water association in Torrance county;

124. three hundred thousand dollars (\$300,000) to plan, design, construct, install and equip a well from location survey to full service, including related equipment and storage tanks, for the Torreón mutual domestic water consumers association in Torrance county;

125. one hundred thousand dollars (\$100,000) to plan, design and construct water system improvements for Duran in Torrance county;

126. one hundred thousand dollars (\$100,000) to plan, design and construct water system improvements for Encino in Torrance county;

127. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, purchase and install improvements, including fencing and equipment, for the Estancia Valley solid waste authority in Torrance county;

128. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, purchase and install water collection and storage systems for the fire department in McIntosh in Torrance county;

129. sixty thousand dollars (\$60,000) to plan, design, construct and equip water system improvements, including piping, meters, hydrants, storage tanks, electrical systems and communication systems, in Mountainair in Torrance county;

130. one hundred thirty-eight thousand dollars (\$138,000) to plan, design, construct and expand the wastewater system at Estancia Valley Classical academy in Edgewood in Santa Fe county; and

131. one hundred thousand dollars (\$100,000) to evaluate well water conditions and determine the adequacy of the aquifer conditions for extracting water for domestic use for El Valle water alliance in San Miguel county.

Chapter 66 Section 21 Laws 2024

SECTION 21. STATE FAIR COMMISSION PROJECT--GENERAL FUND.--Eight million dollars (\$8,000,000) is appropriated from the general fund to the state fair commission for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to plan, design, construct, renovate, repair, furnish and equip improvements to facilities on the New Mexico state fairgrounds, including

infrastructure and electrical systems and up to five hundred thousand dollars (\$500,000) for a master plan for the state fairgrounds, in Bernalillo county.

Chapter 66 Section 22 Laws 2024

SECTION 22. DEPARTMENT OF FINANCE AND ADMINISTRATION PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the department of finance and administration for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. seven million five hundred thousand dollars (\$7,500,000) to plan, design, construct, renovate, repair, furnish and equip improvements to city park facilities and infrastructure statewide;
2. one million dollars (\$1,000,000) to plan, design, purchase and install information technology, including related equipment, furniture and infrastructure, for capital and other related appropriations statewide;
3. ten million dollars (\$10,000,000) to plan, design, construct, renovate, repair, furnish and equip critical infrastructure, buildings and building systems owned and operated by local public bodies and to purchase, install and equip vehicles and equipment that are essential for public safety for local public bodies statewide;
4. eighteen million dollars (\$18,000,000) for the New Mexico finance authority to address cost overruns for projects approved by the water trust board and authorized by the legislature through 2023 statewide; and
5. two million nine hundred two thousand five hundred sixty dollars (\$2,902,560) to provide urgent or emergency funding for infrastructure and equipment needs statewide.

Chapter 66 Section 23 Laws 2024

SECTION 23. GENERAL SERVICES DEPARTMENT PROJECT--GENERAL FUND.--One million five hundred thousand dollars (\$1,500,000) is appropriated from the general fund to the general services department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for a master plan for state facilities in Bernalillo county.

Chapter 66 Section 24 Laws 2024

SECTION 24. DEPARTMENT OF HEALTH PROJECT--GENERAL FUND.--Two million dollars (\$2,000,000) is appropriated from the general fund to the department of health for expenditure in fiscal years 2024 through 2028, unless otherwise provided in

Section 1 of this act, to purchase and install equipment and instrumentation, including breath alcohol testing instruments and simulators, statewide.

Chapter 66 Section 25 Laws 2024

SECTION 25. INDIAN AFFAIRS DEPARTMENT PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the Indian affairs department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, furnish and equip a Navajo code talkers museum in the Tse Bonito area of the Navajo Nation in McKinley county;
2. three hundred thousand dollars (\$300,000) to plan, design, construct and improve community water systems, including the To'hajiilee-Albuquerque-Bernalillo county water utility authority water line, for the To'hajiilee chapter of the Navajo Nation in Bernalillo county;
3. one hundred thirty thousand dollars (\$130,000) to plan, design, construct, repair and equip the Indian Pueblo cultural center courtyard area in Albuquerque in Bernalillo county;
4. three hundred thousand dollars (\$300,000) to plan, design, construct, repair and replace the Indian Pueblo cultural center roof in Albuquerque in Bernalillo county;
5. three hundred ninety-five thousand dollars (\$395,000) to plan, design, construct, repair and replace stucco at the Indian Pueblo cultural center building in Albuquerque in Bernalillo county;
6. twenty-five thousand dollars (\$25,000) to plan, design and construct a wellness center for the To'hajiilee chapter of the Navajo Nation in Bernalillo county;
7. six hundred thousand dollars (\$600,000) to plan, design, construct, repair, renovate and equip Chino hall for legionnaires in the Pueblo of Acoma in Cibola county;
8. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate and equip improvements to community wastewater collection and treatment systems for the Pueblo of Acoma in Cibola county;
9. three hundred thousand dollars (\$300,000) to plan, design and construct a community center in the village of Encinal in the Pueblo of Laguna in Cibola county;
10. fifty thousand dollars (\$50,000) to plan, design and construct playgrounds in the six villages in the Pueblo of Laguna in Cibola county;

11. fifty thousand dollars (\$50,000) to plan, design, construct, furnish and equip a community center for the Ramah chapter of the Navajo Nation in Cibola county;
12. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate, equip and furnish the Ramah chapter house of the Navajo Nation in Cibola county;
13. four hundred thousand dollars (\$400,000) to purchase and equip a truck for the Ramah chapter of the Navajo Nation in Cibola county;
14. one hundred thousand dollars (\$100,000) to purchase and equip vehicles for the Ramah chapter of the Navajo Nation in Cibola county;
15. five hundred thousand dollars (\$500,000) to plan and design an indoor and outdoor cultural activity facility for the Fort Sill Apache Tribe in Luna county;
16. two hundred fifty thousand dollars (\$250,000) to plan, design and construct a fire station for the Fort Sill Apache Tribe in Luna county;
17. two hundred eighty-five thousand dollars (\$285,000) to plan, design, construct, improve and equip the Baahaali Chichiltah regional transfer station for the Baahaali chapter of the Navajo Nation in McKinley county;
18. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, renovate, furnish and equip a trading post for the Ramah Navajo school board in McKinley county;
19. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct and equip bathroom additions for tribal housing in the Whitehorse Lake chapter of the Navajo Nation in McKinley county;
20. two hundred thousand dollars (\$200,000) to plan, design, construct and install residential bathroom additions in the Chichiltah chapter of the Navajo Nation in McKinley county;
21. one hundred thousand dollars (\$100,000) to plan, design, construct and improve a pedestrian trail and crossing, including fencing, in the Church Rock chapter of the Navajo Nation in McKinley county;
22. eighty thousand dollars (\$80,000) to purchase and equip trucks for Coyote Canyon chapter of the Navajo Nation in McKinley county;
23. two hundred thousand dollars (\$200,000) to purchase and equip accessible school buses for the head start units in the Crownpoint chapter of the Navajo Nation in McKinley county;

24. one hundred thousand dollars (\$100,000) to plan, design and construct improvements to the sewage lagoon and local government tract area, including a senior center and warehouse, in the Manuelito chapter of the Navajo Nation in McKinley county;

25. seventy-five thousand dollars (\$75,000) to develop a land use plan for the Red Rock chapter of the Navajo Nation in McKinley county;

26. four hundred ten thousand dollars (\$410,000) to acquire rights of way for and to plan, design, construct, equip and install a water system in the Iyanbito chapter of the Navajo Nation in McKinley county;

27. two hundred thousand dollars (\$200,000) to plan, design, construct and renovate an administrative building in the Manuelito chapter of the Navajo Nation in McKinley county;

28. three hundred thousand dollars (\$300,000) to plan, design, construct and renovate a veterans building in the Manuelito chapter of the Navajo Nation in McKinley county;

29. fifty thousand dollars (\$50,000) to plan, design and construct a community cemetery in the Mariano Lake chapter of the Navajo Nation in McKinley county;

30. one hundred thousand dollars (\$100,000) to plan, design, construct and equip an intergovernmental administrative building in the Mexican Springs chapter of the Navajo Nation in McKinley county;

31. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, furnish, equip and improve the chapter house in the Ojo Encino chapter of the Navajo Nation in McKinley county;

32. one hundred fifty thousand dollars (\$150,000) to plan, design and construct a heavy equipment and storage warehouse in the Ojo Encino chapter of the Navajo Nation in McKinley county;

33. three hundred fifty thousand dollars (\$350,000) to purchase and equip a motor grader for the Pinedale chapter of the Navajo Nation in McKinley county;

34. seventy-five thousand dollars (\$75,000) to purchase and equip farm equipment for the Red Lake chapter of the Navajo Nation in McKinley county;

35. two hundred thousand dollars (\$200,000) to plan, design, construct, improve, equip and furnish improvements to the Naazbah veterans' center in the Smith Lake chapter of the Navajo Nation in McKinley county;

36. one hundred thousand dollars (\$100,000) to plan, design, construct and install water system improvements in the Smith Lake chapter of the Navajo Nation in McKinley county;
37. two hundred seventy-five thousand dollars (\$275,000) to plan, design and construct compound fencing in the Thoreau chapter of the Navajo Nation in McKinley county;
38. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, furnish and equip Nakai park in the Tohatchi chapter of the Navajo Nation in McKinley county;
39. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip a chapter house for the Tsayatoh chapter of the Navajo Nation in McKinley county;
40. two hundred thousand dollars (\$200,000) to plan, design, construct, renovate, furnish and equip the Tsayatoh multipurpose building in the Tsayatoh chapter of the Navajo Nation in McKinley county;
41. one hundred seventy-five thousand dollars (\$175,000) to acquire land, easements and rights of way for and to plan, design and construct water and wastewater system improvements in the Tse'ii'ahi chapter of the Navajo Nation in McKinley county;
42. one hundred fifty thousand dollars (\$150,000) to plan, demolish and remove the old chapter house in the Bahastl'ah chapter of the Navajo Nation in McKinley county;
43. one million five hundred eighty thousand dollars (\$1,580,000) to plan, design, construct, furnish and equip a fire and emergency medical services facility for the Pueblo of Zuni in McKinley county;
44. five hundred thousand dollars (\$500,000) to plan, design, construct and renovate the historic village area of the Pueblo of Isleta in Bernalillo county;
45. two hundred thousand dollars (\$200,000) to purchase and equip vehicles, including transit vans, for the Pueblo of Isleta in Bernalillo county;
46. five hundred thousand dollars (\$500,000) to plan, design, construct, expand, furnish, equip and improve a health care facility in the Pueblo of Sandia in Sandoval county;
47. two hundred fifty thousand dollars (\$250,000) to plan, design and construct a cistern system in the White Rock chapter of the Navajo Nation in San Juan county;

48. six hundred thousand dollars (\$600,000) to plan, design and construct a tribal store for the Mescalero Apache Tribe in Otero county;

49. one hundred fifty-three thousand dollars (\$153,000) to plan and design an administration building for the Mescalero Apache Tribe in Otero county;

50. one million dollars (\$1,000,000) to plan, design, construct, equip and furnish a fire substation for the Mescalero Apache Tribe in Otero county;

51. three hundred twenty-five thousand dollars (\$325,000) to plan, design, construct and equip a greenhouse laboratory for Mescalero Apache school for the Mescalero Apache Tribe in Otero county;

52. fifty thousand dollars (\$50,000) to plan, design, construct, install and replace fire hydrants throughout the Dulce community water system in the Jicarilla Apache Nation in Rio Arriba county;

53. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase and equip a mobile slaughter unit for the Jicarilla Apache Nation in Rio Arriba county;

54. five hundred fifty thousand dollars (\$550,000) to plan, design, construct and make improvements to the Dulce water system for the Jicarilla Apache Nation in Rio Arriba county;

55. three hundred thousand dollars (\$300,000) to plan, design, construct and equip a water system, including wells, pipelines and a water treatment facility, in the Pueblo of Santa Clara in Rio Arriba county;

56. fifty thousand dollars (\$50,000) to purchase and equip ambulances for Jicarilla emergency medical services for the Jicarilla Apache Nation in Dulce in Rio Arriba county;

57. five hundred thousand dollars (\$500,000) to plan, design, construct, purchase and equip a building for the department of youth in the Jicarilla Apache Nation in Rio Arriba county;

58. fifty thousand dollars (\$50,000) to purchase and equip brush trucks for the Dulce fire department in the Jicarilla Apache Nation in Rio Arriba county;

~~59. two thousand dollars (\$2,000) to plan, design, purchase, install and equip a phone system for the Dulce fire department in the Jicarilla Apache Nation in Rio Arriba county;~~ *LINE ITEM VETO*

60. twenty-five thousand dollars (\$25,000) to purchase and equip fire engines for the Dulce fire department in the Jicarilla Apache Nation in Rio Arriba county;

61. two million six hundred thousand dollars (\$2,600,000) to plan, design and construct a police station in the Pueblo of Santa Clara in Rio Arriba county;

62. five hundred seventy-five thousand dollars (\$575,000) to plan, design, construct and equip a water well for the Lake Valley chapter of the Navajo Nation in San Juan county;

63. one million dollars (\$1,000,000) to plan, design, construct, furnish and equip the Shiprock incident command center in the Shiprock chapter of the Navajo Nation in San Juan county;

64. two hundred thousand dollars (\$200,000) to plan, design, construct, install and improve heating, ventilation and air conditioning and electrical systems in a multipurpose facility in the Crystal chapter of the Navajo Nation in San Juan and McKinley counties;

65. fifty thousand dollars (\$50,000) to plan, design, construct and equip an athletic complex for Navajo preparatory school in Farmington in San Juan county;

66. one million nine hundred thousand dollars (\$1,900,000) to plan, design, construct, renovate and furnish student housing facilities and collaborative student spaces for Navajo preparatory school in Farmington in San Juan county;

67. nine hundred seventy-five thousand dollars (\$975,000) to plan, design, construct, renovate, purchase, furnish and equip infrastructure and building improvements campuswide at Navajo preparatory school in Farmington in San Juan county;

68. two hundred thousand dollars (\$200,000) to plan, design, construct, demolish, improve and equip the performing arts building, including infrastructure, at Navajo preparatory school in Farmington in San Juan county;

69. one hundred thousand dollars (\$100,000) to plan, design, construct, furnish and equip an administrative complex, parking lot, fencing, signage and associated infrastructure in the Gadii'ahi/To'koi chapter of the Navajo Nation in San Juan county;

70. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip a long-term care facility for the Gadii'ahi/To'koi chapter of the Navajo Nation in San Juan county;

71. fifty thousand dollars (\$50,000) to plan, design and construct the Carson-Burnham regional water system for the Huerfano chapter of the Navajo Nation in San Juan county;

72. seventy-five thousand dollars (\$75,000) to purchase and install energy-efficient lighting and to plan, design, construct and upgrade the electrical system at the chapter house in the Naschitti chapter of the Navajo Nation in San Juan county;

73. two hundred fifty thousand dollars (\$250,000) to plan, design and construct scattered power lines in the Naschitti chapter of the Navajo Nation in San Juan county;

74. two hundred thousand dollars (\$200,000) to acquire easements and rights of way for and to plan, design and construct a new fenced community and veterans' cemetery in the Tse Alnaozti'i' chapter of the Navajo Nation in San Juan county;

75. two hundred thousand dollars (\$200,000) to plan, design and construct a helicopter pad for the Tse Alnaozti'i' chapter of the Navajo Nation in San Juan county;

76. two hundred thousand dollars (\$200,000) to plan and design a chapter house for the Shiprock chapter of the Navajo Nation in Shiprock in San Juan county;

77. seventy-five thousand dollars (\$75,000) to plan, design, construct, improve and equip Shiprock industrial park, including solar street lighting, in the Shiprock chapter of the Navajo Nation in San Juan county;

78. one hundred thousand dollars (\$100,000) to plan, design, construct, furnish and equip a multipurpose building in the Tooh Haltsooi chapter of the Navajo Nation in San Juan county;

79. two hundred thousand dollars (\$200,000) to plan, design and construct scattered water lines in the Tooh Haltsooi chapter of the Navajo Nation in San Juan county;

80. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct a school bus stop, including sidewalks, near the intersection of United States highway 64 and Navajo route 5031 for the Tse'Daa'Kaan chapter of the Navajo Nation in San Juan county;

81. three hundred thousand dollars (\$300,000) to purchase and equip vehicles, including heavy equipment trucks and trailers, for the Tse'Daa'Kaan chapter of the Navajo Nation in San Juan county;

82. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and upgrade septic tanks and leach line systems for the Tse'Daa'Kaan chapter of the Navajo Nation in San Juan county;

83. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip the veterans' memorial park for the Toadlena/Two Grey Hills chapter of the Navajo Nation in San Juan county;

84. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and equip a community building, including a wellness center, health department administrative offices and public restrooms, in the Pueblo of Cochiti in Sandoval county;

85. one hundred thousand dollars (\$100,000) to plan, design, construct and equip underground storage fuel tanks for the Pueblo of Jemez in Sandoval county;

86. one hundred thousand dollars (\$100,000) to purchase and equip tractors and excavators for the Pueblo of Jemez in Sandoval county;

87. fifty thousand dollars (\$50,000) to plan, design, construct, furnish and equip an expansion of the tribal administrative services complex for the Pueblo of Jemez in Sandoval county;

88. fifty thousand dollars (\$50,000) to plan, design, construct and equip electrical service at Walatowa timber industries for the Pueblo of Jemez in Sandoval county;

89. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and equip fiber-optic infrastructure in the Pueblo of San Felipe in Sandoval county;

90. two million dollars (\$2,000,000) to plan, design and construct an underground electrical grid system and appurtenances in the traditional village of Tamaya in the Pueblo of Santa Ana in Sandoval county;

91. three hundred twenty-five thousand dollars (\$325,000) to purchase and equip a backhoe loader and accessories for the Pueblo of Santo Domingo in Sandoval county;

92. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish a community library and family learning center in the Torreon-Star Lake chapter of the Navajo Nation in Sandoval county;

93. two hundred thousand dollars (\$200,000) to purchase and install equipment for the Pueblo of Zia in Sandoval county;

94. fifty thousand dollars (\$50,000) to purchase and equip a hay baler for the Pueblo of Zia in Sandoval county;

95. one hundred fifty thousand dollars (\$150,000) to purchase and equip a law enforcement vehicle for the Pueblo of Zia in Sandoval county;

96. one million dollars (\$1,000,000) to plan, design and construct a kiva and society houses in the Pueblo of Zia in Sandoval county;

97. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, renovate, furnish and equip a facility for behavioral health care in the Pueblo of Nambe in Santa Fe county;

98. six hundred seventy-five thousand dollars (\$675,000) to plan, design, construct and equip an administration building for the economic development corporation of the Pueblo of Nambe in Santa Fe county;

99. three hundred seventy-five thousand dollars (\$375,000) to plan, design and construct water service lines and to purchase and install water meters and automated water meter reading systems in the Pueblo of Nambe in Santa Fe county;

100. four hundred five thousand dollars (\$405,000) to plan, design and construct phase 3 wastewater system improvements in the Pueblo of Nambe in Santa Fe county;

101. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, renovate and equip a tribal works facility for the Pueblo of Pojoaque in Santa Fe county;

102. two million seven hundred twenty-five thousand dollars (\$2,725,000) to plan, design, construct, furnish, equip and make infrastructure improvements to tribal housing in the Pueblo of Pojoaque in Santa Fe county;

103. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, renovate, furnish and equip the Pojoaque wellness center in the Pueblo of Pojoaque in Santa Fe county;

104. three hundred twenty-five thousand dollars (\$325,000) to plan, design, construct and equip wastewater system improvements for the Pueblo of Pojoaque in Santa Fe county;

105. one million two hundred thousand dollars (\$1,200,000) to plan, design, construct, furnish, equip and improve a community wellness center at the Pueblo of San Ildefonso in Santa Fe county;

106. one hundred twenty thousand dollars (\$120,000) for a comprehensive land use plan and to plan, design and construct utility infrastructure for the Pueblo of San Ildefonso in Santa Fe county;

107. eight million dollars (\$8,000,000) to plan, design, construct, renovate and improve the Downs at Santa Fe owned by the Pueblo of Pojoaque, including demolition, in Santa Fe in Santa Fe county;

108. five hundred thousand dollars (\$500,000) to plan, design, construct, demolish, renovate, expand, furnish and equip classrooms and to improve roads and

infrastructure, including storm water, drainage, mitigation and boundary fencing, at the Santa Fe Indian school in Santa Fe in Santa Fe county;

109. three million five hundred thousand dollars (\$3,500,000) to plan, design, construct and equip a new information technology and plant management facility for the Santa Fe Indian school in Santa Fe in Santa Fe county;

110. fifty thousand dollars (\$50,000) to plan, design, demolish, construct, renovate, furnish and equip an outdoor classroom and cultural site at the Santa Fe Indian school in Santa Fe in Santa Fe county;

111. three hundred thousand dollars (\$300,000) to plan and design an information technology data center in the Pueblo of Tesuque in Santa Fe county;

112. six hundred thousand dollars (\$600,000) to purchase and equip a bulldozer and heavy equipment for the Pueblo of Picuris in Taos county;

113. two million five hundred thousand dollars (\$2,500,000) to plan, design, construct, furnish and equip a volunteer fire and emergency response services building in the Pueblo of Picuris in Taos county;

114. three hundred thousand dollars (\$300,000) to purchase and equip a water truck and heavy equipment for the Pueblo of Picuris in Taos county;

115. twenty-five thousand dollars (\$25,000) to plan, design and construct site and infrastructure improvements to the heritage center for the Pueblo of Taos in Taos county;

116. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, equip and furnish a law enforcement building in the Pueblo of Taos in Taos county;

117. one million dollars (\$1,000,000) to match federal funds, to acquire easements and rights of way and to plan, design, construct, furnish and equip a senior daycare facility for the Pueblo of Taos in Taos county;

118. one million six hundred thousand dollars (\$1,600,000) to plan, design, construct and renovate a wastewater treatment plant in Ohkay Owingeh in Rio Arriba county; and

119. one million two hundred fifty thousand dollars (\$1,250,000) to plan, design, construct, expand, furnish and equip a child development center for the Pueblo of Sandia in Sandoval county.

Chapter 66 Section 26 Laws 2024

SECTION 26. DEPARTMENT OF INFORMATION TECHNOLOGY PROJECT--GENERAL FUND.--One million five hundred thousand dollars (\$1,500,000) is appropriated from the general fund to the department of information technology for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to purchase, install and implement hardware, software and associated equipment for security access control and video surveillance for the department of information technology's data centers and telecommunications rooms in Santa Fe in Santa Fe county, in Albuquerque in Bernalillo county and at public safety radio shelters statewide.

Chapter 66 Section 27 Laws 2024

SECTION 27. INTERSTATE STREAM COMMISSION PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the interstate stream commission for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. sixty thousand dollars (\$60,000) to plan, design and construct an irrigation delivery project and ditch bank improvements to the Pajarito acequia for the middle Rio Grande conservancy district in the South Valley of Bernalillo county;
2. two hundred thousand dollars (\$200,000) to plan, design, construct and renovate acequias for the Cebolletita acequia association in Cibola county;
3. three hundred thousand dollars (\$300,000) to plan, design and construct acequia improvements for the San Mateo acequia association in Cibola county;
4. one hundred eighty thousand dollars (\$180,000) to plan, design, construct and improve a community reservoir, diversion structures and an access road for the acequia de San Jose de la Cienega in the San Fidel area in Cibola county;
5. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and improve the east Puerto de Luna acequia, including the installation of pipelines, in Guadalupe county;
6. ten thousand dollars (\$10,000) to purchase equipment, including an excavator and a trailer, for the acequia de Encinal and acequia del Canoncito in Mora county;
7. ten thousand dollars (\$10,000) to plan, design and construct improvements to the acequia Madre de Holman in Mora in Mora county;
8. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, repair and improve the Tularosa community ditch in Tularosa in Otero county;

9. ninety-two thousand dollars (\$92,000) to acquire water from Los Alamos county for the member acequias of the Rio de Chama acequia association to offset long-term water shortages on the Rio Chama in Rio Arriba county;
10. sixty thousand dollars (\$60,000) to plan, design and construct a retaining wall at the acequia de Alcalde in Rio Arriba county;
11. fifty thousand dollars (\$50,000) to plan, design, construct and improve the acequia for the acequia de la Mesa Prieta in Rio Arriba county;
12. sixty thousand dollars (\$60,000) to plan, design, construct and improve the acequia de las Canovas, including replacing an existing structure and installing infrastructure, in Rio Arriba county;
13. fifty thousand dollars (\$50,000) to plan, design, construct and improve a diversion dam and irrigation pipelines for the acequia de los Chavez in Rio Arriba county;
14. fifty thousand dollars (\$50,000) to plan, design, construct, repair, equip and improve the acequia de la Plaza of Servilleta Plaza, including infrastructure and conveyance, in Rio Arriba county;
15. forty-seven thousand dollars (\$47,000) to plan, design, construct, rehabilitate and improve the acequia Mesa del Medio in Rio Arriba county;
16. ten thousand dollars (\$10,000) to plan, design and construct phase 5 improvements, including the installation of ditch linings, for the acequia de Ojo Sarco in Rio Arriba county;
17. eighty-five thousand dollars (\$85,000) to plan, design, construct, equip and improve a diversion into the head gate of La Madera ditch in Rio Arriba county;
18. thirty-six thousand dollars (\$36,000) to plan, design and construct a diversion dam and irrigation pipeline for La Zorra north ditch in Rio Arriba county;
19. fifty thousand dollars (\$50,000) to plan, design, construct, repair and improve the acequia de Pueblo Abiquiu in Rio Arriba county;
20. twenty thousand dollars (\$20,000) to plan, design and construct a head gate for the acequia de la Posecion in Truchas in Rio Arriba county;
21. twenty thousand dollars (\$20,000) to plan, design, construct and equip water measuring equipment for the acequia de la Sierra in Truchas in Rio Arriba county;
22. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements to the acequia del Ancon de Saracino in San Miguel county;

23. forty thousand dollars (\$40,000) to plan, design and construct improvements to La Fragua Puertecito y Saiz acequia in Sena in San Miguel county;

24. twenty-five thousand dollars (\$25,000) to plan, design and construct the final phase of the San Augustine community ditch in San Miguel county;

25. ten thousand dollars (\$10,000) to plan, design, construct, repair and improve El Porvenir acequia in San Miguel county;

26. one hundred thousand dollars (\$100,000) to plan, design, construct, furnish and equip acequia improvements, including pipelines, associated turnout structures and an irrigation well, for the acequia de la Capilla in Santa Fe county;

27. fifty thousand dollars (\$50,000) to plan, design, construct and repair an acequia and a reservoir for La Bajada community ditch and mutual domestic water association in Santa Fe county;

28. one hundred thousand dollars (\$100,000) to plan, design, construct, repair and improve the acequias de Chupadero in Santa Fe county; and

29. five million dollars (\$5,000,000) to plan, design, construct, repair and make improvements to acequias and community ditches statewide.

Chapter 66 Section 28 Laws 2024

SECTION 28. LOCAL GOVERNMENT DIVISION OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the local government division of the department of finance and administration for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and upgrade shade structures at Barstow, Desert Ridge Trails and Rancho de Palomas parks in Albuquerque in Bernalillo county;

2. one hundred fifty thousand dollars (\$150,000) to plan, design, upgrade, repair and construct improvements to the second judicial district courthouse, including signage, accessibility and building systems, in Bernalillo county;

3. one hundred fifteen thousand dollars (\$115,000) to plan, design, construct, equip and furnish improvements to a cultural educational site and related trail connections, including signage, parking and landscaping, for the acequia madre de Atrisco and connecting facilities operated by the middle Rio Grande conservancy district in the north and south valleys of Bernalillo county;

4. one million one hundred eighty-three thousand dollars (\$1,183,000) to acquire property for and to plan, design and construct affordable housing properties owned by the county with the middle Rio Grande housing collaborative in Bernalillo county;
5. five hundred thousand dollars (\$500,000) to acquire, plan, design and construct affordable housing, including water, sewer, utilities, roads and bridges, in the Kinney Brock and Mountain View neighborhoods in Bernalillo county;
6. six hundred thousand dollars (\$600,000) to plan, design, construct, improve, equip and furnish baseball fields and facilities at Altamont park, including artificial turf infields, irrigation, lighting, field upgrades, a playground and parking, in Albuquerque in Bernalillo county;
7. one hundred fifty-five thousand dollars (\$155,000) to acquire land for and to plan, design, construct, renovate, expand and equip an animal shelter in Bernalillo county;
8. ten thousand dollars (\$10,000) to acquire land for and to plan, design and construct a monument and memorial plaza park commemorating the Town of Atrisco land grant-merced in Bernalillo county;
9. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and furnish site and building improvements at the Dennison park and rodeo grounds in the South Valley in Bernalillo county;
10. one hundred fifty-five thousand dollars (\$155,000) to purchase and equip office equipment, dental equipment and furnishings for a dental facility for underinsured, uninsured and refugee populations in Bernalillo county;
11. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, install, improve, equip and furnish baseball fields and facilities in the East Mountain area, including bleachers, shade structures, drainage, parking and access, in Sandia Park in Bernalillo county;
12. one hundred fifty thousand dollars (\$150,000) to acquire land for and to plan, design, construct, equip and furnish phase 3 and 4 improvements to the Edward C. Sandoval baseball fields in Bernalillo county;
13. seven hundred forty thousand dollars (\$740,000) to plan, design, demolish, remove and construct facilities to provide family services in the South Valley in Bernalillo county;
14. one million dollars (\$1,000,000) to purchase, equip and install an aerial platform for the fire and rescue department in Bernalillo county;

15. one hundred fifty thousand dollars (\$150,000) to purchase, deliver and equip vehicles and storage containers for a statewide flamenco educational program in Bernalillo county;

16. fifty thousand dollars (\$50,000) to purchase, equip and deliver greenhouses, solar panel systems, curing rooms, hydroponic systems, cold storage units, farm bins and a storage facility for an educational center and local agricultural food hub in the South Valley in Bernalillo county;

17. ten thousand dollars (\$10,000) to purchase and equip a box truck and equipment for a food pantry facility in Bernalillo county;

18. three hundred thousand dollars (\$300,000) to plan and design a health care facility in Bernalillo county;

19. one million five hundred thirty thousand dollars (\$1,530,000) to purchase abandoned properties in east central Albuquerque for use in affordable housing and open space projects in Albuquerque in Bernalillo county;

20. one hundred fifty thousand dollars (\$150,000) to purchase, equip and install indoor and outdoor kennels for a program to assist military veterans and shelter animals in Bernalillo county;

21. three hundred fifty thousand dollars (\$350,000) to purchase and deliver equipment and information technology systems for a food delivery service distributing affordable, medically tailored meals in the greater Albuquerque area and in Bernalillo county;

22. one hundred thousand dollars (\$100,000) to plan, design, construct, improve, furnish and equip facilities and office spaces, including a pneumatic tube system, a recreational yard, high security food pass locks, perimeter fencing and an automatic transfer switch gear system, for the metropolitan detention center in Bernalillo county;

23. one hundred eighty-five thousand dollars (\$185,000) to purchase and deliver equipment for a food pantry serving low-income, food-insecure individuals in the East Mountain area in Bernalillo county;

24. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip and improve the New Mexico coronavirus disease 2019 memorial at the Swede Scholer Mesa del Sol regional recreation complex in Bernalillo county;

25. two hundred seventy thousand dollars (\$270,000) to plan and design a performing arts center and to purchase musical equipment, including music stand lights, orchestra chairs and instruments, for a music performance center in Bernalillo county;

26. five hundred thousand dollars (\$500,000) to plan, design, construct, equip, landscape, furnish and improve the fields, parking lot, outdoor lighting and shade structures for the baseball facilities in the Paradise Hills area in Bernalillo county;

27. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, furnish and equip improvements to the Paradise Hills community center, Paradise Hills park and nearby pedestrian facilities in Bernalillo county;

28. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, improve, equip and furnish the site and facilities at the Paradise Hills aquatics facility in Albuquerque in Bernalillo county;

29. ninety thousand dollars (\$90,000) to plan, design, construct, equip, furnish and renovate buildings and grounds, including infrastructure, safety systems and information technology[, for the South Valley economic development center] in Bernalillo county; *LINE ITEM VETO*

30. twenty-five thousand dollars (\$25,000) to purchase and equip vehicles for the fire and rescue department, animal control services and the sheriff's office in Bernalillo county;

31. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and furnish an aquatics facility at the Raymond G. Sanchez community center in Albuquerque in Bernalillo county;

32. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and furnish improvements, including facilities, ball fields, an outdoor performance area, drainage, access roads, parking, lighting, landscaping and irrigation, at Rio Bravo park in the South Valley of Bernalillo county;

33. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct and install pallet shelters for emergency transitional housing for individuals experiencing homelessness in Bernalillo county;

34. fifty thousand dollars (\$50,000) to plan, design, construct, improve, equip and furnish facilities at the Sedillo Ridge open space area, including a trailhead, a parking lot, equestrian facilities, a shade structure and a picnic area, in Bernalillo county;

35. two hundred twenty-five thousand dollars (\$225,000) to purchase, deliver and equip vehicles for the sheriff's office in Bernalillo county;

36. three hundred five thousand dollars (\$305,000) to purchase, equip and install color infrared cameras for the sheriff's office metropolitan air support unit in Bernalillo county;

37. one million one hundred thirty thousand dollars (\$1,130,000) to purchase, equip and install information technology and crime prevention technology for the sheriff's office in Bernalillo county;

38. one hundred forty-five thousand dollars (\$145,000) to purchase and equip a mobile command center for the sheriff's office in Bernalillo county;

39. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip and furnish improvements to the baseball fields and facilities at Rio Bravo county park, including parking, a pedestrian bridge and traffic flow improvements, in the South Valley in Bernalillo county;

40. one hundred eighty-five thousand dollars (\$185,000) to purchase, deliver and equip kitchen appliances, information technology, furniture and equipment for a substance abuse recovery program in Bernalillo county;

41. one hundred thousand dollars (\$100,000) to purchase and deliver information technology systems and equipment and to purchase and equip fully accessible large passenger vans and minivans for a program providing services to unhoused community members in Bernalillo county;

42. one hundred twenty thousand dollars (\$120,000) to purchase, deliver, equip and install equipment, including information technology, furniture, commercial appliances and kitchen equipment, for a program supporting justice-involved men in Bernalillo county;

43. fifty thousand dollars (\$50,000) to purchase and equip vehicles and to purchase and install information technology systems and equipment, kitchen equipment and vocational training equipment for life and job skills training for the families of incarcerated individuals in Bernalillo county;

44. five million forty thousand dollars (\$5,040,000) to plan, design, construct, improve and equip the Swede Scholer Mesa del Sol regional outdoor recreation complex in Bernalillo county;

45. two hundred thousand dollars (\$200,000) to plan, design, construct, equip, furnish and improve alleyways and open spaces in Bernalillo county;

46. two hundred ten thousand dollars (\$210,000) to plan, design, construct, equip and furnish site and facility improvements at Valle del Bosque park in Bernalillo county;

47. four hundred thousand dollars (\$400,000) to plan, design, construct, furnish and equip phase 2 of a campus complex for veterans in Bernalillo county;

48. one million fifty thousand dollars (\$1,050,000) to acquire land for and to plan, design, construct, equip and furnish a neighborhood park in the west Gun Club area in Albuquerque in Bernalillo county;

49. one hundred twenty-five thousand dollars (\$125,000) to purchase, deliver and equip vehicles, sports equipment and facilities, including river rafting and high-altitude mountaineering equipment and a bouldering wall, to support youth outdoor programming and leadership development in Bernalillo county;

50. one million seven hundred fifty thousand dollars (\$1,750,000) to plan, design, construct, renovate and repair facilities and infrastructure, including fire suppression systems, security systems, heating, ventilation and air conditioning systems and plumbing, and to purchase, deliver, equip and furnish portable buildings and equipment for a youth recovery and transitional living center in Bernalillo county;

51. seven hundred ninety-five thousand dollars (\$795,000) to plan, design, construct, improve, renovate, furnish and equip the juvenile detention and youth services center in Bernalillo county;

52. two hundred forty thousand dollars (\$240,000) to plan, design, construct, improve, furnish and equip a recreational facility in Albuquerque in Bernalillo county;

53. sixty-five thousand dollars (\$65,000) to purchase and equip mobile learning laboratories in Albuquerque in Bernalillo county;

54. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, equip, furnish and improve the Albuquerque BioPark aquarium in Albuquerque in Bernalillo county;

55. ninety thousand dollars (\$90,000) to purchase and equip office equipment, cameras and information technology for youth programs in southeast Albuquerque in Bernalillo county;

56. one million one hundred thousand dollars (\$1,100,000) to acquire land for and to plan, design, construct and renovate affordable housing pursuant to the Albuquerque Workforce Housing Opportunity Act and as provided through a joint city-county affordable housing agreement for Albuquerque and Bernalillo county in Bernalillo county;

57. seven hundred eighty thousand dollars (\$780,000) to acquire land for and to plan, design, construct and equip affordable housing pursuant to the Albuquerque Workforce Housing Opportunity Act in Albuquerque in Bernalillo county;

58. two hundred thousand dollars (\$200,000) to acquire land and to plan, design and construct buildings for the African American museum and cultural center in Albuquerque in Bernalillo county;

59. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, renovate and make improvements to public housing and affordable housing rental units for the Albuquerque housing authority in Albuquerque in Bernalillo county;

60. four hundred twenty thousand dollars (\$420,000) to plan, design, construct, purchase, equip and install playground equipment and shade structures at Alamosa park in the Southwest Mesa area of Albuquerque in Bernalillo county;

61. forty thousand dollars (\$40,000) to purchase, equip and replace vehicles, including emergency apparatus and all-terrain vehicles for fire and rescue response, in Albuquerque in Bernalillo county;

62. fifty thousand dollars (\$50,000) to plan, design, construct, equip, furnish and improve Altura park, including tennis court repaving, shade and bench installation and pickleball striping, in Albuquerque in Bernalillo county;

63. seven hundred thousand dollars (\$700,000) to plan, design, construct, repair, improve and equip the Anderson-Abruzzo international balloon museum, including roofs, entrances, theaters, exhibits and information technology, in Albuquerque in Bernalillo county;

64. one hundred twenty-five thousand dollars (\$125,000) to purchase, equip and install mobile community command units for the police department in Albuquerque in Bernalillo county;

65. one hundred fifty thousand dollars (\$150,000) to acquire land and property for and to plan, design and construct a community and resource center for the Asian, Pacific Islander and Native Hawaiian population in Albuquerque in Bernalillo county;

66. fifty thousand dollars (\$50,000) to plan, design, construct and install batting cages at the baseball fields at Balloon Fiesta park in Albuquerque in Bernalillo county;

67. one hundred thousand dollars (\$100,000) to plan, design, construct and improve turf in baseball fields at Balloon Fiesta park in Albuquerque in Bernalillo county;

68. fifteen million five hundred seventy-five thousand dollars (\$15,575,000) to acquire land for and to plan, design, construct, improve and equip Balloon Fiesta park, including infrastructure improvements, in Albuquerque in Bernalillo county;

69. one hundred sixty thousand dollars (\$160,000) to plan, design, construct, equip and install phase 2 improvements to Barelvas park in Albuquerque in Bernalillo county;

70. fifty thousand dollars (\$50,000) to plan, design, construct and equip Betsy Patterson pool at Sandia high school in Albuquerque in Bernalillo county;

71. five hundred fifty-five thousand dollars (\$555,000) to plan, design, construct, purchase, equip and improve the children's fantasy garden at the Albuquerque BioPark in Albuquerque in Bernalillo county;
72. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and improve Brentwood Hills park, including tennis courts and pickleball striping, in Albuquerque in Bernalillo county;
73. sixty thousand dollars (\$60,000) to purchase and equip wildfire brush trucks in Albuquerque in Bernalillo county;
74. three hundred thousand dollars (\$300,000) to plan, design, construct, improve, furnish and equip the Candelaria nature preserve in Albuquerque in Bernalillo county;
75. one hundred thousand dollars (\$100,000) to purchase and install fitness equipment at the Cesar Chavez community center in Albuquerque in Bernalillo county;
76. five hundred thousand dollars (\$500,000) to plan, design, construct, furnish and equip a splash pad and park in Albuquerque in Bernalillo county;
77. two hundred thousand dollars (\$200,000) to purchase vehicles and equipment to support employment and job creation for small-scale artisan cheese production in Albuquerque in Bernalillo county;
78. one million two hundred thousand dollars (\$1,200,000) to acquire land and rights of way for and to plan, design, construct, improve, equip and furnish the Cibola Loop multigenerational center in Albuquerque in Bernalillo county;
79. fifty thousand dollars (\$50,000) to plan, design, construct, furnish and equip community gardens and agricultural projects in Albuquerque in Bernalillo county;
80. one hundred thousand dollars (\$100,000) to plan, design, construct, expand, repair, renovate, purchase, furnish, equip and landscape community safety facilities in Albuquerque in Bernalillo county;
81. fifty thousand dollars (\$50,000) to plan, design, construct, equip and improve Comanche North and Comanche South parks, including baseball fields and facilities, in Albuquerque in Bernalillo county;
82. five hundred seventy thousand dollars (\$570,000) to acquire land and rights of way for and to plan, design, construct, improve, equip and furnish a park in the Creighton area in Albuquerque in Bernalillo county;

83. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, purchase, equip and install a real-time crime center in Albuquerque in Bernalillo county;
84. one hundred sixty thousand dollars (\$160,000) to purchase and equip vehicles and equipment, including information technology, to support employment and job creation for disadvantaged populations and seniors in Albuquerque in Bernalillo county;
85. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, purchase, furnish, equip and install site improvements, including shade structures and landscaping, at Dulcinea park in Albuquerque in Bernalillo county;
86. two hundred thirty thousand dollars (\$230,000) to acquire property and rights of way for and to plan, design, construct, renovate, furnish and equip an early childhood education center in Albuquerque in Bernalillo county;
87. twenty-five thousand dollars (\$25,000) to plan, design and construct improvements, including deck and gutter repairs, at east San Jose pool in Albuquerque in Bernalillo county;
88. one hundred thousand dollars (\$100,000) to plan, design, construct and improve Eisenhower pool, including replacing the gutter system, in Albuquerque in Bernalillo county;
89. forty thousand dollars (\$40,000) to plan, design, construct, purchase and install park improvements, including tables, benches, trash cans, playgrounds, shade structures, drinking fountains, sanitation and lighting, in El Oso Grande park in Albuquerque in Bernalillo county;
90. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and improve the Elena Gallegos open space area, including facilities, trails and land restoration, in Albuquerque in Bernalillo county;
91. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, renovate, furnish, equip and improve the playground at Embudo Hills park in Albuquerque in Bernalillo county;
92. one hundred forty thousand dollars (\$140,000) to plan, design, construct, equip and improve the emergency operations center in Albuquerque in Bernalillo county;
93. two hundred seventy-five thousand dollars (\$275,000) to acquire land for and to plan, design and construct affordable housing for underserved communities in Albuquerque in Bernalillo county;

94. thirty-five thousand dollars (\$35,000) to plan, design, construct, renovate, furnish and equip the building and grounds, including furniture and fixtures, roofing, carpeting, interior finishes, the security system, bathrooms and the heating, ventilation and air conditioning system, at the Erna Fergusson library in Albuquerque in Bernalillo county;

95. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, renovate, furnish and equip the building and grounds, including furniture and fixtures, roofing, windows and the heating, ventilation and air conditioning system, at the Ernie Pyle library in Albuquerque in Bernalillo county;

96. one hundred thousand dollars (\$100,000) to purchase, equip, replace and install firefighting, emergency response and rescue apparatus for the Albuquerque fire rescue department in Albuquerque in Bernalillo county;

97. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, furnish and equip the Coronado Park fire station 4 training and response center in Albuquerque in Bernalillo county;

98. one million two hundred twenty-five thousand dollars (\$1,225,000) to acquire land and rights of way for and to plan, design, construct, purchase, furnish and equip fire station 12 in Albuquerque in Bernalillo county;

99. two million six hundred thirty-four thousand nine hundred dollars (\$2,634,900) to plan, design, construct, equip, furnish and improve fire stations, including sleeping quarters, in Albuquerque in Bernalillo county;

100. fifty thousand dollars (\$50,000) to purchase and install equipment for food storage and distribution, including tractors and trailers, forklifts, forklift batteries, pallet jacks, electric pallet jacks and pallet racking, in Albuquerque in Bernalillo county;

101. seventy-five thousand dollars (\$75,000) to plan, design, construct, furnish and equip a park and greenway in the Clayton Heights neighborhood in Albuquerque in Bernalillo county;

102. nine hundred fifteen thousand two hundred fifty dollars (\$915,250) to acquire land and rights of way for and to plan, design, construct, purchase, install, furnish and equip improvements, including information technology, at a museum and educational center for genocide and discrimination in Albuquerque in Bernalillo county;

103. four hundred seventy thousand dollars (\$470,000) to plan, design, construct, equip, furnish, improve and expand the Gibson health hub, including bed capacity at the housing navigation center, in Albuquerque in Bernalillo county;

104. one hundred forty-five thousand dollars (\$145,000) to plan, design, construct, equip, furnish and improve the trauma recovery center at the Gibson health hub in Albuquerque in Bernalillo county;

105. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and improve the baseball field and facilities, including lighting, shade structures and site work, at Gilbert P. Sanchez park in Albuquerque in Bernalillo county;

106. one hundred thousand dollars (\$100,000) to acquire land and rights of way for and to plan, design, construct, equip and furnish a linear park in the north valley in Albuquerque in Bernalillo county;

107. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, repair, renovate, furnish and equip improvements, including to the roof and classroom, at Highland pool in Albuquerque in Bernalillo county;

108. twenty-five thousand dollars (\$25,000) to acquire land and rights of way for and to plan, design, construct, furnish and equip a facility to house an indoor track in Albuquerque in Bernalillo county;

109. one hundred twenty-five thousand dollars (\$125,000) to purchase, equip and install an outdoor glass mosaic art piece at the International District library in Albuquerque in Bernalillo county;

110. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and furnish improvements to the Jerry Cline tennis complex in Albuquerque in Bernalillo county;

111. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip and furnish phase 2 improvements at the Joan Jones community center in Albuquerque in Bernalillo county;

112. one hundred eighty thousand dollars (\$180,000) to plan, design, construct, furnish and equip renovations to the classrooms and administrative spaces at the John Marshall health and social services center in Albuquerque in Bernalillo county;

113. six hundred fifty-five thousand dollars (\$655,000) to plan, design, construct, furnish and equip the kitchen and community spaces at the John Marshall health and social services center in Albuquerque in Bernalillo county;

114. one hundred forty thousand dollars (\$140,000) to acquire rights of way for and to plan, design, construct, furnish and equip a commuter bicycle trail between Juan Tabo boulevard and Innovation parkway in Albuquerque in Bernalillo county;

115. twenty-five thousand dollars (\$25,000) to plan, design, construct, furnish, equip and make phase 3 improvements to Juan Tabo hills park in southeast Albuquerque in Bernalillo county;

116. one hundred thousand dollars (\$100,000) to plan, design, construct and improve drainage, parking lots and playgrounds at Kirtland park in Albuquerque in Bernalillo county;

117. one hundred fifty-five thousand dollars (\$155,000) to plan, design, construct, renovate, furnish and equip a kitchen facility, including ovens, refrigeration, steam tables, dishwashing stations, sink and drain systems and an exhaust system, for meal services for displaced persons and families experiencing homelessness in Albuquerque in Bernalillo county;

118. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, install, furnish, equip and improve playground equipment at Krogh park in Albuquerque in Bernalillo county;

119. one hundred eighty-five thousand dollars (\$185,000) to plan, design, construct, furnish, equip and improve the Ladera golf course in Albuquerque in Bernalillo county;

120. four hundred thirty thousand dollars (\$430,000) to plan, design, construct, furnish and equip improvements, including security systems and information technology, at the Loma Linda community center in Albuquerque in Bernalillo county;

121. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, furnish and equip improvements at the Lomas Tramway library in Albuquerque in Bernalillo county;

122. fifty thousand dollars (\$50,000) to plan, design, construct, furnish and equip improvements, including clubhouse expansion, cart paths and lighting, at Los Altos golf course in Albuquerque in Bernalillo county;

123. fifty thousand dollars (\$50,000) to plan, design, construct, furnish, equip and install phase 2 improvements at Los Altos park in Albuquerque in Bernalillo county;

124. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, renovate, furnish and equip the building and grounds, including furniture and fixtures, carpeting, roofing, the electrical system, the security system and the heating, ventilation and air conditioning system, at the main library in Albuquerque in Bernalillo county;

125. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, furnish and equip improvements at the George J. Maloof memorial air park in Albuquerque in Bernalillo county;

126. five hundred sixty-five thousand dollars (\$565,000) to plan, design, construct, renovate, expand, furnish and equip the Manzano Mesa pickleball complex in Albuquerque in Bernalillo county;

127. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, renovate, equip, furnish, purchase and install tables, benches, trash cans, playgrounds, shade structures, drinking fountains, sanitation and lighting to Marion L. Fox memorial park in Albuquerque in Bernalillo county;

128. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip, install and improve Mariposa Basin park, including horseshoe pit lighting, shade structures, the pollinator garden and a pond, in Albuquerque in Bernalillo county;

129. one hundred thousand dollars (\$100,000) to plan, design, construct and furnish a community garden in the Martineztown neighborhood in Albuquerque in Bernalillo county;

130. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip improvements, including landscaping, at the Martineztown multigenerational center in Albuquerque in Bernalillo county;

131. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, renovate and equip Mesa Verde park, including tables, benches, trash cans, playgrounds, shade structures, drinking fountains, sanitation and lighting, in Albuquerque in Bernalillo county;

132. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, equip, furnish, purchase and install renovations to the fields and facilities used by the Mile High little league, including tables, benches, trash cans, playground equipment, shade structures, drinking fountains, sanitation and lighting, in Albuquerque in Bernalillo county;

133. twenty-five thousand dollars (\$25,000) to plan, design, construct, furnish and equip improvements at Montgomery pool in Albuquerque in Bernalillo county;

134. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, renovate, purchase, furnish, equip and install park improvements, including playgrounds, drinking fountains, tables, benches, shade structures and lighting, at Morningside park in Albuquerque in Bernalillo county;

135. one million five hundred eighty-five thousand dollars (\$1,585,000) to plan, design, construct, renovate, expand and equip the Albuquerque museum, including the education center, office space, parking lots, building systems, fire suppression systems, restrooms and a sculpture garden, in Albuquerque in Bernalillo county;

136. twenty thousand dollars (\$20,000) to plan, design, construct and improve an entryway to the parking lot for north Domingo Baca park and multigenerational center in Albuquerque in Bernalillo county;

137. sixty thousand dollars (\$60,000) to plan, design, construct, furnish and equip improvements to New Mexico veterans' memorial park in Albuquerque in Bernalillo county;

138. three hundred forty-five thousand dollars (\$345,000) to plan, design, construct and equip a trail connecting to the Unser bicycle trail in the Vista Alegre and North Rinconada neighborhoods in Albuquerque in Bernalillo county;

139. two hundred sixty thousand dollars (\$260,000) to plan, design, construct, equip and renovate Daniel Webster park as an all-inclusive park in the northeast heights in Albuquerque in Bernalillo county;

140. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and renovate the historic Old Town plaza, including landscaping and irrigation, in Albuquerque in Bernalillo county;

141. one hundred twenty thousand dollars (\$120,000) to purchase and install signage in open spaces in Albuquerque in Bernalillo county;

142. fifty thousand dollars (\$50,000) to plan, design, construct and improve parking facilities and fencing at Ouray dog park in Albuquerque in Bernalillo county;

143. nine hundred thirty thousand dollars (\$930,000) to plan, design, construct, purchase, equip, furnish and improve Petroglyph Estates park in Albuquerque in Bernalillo county;

144. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip, furnish and improve Phil Chacon park, including turf, irrigation, playgrounds and sport courts, in Albuquerque in Bernalillo county;

145. one hundred thousand dollars (\$100,000) to plan, design, construct, equip, furnish and make improvements, including shade structures, to Heritage Hills, Loma del Norte and Rotary parks in Albuquerque in Bernalillo county;

146. three million forty-five thousand dollars (\$3,045,000) to purchase and equip a helicopter for the police department in Albuquerque in Bernalillo county;

147. one hundred seventy-five thousand dollars (\$175,000) to purchase and equip information and investigative technology, including cameras, drones and digital investigation, in Albuquerque in Bernalillo county;

148. one hundred twenty thousand dollars (\$120,000) to plan, design, construct, renovate, furnish and equip, and to purchase and install information technology for, the John Carrillo memorial substation in the police department's northeast area command in Albuquerque in Bernalillo county;

149. five hundred ten thousand dollars (\$510,000) to purchase and equip a public safety field grid, including cameras, gunshot detection systems, radar and license plate readers, in Albuquerque in Bernalillo county;

150. fifty thousand dollars (\$50,000) to purchase and equip police vehicles for Albuquerque in Bernalillo county;

151. one million one hundred ninety thousand dollars (\$1,190,000) to plan, design, construct and equip a professional sound studio in Albuquerque in Bernalillo county;

152. thirty thousand dollars (\$30,000) to plan, design, construct and equip Puerto del Sol golf course, including outdoor dining spaces, in Albuquerque in Bernalillo county;

153. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip and improve the Puerto del Sol golf course irrigation system in Albuquerque in Bernalillo county;

154. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, equip and improve the Quintessence park irrigation system in Albuquerque in Bernalillo county;

155. eighty-five thousand dollars (\$85,000) to plan, design, construct, equip, install and improve the Rail trail in the Barelmas neighborhood in Albuquerque in Bernalillo county;

156. twenty-five thousand dollars (\$25,000) to plan, design, construct, equip, install and improve the Rail trail from the Albuquerque BioPark to the national Hispanic cultural center in Albuquerque in Bernalillo county;

157. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip, install and improve a crossing for the Rail trail near Lomas boulevard in Albuquerque in Bernalillo county;

158. ten million one hundred thirty thousand dollars (\$10,130,000) to plan, design, construct, furnish, equip and improve the Albuquerque rail yards and projects in the rail corridor in Albuquerque in Bernalillo county;

159. seventy thousand dollars (\$70,000) to plan, design, construct, renovate and improve a facility for a railroad museum in Albuquerque in Bernalillo county;

160. six hundred thirty thousand dollars (\$630,000) to plan, design, construct, expand, purchase, furnish, equip and install improvements, including information technology, for the real-time crime center in Albuquerque in Bernalillo county;

161. fifty-five thousand dollars (\$55,000) to plan, design, construct and improve Rinconada park in Albuquerque in Bernalillo county;

162. one million six hundred thirty-five thousand dollars (\$1,635,000) to plan, design, construct, equip and improve areas of the bosque in the Rio Grande Valley state park in Albuquerque in Bernalillo county;

163. fifty thousand dollars (\$50,000) to plan, design, construct, equip, furnish and improve, including surfacing, trees and park amenities, Rio Grande Triangle dog park in Albuquerque in Bernalillo county;

164. two hundred thousand dollars (\$200,000) to plan, design, construct, expand, improve and equip a visitor center, including signage, off-site improvements, historic preservation and educational projects, a multi-use trail with signage along west Central avenue and a pedestrian overlook bridge, in Albuquerque in Bernalillo county;

165. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, furnish and equip the building and grounds, including furniture, fixtures and a parking lot, at the Rudolfo Anaya north valley library in Albuquerque in Bernalillo county;

166. fifty thousand dollars (\$50,000) for a feasibility study to convert medians along San Antonio drive into linear parks or greenways in Albuquerque in Bernalillo county;

167. six hundred forty thousand dollars (\$640,000) to plan, design, construct, renovate, furnish and equip the building and grounds, including furniture and fixtures, carpeting, roofing, the electrical system, the security system and the heating, ventilation and air conditioning system, at the San Pedro library in Albuquerque in Bernalillo county;

168. ninety thousand dollars (\$90,000) to plan, design, construct, equip, furnish, install and improve lighting and park equipment at Santa Barbara park in Albuquerque in Bernalillo county;

169. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip, furnish and improve Santa Barbara-Martineztown park, including lighting, landscaping and exercise equipment, in Albuquerque in Bernalillo county;

170. six million one hundred seventy-five thousand one hundred dollars (\$6,175,100) to plan, design, construct, purchase, equip and install additional spaces, exhibits and furnishings, including information technology, for a cradle through career

learning center campus and early learning center at a science center and children's museum in Albuquerque in Bernalillo county;

171. forty thousand dollars (\$40,000) to plan, design, construct, equip, furnish and install shade structures at Bianchetti park, Chelwood park, City View park, Crestview Heights park, Brentwood Hills park and Embudo Hills park in Albuquerque in Bernalillo county;

172. one hundred thousand dollars (\$100,000) to plan, design, construct, equip, furnish and improve a shooting range park in Albuquerque in Bernalillo county;

173. fifty-five thousand dollars (\$55,000) to plan, design, construct, renovate, equip and furnish the South Broadway library in Albuquerque in Bernalillo county;

174. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, equip, furnish and improve South San Jose park in Albuquerque in Bernalillo county;

175. twenty-five thousand dollars (\$25,000) to plan, design, equip and furnish South Valley library in Albuquerque in Bernalillo county;

176. one hundred thousand dollars (\$100,000) to acquire property for and to plan, design, construct, improve, expand, furnish and equip parks in the Southwest Mesa and South Valley areas of Albuquerque in Bernalillo county;

177. fifty thousand dollars (\$50,000) to plan, design, construct, equip and install street lights on the southwest mesa in Albuquerque in Bernalillo county;

178. fifty thousand dollars (\$50,000) to acquire land and rights of way for and to plan, design, construct, equip and furnish a police station in southwest Albuquerque in Bernalillo county;

179. one million seven hundred thousand dollars (\$1,700,000) to plan, design, construct, purchase, furnish and equip a southwest public safety center in Albuquerque in Bernalillo county;

180. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, equip, furnish and improve the Taylor Ranch library in Albuquerque in Bernalillo county;

181. twenty thousand dollars (\$20,000) to plan, design, construct, equip and install roof repairs to the Ted M. Gallegos center in Albuquerque in Bernalillo county;

182. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, improve, purchase, install and equip open space facilities in the Tijeras Arroyo biological zone in Albuquerque in Bernalillo county;

183. six hundred thousand dollars (\$600,000) to plan, design, construct, renovate, purchase, install, furnish and equip the building and grounds, including furniture and fixtures, the security system, cameras and the fire protection system, at the Tony Hillerman library in Albuquerque in Bernalillo county;

184. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and improve Tower Pond park and Westgate Heights park, including restrooms, concession stands, field relocation and seating, in Albuquerque in Bernalillo county;

185. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, rehabilitate and improve landscaping on Tramway boulevard in Albuquerque in Bernalillo county;

186. fifty thousand dollars (\$50,000) to acquire land and rights of way for and to plan, design, construct, demolish, furnish, equip and install a retail and housing complex in the Uptown area in Albuquerque in Bernalillo county;

187. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct and renovate a space for an indigenous peoples' service center in Albuquerque in Bernalillo county;

188. one hundred thousand dollars (\$100,000) to plan, design, construct, improve, furnish and equip USS Bullhead memorial park, including field renovations, lighting and dugouts, in Albuquerque in Bernalillo county;

189. two hundred thirty thousand dollars (\$230,000) to plan, design, construct, install, improve and equip Valley pool, including bathrooms, heating, ventilation and air conditioning systems and gutters, in Albuquerque in Bernalillo county;

190. twenty thousand dollars (\$20,000) to purchase and equip vehicles and to purchase and install equipment for commercial and noncommercial teaching kitchens and food business incubators in Albuquerque in Bernalillo county;

191. five hundred ten thousand dollars (\$510,000) to plan, design and construct improvements to the baseball fields and facilities near Vista Alameda NE and Alameda Park drive NE, including fencing, lighting, security, concession stands, irrigation, landscaping and accessibility, in Albuquerque in Bernalillo county;

192. one hundred thousand dollars (\$100,000) to plan, design, construct, install, equip and improve Vista del Norte park in Albuquerque in Bernalillo county;

193. one hundred thousand dollars (\$100,000) to plan, design, construct and renovate the Vista del Norte trail in Albuquerque in Bernalillo county;

194. forty thousand dollars (\$40,000) to plan, design, construct, furnish and equip the West Mesa trail in Albuquerque in Bernalillo county;

195. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, expand and improve the west side animal shelter, including kennels, support facilities, offices, public areas and a veterinary clinic, in Albuquerque in Bernalillo county;

196. fifty thousand dollars (\$50,000) to plan, design, construct, furnish and equip Wells park in Albuquerque in Bernalillo county;

197. one hundred thousand dollars (\$100,000) to acquire property for and to plan, design, construct, landscape, purchase and install improvements to outdoor recreational space for use as facilities for unhoused people in Albuquerque in Bernalillo county;

198. three hundred forty-five thousand dollars (\$345,000) to plan, design, construct, furnish and equip phase 3 of the Westgate community center, including the purchase of information technology, in Albuquerque in Bernalillo county;

199. twenty-five thousand dollars (\$25,000) to acquire land and rights of way for and to plan, design, construct, equip and furnish an indoor sports complex on the west side of Albuquerque in Bernalillo county;

200. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, improve and equip Wilson pool, including flooring and access control, in Albuquerque in Bernalillo county;

201. seventy-five thousand dollars (\$75,000) to acquire land and rights of way for and to plan, design, construct, improve and equip Worker's memorial park in Albuquerque in Bernalillo county;

202. one million one hundred seventy-five thousand dollars (\$1,175,000) to acquire property for and to plan, design, construct, furnish and equip a facility for homeless youth in Albuquerque in Bernalillo county;

203. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, furnish and equip an office building for the Albuquerque metropolitan arroyo flood control authority in Albuquerque in Bernalillo county;

204. twenty-five thousand dollars (\$25,000) to plan, design, construct, purchase and equip improvements to facilities, including batting cages and restrooms, at Balloon Fiesta park in Albuquerque in Bernalillo county;

205. two hundred thousand dollars (\$200,000) to plan, design, construct, repair and improve railroad infrastructure and facilities, including the turntable, at the rail yards in Albuquerque in Bernalillo county;

206. fifty thousand dollars (\$50,000) to plan, design, construct, furnish and equip improvements to Atrisco park, including baseball fields, playgrounds, pedestrian

circulation, accessibility improvements, a site access road, parking lots, security fencing, lighting, landscaping and irrigation, in Albuquerque in Bernalillo county;

207. three hundred forty-five thousand dollars (\$345,000) to plan, design, construct, furnish and equip improvements, including streetscape amenities, at Dolores Huerta gateway park in Albuquerque in Bernalillo county;

208. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, equip and furnish building and site improvements, including landscaping, at Los Padillas community center in Albuquerque in Bernalillo county;

209. one hundred thousand dollars (\$100,000) to plan, design, construct, demolish, furnish and equip facility and site improvements at the Westside community center in Albuquerque in Bernalillo county;

210. three hundred thirty thousand dollars (\$330,000) to plan, design, construct, renovate, purchase, install, furnish and equip buildings and grounds, infrastructure, information technology, wiring and equipment for an arts, dance and mentoring center in Albuquerque in Bernalillo county;

~~[211. two hundred thousand dollars (\$200,000) to plan, design, construct, improve, furnish and equip Netherwood park and central Albuquerque parks in Bernalillo county;] LINE ITEM VETO~~

212. one million fifty thousand dollars (\$1,050,000) to plan, design, construct, purchase, install, equip and furnish an aquatic center at north Domingo Baca park in Albuquerque in Bernalillo county;

213. sixty thousand dollars (\$60,000) to plan, design and construct infrastructure for an affordable housing project for the Chilili land grant-merced in Bernalillo county;

214. one hundred twenty-five thousand dollars (\$125,000) to purchase and equip a skid steer, including attachments, for the Chilili land grant-merced in Bernalillo county;

215. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and improve the Larry P. Abraham agri-nature center, including restrooms and accessibility, in Los Ranchos de Albuquerque in Bernalillo county;

216. one hundred thousand dollars (\$100,000) to acquire property for and to plan, design, construct and make improvements for open space and agricultural use for Los Ranchos de Albuquerque in Bernalillo county;

217. four hundred fifty thousand dollars (\$450,000) to acquire land for and to plan, design, construct and improve Los Vecinos community center in Tijeras in Bernalillo county;

218. fifty thousand dollars (\$50,000) to purchase and equip vehicles, including hydro excavation trucks, snowplows and spreader attachments, for Tijeras in Bernalillo county;

219. four hundred fifty thousand dollars (\$450,000) to acquire land for and to plan, design and construct outdoor recreation facilities for Tijeras in Bernalillo county;

220. fifty thousand dollars (\$50,000) to plan, design, construct and equip a public park and trail in Tijeras in Bernalillo county;

221. one hundred thousand dollars (\$100,000) to plan, design and construct improvements to the veterans' memorial in Tijeras in Bernalillo county;

222. fifty thousand dollars (\$50,000) to plan, design and construct site improvements for the village hall, including parking lots, in Tijeras in Bernalillo county;

223. sixty-five thousand dollars (\$65,000) to purchase and equip vehicles, including a four-wheel drive double cab truck, for Catron county;

224. three hundred thousand dollars (\$300,000) to plan, design, construct, equip and furnish improvements to community centers in Catron county;

225. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, renovate, equip and furnish improvements to Glenwood park in Catron county;

226. one hundred eighty-five thousand dollars (\$185,000) to purchase and equip vehicles, including a vacuum trailer, for the maintenance department in Reserve in Catron county;

227. one hundred thousand dollars (\$100,000) to purchase and equip maintenance trucks in Dexter in Chaves county;

228. seventy-five thousand dollars (\$75,000) to purchase, install and equip digital signs to support safety alerts in Hagerman in Chaves county;

229. five hundred ninety thousand dollars (\$590,000) to plan, design, construct, renovate and equip the county cooperative extension service building and campus, including accessibility improvements, in Roswell in Chaves county;

230. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, renovate and equip office space for the Pecos Valley regional communications center in Roswell in Chaves county;

231. two hundred seventy thousand dollars (\$270,000) to plan, design, construct, repair and renovate parking facilities at Saint Mary's complex in Roswell in Chaves county;

232. three million dollars (\$3,000,000) to plan, design, construct, improve, furnish and equip the Roswell air center in Roswell in Chaves county;

233. five hundred thousand dollars (\$500,000) to plan, design, construct and improve the irrigation system, including a well water pump house and appurtenances, at the South Park cemetery in Roswell in Chaves county;

234. three hundred thousand dollars (\$300,000) to plan, design, construct, renovate, furnish and equip a daycare center, including sidewalks, vehicle service entrance, fencing and shade structures, in Roswell in Chaves county;

235. two hundred thousand dollars (\$200,000) to plan, design, construct, repair and improve phase 1 of a historical statuary garden and park, including landscaping, lighting, trail location, curb enhancement, sidewalks and fencing, in Roswell in Chaves county;

236. two hundred forty thousand dollars (\$240,000) to plan, replace, purchase and install lighting improvements for athletic fields and parking lots in Roswell in Chaves county;

237. four hundred thousand dollars (\$400,000) to plan, design, construct and purchase signage for the mainstreet Roswell corridor in Roswell in Chaves county;

238. one hundred nineteen thousand dollars (\$119,000) to plan, design, upgrade, replace and equip the heating, ventilation and air conditioning system at the Roswell museum in Roswell in Chaves county;

239. six hundred forty thousand dollars (\$640,000) to plan, design, construct, improve, purchase and install lighting at the Noon Optimist park baseball fields, including energy-efficient lighting, in Roswell in Chaves county;

240. three hundred fifty thousand dollars (\$350,000) to purchase, install and replace a dispatch system, including radio-computer interface and information technology, for the police department in Roswell in Chaves county;

241. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, furnish and equip phase 2b renovations for police department facilities, including the technical special unit building, in Roswell in Chaves county;

242. five hundred thousand dollars (\$500,000) to plan, design, construct, purchase and install concession stands, restrooms and scoreboards at Stiles park and ballfield in Roswell in Chaves county;

243. one million dollars (\$1,000,000) to plan, design, construct and upgrade bathrooms, concession stands and lights at World Champion memorial park in Roswell in Chaves county;

244. four hundred twenty-five thousand dollars (\$425,000) to plan, design, construct, furnish and equip a public safety multipurpose training facility in Cibola county;

245. fifteen thousand dollars (\$15,000) to purchase and equip an all-terrain vehicle for the acequia de San Jose de la Cienega in the San Fidel area in Cibola county;

246. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, renovate, repair, furnish and equip a community center for the Cubero land grant-merced in Cibola county;

247. three hundred fifty thousand dollars (\$350,000) to plan, design, purchase and install an emergency power generator for the administrative offices and judicial court in Grants in Cibola county;

248. one hundred thousand dollars (\$100,000) to plan, design, construct, furnish and equip a domestic violence shelter and accessory facilities in Grants in Cibola county;

249. one million dollars (\$1,000,000) to purchase and equip a ladder truck for the fire department in Grants in Cibola county;

250. seventy-five thousand dollars (\$75,000) to plan, design, construct, repair, renovate, furnish and equip the Grants recreation center in Grants in Cibola county;

251. two hundred thousand dollars (\$200,000) to purchase and equip heavy equipment, including a street sweeper, bucket truck, water truck and water trailer, for the public works department in Milan in Cibola county;

252. two hundred five thousand dollars (\$205,000) to purchase and equip construction equipment for the road department in Colfax county;

253. six hundred seventy-five thousand dollars (\$675,000) to purchase and equip law enforcement vehicles for the sheriff's department in Colfax county;

254. one hundred fifty thousand dollars (\$150,000) to purchase public works equipment for Springer in Colfax county;

255. one hundred thousand dollars (\$100,000) to plan, design, construct, equip, furnish and improve Cimarron park in Cimarron in Colfax county;

256. one hundred thousand dollars (\$100,000) to purchase and equip vehicles and heavy equipment for the public works department in Maxwell in Colfax county;

257. one hundred eighty thousand dollars (\$180,000) to plan, design, construct, furnish and equip an animal shelter in Raton in Colfax county;

258. five million dollars (\$5,000,000) to plan, design, construct, furnish and equip the general long-term care and laboratory facility for the south central Colfax county special hospital district in Springer in Colfax county;

259. one hundred thousand dollars (\$100,000) to plan, design and construct improvements to Springer public park, including restrooms, in Springer in Colfax county;

260. one million dollars (\$1,000,000) to plan, design, construct and equip a recreation and sports complex in Curry county;

261. three hundred thousand dollars (\$300,000) to plan, design, construct and renovate the Clovis food bank of eastern New Mexico, including concrete pad replacement and cold storage compressors installation, in Curry county;

262. nine hundred thirty thousand dollars (\$930,000) to plan, design, construct and improve downtown lighting in Clovis in Curry county;

263. two hundred thousand dollars (\$200,000) to plan, design, construct, renovate, furnish and equip transitional housing for the homeless in Curry county;

264. one hundred ten thousand dollars (\$110,000) to plan, design, construct, renovate, furnish and equip Baxter memorial park, including a splash pad and bathrooms, in Melrose in Curry county;

265. four hundred thousand dollars (\$400,000) to purchase and equip a motor grader for De Baca county;

266. two hundred fifty thousand dollars (\$250,000) to acquire land and to plan, design, purchase, construct, relocate, furnish and equip an administrative building for the Alto de Las Flores mutual domestic water consumers association in Dona Ana county;

267. one million five hundred thousand dollars (\$1,500,000) to plan, design and construct a community complex, including an office and meeting space for water system operations, for the Chamberino mutual domestic water consumer and sewer association in Dona Ana county;

268. one million three hundred thousand dollars (\$1,300,000) to plan, design, construct, expand and equip space for a food distribution pantry at the Betty McKnight community center in Dona Ana county;

269. one hundred thousand dollars (\$100,000) to plan, design, construct, equip, repair, install and make improvements to Casas Lindas park, including erosion control and shade structures, in Dona Ana county;

270. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, purchase, equip and install improvements at the Chaparral annex on east Lisa drive in Dona Ana county;

271. four hundred thousand dollars (\$400,000) to plan, design, construct and improve the De La O visitor center in Dona Ana county;

272. four hundred thousand dollars (\$400,000) to plan, design, construct, furnish and equip an emergency operations center and office of emergency management facility in Dona Ana county;

273. five hundred thousand dollars (\$500,000) to plan, design, construct, repair, install and improve structures and grounds at the county fairgrounds in Dona Ana county;

274. two hundred thousand dollars (\$200,000) to plan, design and construct a collaborative health training center in the University Park area of Dona Ana county;

275. one hundred thousand dollars (\$100,000) to plan, design, construct, equip, purchase and install improvements at La Mesa community park in Dona Ana county;

276. one hundred thousand dollars (\$100,000) to plan, purchase and replace handheld and mobile radio units and related infrastructure, including the installation of handheld and mobile radio systems in vehicles and at fixed locations, for county facilities and public safety departments in Dona Ana county;

277. one hundred thousand dollars (\$100,000) to plan, design, construct, equip and install security fencing, gates, video surveillance cameras and systems and electrical components for the sheriff's office training academy in Dona Ana county;

278. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, purchase and install playground improvements, including erosion control and parking lot repairs for accessibility, at Tortugas park in Dona Ana county;

279. three hundred thousand dollars (\$300,000) to plan, design, construct, purchase and install improvements at Vado/Del Cerro park in Dona Ana county;

280. two hundred thousand dollars (\$200,000) to plan, design, construct, renovate, furnish and equip an administrative and central operations building and site, including security cameras, lighting, fencing, solar panels and parking, for La Union watershed district in Dona Ana county;

281. seventy-five thousand dollars (\$75,000) for an asset management plan for the Leasburg mutual domestic water consumers association in Dona Ana county;

282. two hundred fifty thousand dollars (\$250,000) to purchase and equip heavy equipment and vehicles for the lower Rio Grande public water works authority in Dona Ana county;

283. five hundred thousand dollars (\$500,000) to acquire easements and rights of way for and to plan, design, construct, furnish and equip a health and wellness center in Anthony in Dona Ana county;

284. two hundred thousand dollars (\$200,000) to purchase and equip vehicles and public safety equipment for Anthony in Dona Ana county;

285. five hundred sixty thousand dollars (\$560,000) to plan, design, construct and improve fire station 9 in Chaparral in Dona Ana county;

286. two hundred sixty-four thousand dollars (\$264,000) to design and construct a regional recreational facility, including performance space, retail and recreational amenities, in Hatch in Dona Ana county;

287. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, purchase, equip and install building improvements and structures at a community center in La Mesa in Dona Ana county;

288. two hundred sixty thousand dollars (\$260,000) to plan, design, purchase, install and construct improvements to the Dona Ana boxing club in Las Cruces in Dona Ana county;

289. five hundred eighty thousand dollars (\$580,000) to plan, design, construct and renovate a domestic violence shelter in Las Cruces in Dona Ana county;

290. three hundred thousand dollars (\$300,000) to plan, design, construct, furnish, equip and install improvements, including park improvements, at the East Mesa recreation complex in Las Cruces in Dona Ana county;

291. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, furnish and equip fire station 9 in Las Cruces in Dona Ana county;

292. two million five hundred fifty thousand dollars (\$2,550,000) to plan, design, construct, furnish and equip an integrated health care building, including a mobile crisis team unit and a critical intervention team unit, in Las Cruces in Dona Ana county;

293. five million nine hundred seventy-five thousand dollars (\$5,975,000) to plan, design, construct, renovate, furnish and equip an expansion of the Mesilla Valley

resource campus providing services to the homeless, including supportive housing and service buildings, in Las Cruces in Dona Ana county;

294. six hundred fifty thousand dollars (\$650,000) to purchase, equip, install and implement an integrated system of cameras, surveillance equipment and information technology to develop a real-time crime center for the police department in Las Cruces in Dona Ana county;

295. one million one hundred fifty thousand dollars (\$1,150,000) to plan, design, construct, furnish and equip a facility for a soup kitchen and a community kitchen, including the demolition of a warehouse, in Las Cruces in Dona Ana county;

296. one hundred thousand dollars (\$100,000) to plan, design, construct, purchase, furnish, equip and install park renovations, including trails, in Las Cruces in Dona Ana county;

297. seventy-five thousand dollars (\$75,000) to purchase and equip vehicles for the marshal's department in Mesilla in Dona Ana county;

298. twenty-five thousand dollars (\$25,000) to purchase and equip a public safety radio system for Mesilla in Dona Ana county;

299. ninety-five thousand dollars (\$95,000) to plan, design, construct, furnish and equip signage for Mesilla in Dona Ana county;

300. two hundred thousand dollars (\$200,000) to plan, design, construct and install improvements to the buildings and grounds at the Mesquite community center in Dona Ana county;

301. two hundred thousand dollars (\$200,000) to plan, design, construct, improve, expand and furnish fire station 6 in Rincon in Dona Ana county;

302. five hundred thousand dollars (\$500,000) to plan, design, demolish, replace and construct an office building for the lower Rio Grande public waterworks authority in Rincon in Dona Ana county;

303. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, improve and furnish the emergency and hazardous materials response facility in Santa Teresa in Dona Ana county;

304. two hundred sixty-eight thousand dollars (\$268,000) to match federal and state funds to purchase and equip electric buses for the south central regional transit district in Sunland Park in Dona Ana county;

305. one million dollars (\$1,000,000) to acquire land for and to plan, design, construct, renovate, furnish and equip the city hall municipal complex in Sunland Park in Dona Ana county;

306. three hundred fifty thousand dollars (\$350,000) to acquire property for and to plan, design and construct a food pantry in Sunland Park in Dona Ana county;

307. six hundred fifty thousand dollars (\$650,000) to purchase and equip vehicles and equipment for the police department and administrative offices in Sunland Park in Dona Ana county;

308. five hundred thousand dollars (\$500,000) to plan, design, construct, renovate, equip, furnish and landscape a health care facility in Eddy county;

309. two hundred thousand dollars (\$200,000) to plan, design, construct and equip a training facility shooting range for the sheriff's office in Eddy county;

310. six hundred thousand dollars (\$600,000) to plan, design, construct, install and equip a splash pad for Eddy county;

311. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct and equip improvements to a building [~~for the Artesia training academy~~] for truck driving in Artesia in Eddy county; *LINE ITEM VETO*

312. three hundred thirty-five thousand dollars (\$335,000) to purchase and install surgical c-arm imaging equipment for the Artesia special hospital district in Eddy county;

313. one hundred ninety thousand dollars (\$190,000) to purchase and install flooring, including the wall base, for the rural health clinic of the Artesia special hospital district in Eddy county;

314. five hundred thousand dollars (\$500,000) to plan, design, construct, install, furnish and equip improvements to the Riverwalk recreation center in Carlsbad in Eddy county;

315. five hundred thousand dollars (\$500,000) to plan, design, construct, equip, furnish and improve the veterans' memorial at Bataan park in Grant county;

316. fifty thousand dollars (\$50,000) to plan, design, construct, equip, furnish and improve the interior and exterior of a business and conference center, including the purchase and installation of audiovisual equipment and information technology, in Grant county;

317. one hundred thousand dollars (\$100,000) to plan, design, construct, improve, furnish and equip the county detention center in Grant county;

318. three hundred seventy-five thousand dollars (\$375,000) to plan, design, construct, equip and improve the county fairgrounds in the Cliff-Gila area in Grant county;
319. three hundred five thousand dollars (\$305,000) to plan, design, construct, improve, equip and furnish the Bayard community center in Bayard in Grant county;
320. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, furnish and equip a community center in Gila in Grant county;
321. two hundred fifty thousand dollars (\$250,000) to acquire property for and to plan, design, construct, improve, equip and furnish recreational facilities in Hurley in Grant county;
322. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, improve, equip and furnish city facilities, including parking lots, in Santa Clara in Grant county;
323. six hundred thousand dollars (\$600,000) to purchase and install medical equipment for the Gila regional medical center in Silver City in Grant county;
324. five hundred thousand dollars (\$500,000) to plan, design, construct, renovate, furnish and equip the city hall annex building in Silver City in Grant county;
325. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, furnish and equip a recreation facility in Silver City in Grant county;
326. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, equip and furnish improvements to the Silco theater in Silver City in Grant county;
327. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct, improve and repair trails, including in the Pinos Altos creek and Silva creek areas, in Silver City in Grant county;
328. two hundred twenty thousand dollars (\$220,000) to plan, design, construct and equip a community center for the Anton Chico land grant-merced in Guadalupe county;
329. one hundred fifty thousand dollars (\$150,000) plan, design, construct, renovate, purchase and install playground equipment and for grounds improvement at La Loma park in Guadalupe county;
330. three hundred thousand dollars (\$300,000) to acquire property for affordable housing in Guadalupe county;

331. one hundred twenty-five thousand dollars (\$125,000) to purchase and equip vehicles for the sheriff's department in Guadalupe county;

332. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, purchase and install bathrooms, equipment, landscaping and parking improvements at parks in Santa Rosa in Guadalupe county;

333. three hundred thousand dollars (\$300,000) to plan, design, purchase, construct, furnish and equip a fire station in Mosquero in Harding county;

334. one hundred twenty-five thousand dollars (\$125,000) to purchase and equip a backhoe for the water department in Roy in Harding county;

335. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish improvements to community centers in the Animas-Rodeo area of Hidalgo county;

336. eighty-five thousand dollars (\$85,000) to plan, design, construct, equip and furnish improvements for parks in the Animas-Rodeo area of Hidalgo county;

337. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish improvements to the county arena and fairgrounds in Lordsburg in Hidalgo county;

338. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, replace and equip roofs and heating, ventilation and air conditioning systems at health care clinics in Hidalgo county;

339. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, improve, equip and furnish the animal shelter in Lordsburg in Hidalgo county;

340. one hundred twenty-five thousand dollars (\$125,000) to purchase and equip utility and maintenance vehicles for Lordsburg in Hidalgo county;

341. four hundred thousand dollars (\$400,000) to plan, design, construct and equip an outdoor amphitheater at the county event center in Lea county;

342. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct, furnish and equip a rodeo arena in Eunice in Lea county;

343. one million five hundred thousand dollars (\$1,500,000) to purchase and equip heavy rescue hazardous material vehicles in Hobbs in Lea county;

344. one million four hundred twenty-four thousand dollars (\$1,424,000) to plan, design, construct and improve training facilities, including a fire training tower and public safety center, in Hobbs in Lea county;

345. one million dollars (\$1,000,000) to plan, design and construct an emergency medical services building for Jal in Lea county;
346. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, repair, renovate and equip improvements, including roofing and plumbing, at the Lovington library in Lea county;
347. two hundred sixty-six thousand dollars (\$266,000) to purchase and equip medical transport vans in Lovington in Lea county;
348. two hundred fifty thousand dollars (\$250,000) to purchase, equip and install awnings for patrol vehicles for the police department in Lovington in Lea county;
349. two hundred thousand dollars (\$200,000) to plan, design, construct and furnish a behavioral health clinic for the Nor-Lea special hospital district in Lovington in Lea county;
350. two hundred sixty-five thousand dollars (\$265,000) to purchase and equip a crime scene vehicle for the sheriff's department in Lincoln county;
351. four hundred fifty thousand dollars (\$450,000) to plan, design, demolish, construct, furnish, equip and renovate a veterans' conference center, including residential facilities and accessibility improvements, near Fort Stanton in Lincoln county;
352. seventy-nine thousand dollars (\$79,000) to plan, design, construct and renovate the public library in Capitan in Lincoln county;
353. one hundred thousand dollars (\$100,000) to plan, design, construct, furnish and equip an ambulance building with living quarters in Carrizozo in Lincoln county;
354. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct, upgrade, purchase and install water and sewer systems infrastructure at the detention center in Carrizozo in Lincoln county;
355. five hundred thousand dollars (\$500,000) to plan, design, construct and improve the watershed, including the removal of trees for fire prevention, in Ruidoso in Lincoln county;
356. two hundred eighty-five thousand dollars (\$285,000) to purchase and equip grapple trucks in Ruidoso Downs in Lincoln county;
357. two hundred thirty thousand dollars (\$230,000) to plan, design, construct and upgrade public safety communications equipment, including towers, in Luna county;

358. four hundred thousand dollars (\$400,000) to plan, design, construct, renovate, equip and furnish a health and wellness community facility in Columbus in Luna county;

359. one hundred ten thousand dollars (\$110,000) to plan, design, construct, improve, equip and furnish dog parks in Deming in Luna county;

360. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and furnish a live fire training facility, including a water storage tank, in Deming in Luna county;

361. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip and furnish improvements to the police department training facility in Deming in Luna county;

362. two hundred thousand dollars (\$200,000) to plan, design, construct, renovate, equip and furnish a public safety facility for Deming in Luna county;

363. two hundred sixty thousand dollars (\$260,000) to plan, design, construct, purchase, equip and furnish improvements, including accessibility improvements, at the county courthouse park in Deming in Luna county;

364. two million dollars (\$2,000,000) to plan, design, expand, construct, improve, equip and furnish a daycare facility, including space for children of first responders, in Deming in Luna county;

365. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct and upgrade the fairgrounds, including electrical systems, in McKinley county;

366. three hundred thousand dollars (\$300,000) to plan, design, construct, repair and equip improvements for a health care clinic in McKinley county;

367. two hundred thousand dollars (\$200,000) to plan, design, construct and equip infrastructure improvements, including utility extensions, at the county industrial park in McKinley county;

368. four hundred thousand dollars (\$400,000) to plan, design and construct a natural gas line, including connections, for the community of White Cliffs in McKinley county;

369. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip an animal shelter in Gallup in McKinley county;

370. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct and renovate transitional housing and facilities for children, youth and families in Gallup in McKinley county;

371. sixty thousand dollars (\$60,000) to plan, design, construct, improve and equip the Mentmore hiking trails in Gallup in McKinley county;

372. four hundred thousand dollars (\$400,000) to plan, design, construct, purchase, furnish and equip a public safety building in Gallup in McKinley county;

373. three hundred thousand dollars (\$300,000) to plan, design, construct, improve, furnish and equip a baseball field, including artificial turf and drainage infrastructure, at the sports complex in Gallup in McKinley county;

374. two hundred thousand dollars (\$200,000) to plan, design, construct, equip and furnish the county complex, including site improvements, in Mora county;

375. one million dollars (\$1,000,000) to plan, design, construct and equip facilities for the emergency services department in Mora county;

376. seventy-five thousand dollars (\$75,000) to acquire land for and to plan, design and construct a facility for the road department in Mora county;

377. one hundred seventy-five thousand dollars (\$175,000) to purchase, repair and install equipment for radio communications systems, including tower repeaters, handheld systems and in-car radios and repeaters, for the county sheriff's department in Mora county;

378. one hundred thousand dollars (\$100,000) to purchase and equip vehicles and equipment, including search and rescue and side-by-side units, for the sheriff's department in Mora county;

379. one hundred seventy-five thousand dollars (\$175,000) to plan, design and construct a veterans' memorial in Mora county;

380. one hundred fifty thousand dollars (\$150,000) to purchase and equip vehicles for Wagon Mound in Mora county;

381. two hundred fifty thousand dollars (\$250,000) to purchase and install equipment~~[, including self-contained breathing apparatus,]~~ for the police department in Santa Fe in Santa Fe county; *LINE ITEM VETO*

382. three hundred thousand dollars (\$300,000) to purchase and equip fully accessible vans for the southeast New Mexico veterans transportation network in Chaves, Lea and Eddy counties;

383. four hundred seventy-three thousand dollars (\$473,000) to purchase and equip road equipment and dump trucks for the county road department in Otero county;

384. four hundred twenty-five thousand dollars (\$425,000) to purchase and equip vehicles for the sheriff's office in Otero county;

385. four hundred thousand dollars (\$400,000) to plan, design, construct, expand and improve the bear exhibit at Alameda park zoo in Alamogordo in Otero county;

386. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and equip restrooms at Alameda park zoo in Alamogordo in Otero county;

387. one hundred forty-seven thousand dollars (\$147,000) to purchase and install playground equipment at Dudley School community center and park in Alamogordo in Otero county;

388. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and replace an irrigation system for the Desert Lakes golf course in Alamogordo in Otero county;

389. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct and improve the patio at the Alamogordo public library in Alamogordo in Otero county;

390. three hundred forty thousand dollars (\$340,000) to purchase and equip vehicles for the police department in Alamogordo in Otero county;

391. six hundred ninety-five thousand dollars (\$695,000) to plan, design, construct, equip and improve an irrigation system for Desert Lakes golf course in Alamogordo in Otero county;

392. one million seven hundred thousand dollars (\$1,700,000) to plan, design, construct and replace the roof on the old ACES school building, including gutters and soffits, in Alamogordo in Otero county;

393. three hundred fifty-nine thousand dollars (\$359,000) to plan, design, construct, expand and equip a public restroom facility in Cloudcroft in Otero county;

394. four hundred thousand dollars (\$400,000) to purchase and equip a dump truck and utility equipment for the road department in Quay county;

395. two hundred fifty thousand dollars (\$250,000) to purchase and equip a pneumatic roller for Quay county;

396. one hundred thousand dollars (\$100,000) to purchase and equip vehicles for the sheriff's office in Quay county;

397. thirty thousand dollars (\$30,000) to plan, design, construct, improve and equip the community center kitchen, including flooring and cabinets, in House in Quay county;

398. forty thousand dollars (\$40,000) to plan, design and construct a cemetery office building in Tucumcari in Quay county;

399. one hundred thirty-five thousand dollars (\$135,000) to renovate, reconstruct and repair the historical Princess theater in Tucumcari in Quay county;

400. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and install a community playground for the Abiquiu land grant-merced in Rio Arriba county;

401. seventy-five thousand dollars (\$75,000) to plan, design, construct, improve and equip a community center, including a commercial kitchen, a computer and genealogy laboratory and library, a meeting and event venue, an early childhood center and an outdoor recreation area, for the Juan Bautista Baldez land grant-merced in Rio Arriba county;

402. forty-five thousand dollars (\$45,000) to plan, design and construct workforce housing for north central regional transit district employees in Rio Arriba county;

403. sixty thousand dollars (\$60,000) to acquire property for and to plan, design, construct, furnish and equip the Piedra Lumbre visitors' center for the San Joaquin del Rio de Chama land grant-merced in association with the Juan Bautista Baldez land grant-merced and the land grant-merced de los Pueblos de Tierra Amarilla in Rio Arriba county;

404. seventy-five thousand dollars (\$75,000) to plan, design and construct a fire station for the Canjilon-Cebolla volunteer fire department in Rio Arriba county;

405. one hundred thousand dollars (\$100,000) to plan, design, construct and improve a fire station, including parking lot paving, shelving and cabinets and building maintenance, for the Chamita fire department in Rio Arriba county;

406. fifty thousand dollars (\$50,000) to purchase and equip firefighting equipment for the Canjilon-Cebolla volunteer fire department, including bunker gear, radios, tools, lockers, security cameras, lights and positive pressure fans, in Rio Arriba county;

407. fifty thousand dollars (\$50,000) to plan, design, construct, equip and improve the main fire station and to purchase and install security cameras, fire personnel storage lockers, exterior and interior building signage, retractable extension cord reels and shore lines in Rio Arriba county;

408. five hundred thousand dollars (\$500,000) to plan, design and construct a nursing home in Rio Arriba county;

409. two hundred twenty-five thousand dollars (\$225,000) to purchase and equip public safety vehicles for Rio Arriba county and the Tierra Amarilla detention center in Rio Arriba county;

410. one hundred fifty thousand dollars (\$150,000) to purchase and install technology improvements for the sheriff's office in Rio Arriba county;

411. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, renovate, equip and furnish a multipurpose facility and associated infrastructure for the land grant-merced de los Pueblos de Tierra Amarilla in Rio Arriba county;

412. one hundred thousand dollars (\$100,000) to purchase and equip heavy equipment, including a skid steer, dump trailer and attachments, for the land grant-merced de los Pueblos de Tierra Amarilla in Rio Arriba county;

413. four hundred thousand dollars (\$400,000) to plan, design, construct, equip and improve Robert Gallegos park in Chama in Rio Arriba county;

414. seventy-five thousand dollars (\$75,000) to purchase and equip a tractor and water truck for Chama in Rio Arriba county;

415. seventy-five thousand dollars (\$75,000) to plan, design and construct improvements, including a fire training area and accessible restrooms, for the fire station in El Rito in Rio Arriba county;

416. two million two hundred thousand dollars (\$2,200,000) to acquire property for and to plan, design, construct and equip a fire substation and regional training facility in Espanola in Rio Arriba county;

417. four hundred thousand dollars (\$400,000) to plan, design, construct, renovate and equip police department facilities in Espanola in Rio Arriba county;

418. eight hundred seventy-five thousand dollars (\$875,000) to plan, design and construct improvements to Ranchitos pool and park in Espanola in Rio Arriba county;

419. sixty thousand dollars (\$60,000) to plan, design, construct, equip and upgrade a veterans' park in Espanola in Rio Arriba county;

420. three hundred forty thousand dollars (\$340,000) to plan, design and construct improvements at Valdez park in Espanola in Rio Arriba county;

421. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, furnish, equip and landscape a land grant community center for the San Joaquin del Rio de Chama land grant-merced in Rio Arriba county;

422. seventy-five thousand dollars (\$75,000) to plan, design, construct, improve and equip the sheriff's office facility in Tierra Amarilla in Rio Arriba county;

423. five hundred thousand dollars (\$500,000) to purchase and equip a chip spreader for the road department in Roosevelt county;

424. two hundred thousand dollars (\$200,000) to purchase and equip ambulances in Portales in Roosevelt county;

425. four hundred seventy-seven thousand dollars (\$477,000) to plan, design and construct accessibility improvements to county-owned facilities in San Juan county;

426. seventy thousand dollars (\$70,000) to purchase and equip utility work vehicles and equipment, including company signs, headache racks, toolboxes and emergency lighting, for the upper La Plata domestic water consumers and mutual sewage works cooperative in San Juan county;

427. eighty-five thousand dollars (\$85,000) to plan, design, construct, purchase, equip and repair an aquatic center atrium in Bloomfield in San Juan county;

428. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, renovate, equip and furnish the city hall in Bloomfield in San Juan county;

429. two million one hundred thirty-five thousand dollars (\$2,135,000) to purchase and equip an emergency management mobile command vehicle for the police and fire departments in Farmington in San Juan county;

430. one hundred seventy thousand dollars (\$170,000) to plan, design, renovate and make improvements to fire station 5 in Farmington in San Juan county;

431. one hundred seventy-five thousand dollars (\$175,000) to purchase, equip and install communications equipment for the police department in Farmington in San Juan county;

432. one hundred twenty-five thousand dollars (\$125,000) to purchase and equip vehicles for the police department in Farmington in San Juan county;

433. three million dollars (\$3,000,000) to plan, design, construct, renovate and equip a police station in Farmington in San Juan county;

434. three hundred forty-five thousand dollars (\$345,000) to replace an air handling unit for the childbirth center operating room at the San Juan regional medical center in Farmington in San Juan county;

435. three hundred seventy-two thousand dollars (\$372,000) to purchase and equip a chiller for the San Juan regional medical center in Farmington in San Juan county;

436. three hundred ten thousand dollars (\$310,000) to purchase, equip and replace a cooling tower for the central plant at the San Juan regional medical center in Farmington in San Juan county;

437. eight hundred forty thousand dollars (\$840,000) to design, purchase, replace and equip heating, ventilation and air conditioning systems at the San Juan regional medical center in Farmington in San Juan county;

438. one hundred thousand dollars (\$100,000) to purchase and equip vehicles [~~for a healing center in Shiprock~~] in San Juan county; *LINE ITEM VETO*

439. one million thirty thousand dollars (\$1,030,000) to purchase and equip heavy equipment, including a bulldozer, a wheel loader and attachments, for Los Vigiles land grant in San Miguel county;

440. three hundred thousand dollars (\$300,000) to plan, design, construct, furnish, equip and improve the fairgrounds in San Miguel county;

441. one hundred twenty-six thousand four hundred forty dollars (\$126,440) to plan, design, construct, improve and expand the Pecos Canyon fire and rescue station, including a garage door, a front porch, a training room and offices, in San Miguel county;

442. fifty-five thousand dollars (\$55,000) to plan, design, construct and improve the Pecos Canyon fire and rescue station, including concrete and asphalt aprons and parking lot paving, in San Miguel county;

443. one hundred sixty thousand dollars (\$160,000) to plan, design, construct and install a parking structure for law enforcement units at the sheriff's department in San Miguel county;

444. two hundred thousand dollars (\$200,000) to purchase and equip vehicles for the sheriff's department in San Miguel county;

445. twenty-five thousand dollars (\$25,000) to purchase, equip and install tools and equipment, including self-contained breathing apparatus, for volunteer fire departments in San Miguel county;

446. seventy-five thousand dollars (\$75,000) to plan, design, construct and equip a voting machine storage facility for the county clerk's office in San Miguel county;

447. one hundred thousand dollars (\$100,000) to acquire land for and to plan, design, construct, renovate, repair, purchase, furnish and equip a historic building and museum for the San Miguel del Bado land grant-merced in San Miguel county;

448. seven hundred eighty thousand dollars (\$780,000) to plan, design, construct, furnish and equip an animal shelter facility in Las Vegas in San Miguel county;

449. sixty thousand dollars (\$60,000) to purchase and equip a utility truck for the parks division in Las Vegas in San Miguel county;

450. two hundred thousand dollars (\$200,000) to plan, design, construct and renovate the Las Vegas veterans of foreign wars building, including heating, ventilation and air conditioning systems, and to purchase and install equipment, including commemorative bricks, in Las Vegas in San Miguel county;

451. one hundred fifty-five thousand dollars (\$155,000) to plan, design, construct, improve, purchase, equip and furnish the northeastern regional crisis and treatment center in the Epi Duran building in Las Vegas in San Miguel county;

452. forty thousand dollars (\$40,000) to purchase and equip emergency vehicles and equipment in Pecos in San Miguel county;

453. seventy-five thousand dollars (\$75,000) to plan, design, purchase, construct and equip fire suppression water tanks in Pecos in San Miguel county;

454. ten thousand dollars (\$10,000) to plan, design, purchase and construct marquee sign and related equipment in Pecos in San Miguel county;

455. fifty thousand dollars (\$50,000) to plan, design, construct, repair, renovate, purchase, furnish and equip the San Miguel del Bado land grant-merced center in Ribera in San Miguel county;

456. two million one hundred twenty thousand dollars (\$2,120,000) to acquire land and rights of way for and to plan, design, construct, furnish and equip an animal shelter in Sandoval county;

457. three hundred thousand dollars (\$300,000) to acquire land and rights of way for and to plan, design, construct and equip an emergency public safety answering point and dispatch center in Sandoval county;

458. six hundred fifty thousand dollars (\$650,000) to purchase and equip a fire engine for the county fire department in Sandoval county;

459. seventy-five thousand dollars (\$75,000) to purchase and equip a ladder truck for the county fire department in Sandoval county;

460. nine hundred thousand dollars (\$900,000) to purchase and equip a fire engine for the fire department in Bernalillo in Sandoval county;

461. one million one hundred thousand dollars (\$1,100,000) to plan, design, construct, equip and furnish a fire station in Bernalillo in Sandoval county;

462. one hundred thousand dollars (\$100,000) to plan, design, construct and equip a fire substation for Corrales in Sandoval county;

463. one hundred thousand dollars (\$100,000) to purchase and equip fully functional props for a fire training facility at fire substation 2 in Corrales in Sandoval county;

464. eighty thousand dollars (\$80,000) to purchase and equip gymnasium equipment for Corrales in Sandoval county;

465. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, repair and upgrade plaster interior walls in the historic old San Ysidro church in Corrales in Sandoval county;

466. one hundred eighty-five thousand dollars (\$185,000) to purchase and equip vehicles for the police department in Cuba in Sandoval county;

467. one hundred thousand dollars (\$100,000) to plan, design, construct and renovate police housing facilities, including roads and parking areas, in Cuba in Sandoval county;

468. one hundred thirty thousand dollars (\$130,000) to plan, design, construct, furnish and equip library improvements for the Jemez Springs public library in Sandoval county;

469. three hundred seventy-five thousand dollars (\$375,000) to purchase, equip and replace ambulances in Rio Rancho in Sandoval county;

470. one hundred fifty thousand dollars (\$150,000) to purchase and equip a bookmobile for the library and information services department in Rio Rancho in Sandoval county;

471. two hundred thousand dollars (\$200,000) to plan, design and construct parking lots at the Esther Bone memorial library and Veterans monument park in Rio Rancho in Sandoval county;

472. one million thirty-four thousand two hundred fifty dollars (\$1,034,250) to plan, design and construct fire station 8 in Rio Rancho in Sandoval county;

473. thirty-nine thousand dollars (\$39,000) to purchase, repair and replace equipment at the Haynes community center pool in Rio Rancho in Sandoval county;

474. one hundred thousand dollars (\$100,000) to purchase and equip vehicles for the police department in Rio Rancho in Sandoval county;

475. one hundred sixty-six thousand dollars (\$166,000) to purchase and equip motorcycles for the police department in Rio Rancho in Sandoval county;

476. one hundred sixty-six thousand dollars (\$166,000) to purchase and equip radios for public safety personnel in Rio Rancho in Sandoval county;

477. six hundred ten thousand dollars (\$610,000) to plan, design, construct, purchase, equip and install baseball field lighting at the Rio Rancho sports complex in Rio Rancho in Sandoval county;

478. fifty thousand dollars (\$50,000) to purchase and equip vehicles for a rural senior services program for the north central council of governments in Santa Fe county;

479. fifty thousand dollars (\$50,000) to purchase, equip and install ballot extraction machines for the county clerk's office in Santa Fe county;

480. one hundred thousand dollars (\$100,000) to plan, design, construct and equip improvements and infrastructure additions to the camino de Jacobo public housing development in Santa Fe county;

481. one hundred thousand dollars (\$100,000) to plan, design, construct, upgrade and equip permanent dropboxes to a more secure and substantial design, including purchase and installation of monitoring equipment, in Santa Fe county;

482. fifteen thousand dollars (\$15,000) to purchase and equip electronic voting location signs for Santa Fe county;

483. twenty-five thousand dollars (\$25,000) to purchase and equip an electric transportation van with tall design for Santa Fe county;

484. fifty thousand dollars (\$50,000) to purchase and equip an accessibility-compliant mobile voting unit for Santa Fe county;

485. four hundred twenty-five thousand dollars (\$425,000) to plan, design, construct and equip radio towers and to purchase and install digital public safety radio

equipment, including mobile and portable radios, control stations and vehicle repeaters, in Santa Fe county;

486. one hundred thousand dollars (\$100,000) to acquire land, easements and rights of way for and to plan, design and construct the Santa Fe river trail from Caja del Oro grant road to Cottonwood drive in Santa Fe county;

487. one hundred thousand dollars (\$100,000) to plan, design, construct, improve, furnish and equip the Santa Cruz public housing development, including infrastructure additions, in Santa Fe county;

488. four hundred seventy-five thousand dollars (\$475,000) to plan, design, construct, purchase, equip and install infrastructure, including roads, solar arrays and grey water filtration systems, for affordable housing in Santa Fe county;

489. six hundred thousand dollars (\$600,000) to purchase, equip and replace protective gear, safety gear and stun guns for the sheriff's office in Santa Fe county;

490. one hundred thousand dollars (\$100,000) to purchase and equip specialty scanners, including for use with oversized paper, for the county clerk's office in Santa Fe county;

491. three hundred twenty-five thousand dollars (\$325,000) to plan, design, construct and equip improvements and infrastructure additions to the Valle Vista public housing development in Santa Fe county;

492. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, furnish and equip fire station 2, including related infrastructure, in Santa Fe in Santa Fe county;

~~[493. one hundred seventy-five thousand dollars (\$175,000) to develop a plan to secure space for the Santa Fe indigenous center in Santa Fe county;]~~ *LINE ITEM VETO*

494. three million four hundred twenty-five thousand dollars (\$3,425,000) to plan, design and construct multipurpose playing fields, including site improvements, artificial turf, lighting and an air dome field enclosure, at the municipal recreation sports complex in Santa Fe in Santa Fe county;

495. seventy thousand dollars (\$70,000) to plan, design, construct, renovate and expand a facility to assist in providing shelter and transitional living programs and services to the homeless and special populations in Espanola in Santa Fe county;

496. four hundred thirty-eight thousand dollars (\$438,000) to plan, design, construct and equip a community park in Santa Fe in Santa Fe county;

497. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, equip, renovate and improve facilities, including heating, ventilation and air conditioning systems, used by a meals program serving homebound and special needs individuals in Santa Fe in Santa Fe county;

498. one million one hundred thousand dollars (\$1,100,000) to purchase land and buildings for and to plan, design, construct, renovate, furnish and equip a Santa Fe recovery center facility in Santa Fe in Santa Fe county;

499. two hundred fifty thousand dollars (\$250,000) to purchase and install equipment, including self-contained breathing apparatus, for the fire department in Santa Fe in Santa Fe county;

500. five million dollars (\$5,000,000) to plan, design, construct, repair, renovate and equip Fort Marcy park, including accessibility improvements, walking and driving paths, restrooms, a concession stand, grandstands, [~~lighting and expansion of the baseball field,~~] in Santa Fe in Santa Fe county; *LINE ITEM VETO*

501. four hundred thousand dollars (\$400,000) to acquire property and to build permanent supportive and transitional housing for chronically unhoused people, including veterans, in Santa Fe in Santa Fe county;

502. one hundred thousand dollars (\$100,000) to plan, design, construct, upgrade and improve heating, ventilation and air conditioning systems and electrical infrastructure at railyard facilities in Santa Fe in Santa Fe county;

503. one hundred seventy-five thousand dollars (\$175,000) to plan, design and construct accessibility improvements for a cultural museum space in a multipurpose building in the Railyard area in Santa Fe in Santa Fe county;

504. two million dollars (\$2,000,000) to plan, design, construct, improve and equip phase 2 of the Santa Fe regional airport in Santa Fe in Santa Fe county;

505. two hundred forty thousand dollars (\$240,000) to plan, design, demolish and construct a pedestrian bridge across the Santa Fe river at Shelby street in Santa Fe in Santa Fe county;

506. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, renovate and equip the county fairgrounds in Sierra county;

507. two hundred thousand dollars (\$200,000) to purchase and equip street maintenance equipment in Elephant Butte in Sierra county;

508. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, improve and equip facilities for the Sierra Vista hospital in Truth or Consequences in Sierra county;

509. three hundred thousand dollars (\$300,000) to plan, design, construct, purchase and install structures for a recreational yard at the county detention center in Socorro county;

510. seven hundred twenty-five thousand dollars (\$725,000) to plan, design and construct improvements to Escondida Lake park in Socorro county;

511. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase and equip emergency generators for the senior center, the marshal's office, village hall and the fire station in Magdalena in Socorro county;

512. eighty-five thousand dollars (\$85,000) to plan, design, construct and improve a deck at a library in Magdalena in Socorro county;

513. forty thousand dollars (\$40,000) to plan, design, construct, equip, improve and replace furnaces and swamp coolers with heating, ventilation and air conditioning systems at a library in Magdalena in Socorro county;

514. two hundred fifty thousand dollars (\$250,000) to plan, design, install, furnish and equip energy-efficient improvements, including windows and doors, to the county courthouse in Socorro in Socorro county;

515. seven hundred thousand dollars (\$700,000) to plan, design, construct, purchase and equip a multipurpose building for commercial and industrial development on a remediated environmental protection agency superfund site near Socorro in Socorro county;

516. eight hundred sixty-five thousand dollars (\$865,000) to plan, design, construct and improve the Finley gymnasium complex in Socorro in Socorro county;

517. two hundred fifty thousand dollars (\$250,000) to purchase and install a sound system at the city rodeo and sports complex in Socorro in Socorro county;

518. three hundred eighty-three thousand dollars (\$383,000) to match a federal land and water conservation grant to purchase and install light-emitting diode lighting at Sedillo park in Socorro in Socorro county;

519. fifty thousand dollars (\$50,000) to purchase and equip a vehicle for the acequias de Chamisal y Ojito in Taos county;

520. one hundred seventy thousand dollars (\$170,000) to acquire land for the Arroyo Hondo Arriba community land grant in Taos county;

521. fifty-five thousand dollars (\$55,000) to plan, design, construct, purchase and install fencing and signage for the Cristobal de La Serna land grant-merced in Taos county;

522. fifty thousand dollars (\$50,000) to purchase land and to plan, design, construct, furnish and equip a multipurpose administrative and community facility for the Don Fernando de Taos land grant-merced in Taos county;

523. thirty thousand dollars (\$30,000) to purchase and equip heavy equipment, including a wood processor, for La Merced de Santa Barbara in Taos county;

524. one hundred thousand dollars (\$100,000) to plan, design and construct parking lot paving at the Llano Quemado community center in Taos county;

525. fifty thousand dollars (\$50,000) to plan, design, construct, purchase, equip and install an office building for the lower Arroyo Hondo mutual domestic water consumers and sewage works association in Taos county;

526. seventy-five thousand dollars (\$75,000) to conduct a feasibility study for constructing an animal shelter in Taos county;

527. one hundred seventy-one thousand two hundred thirty-eight dollars (\$171,238) to purchase and equip patrol vehicles for the sheriff's office in Taos county;

528. one hundred thousand dollars (\$100,000) to acquire land for and to plan, design, construct, renovate, purchase, furnish and equip the Talpa community center, including a parking area, a storage unit and automatic gates, in Taos county;

529. twenty thousand dollars (\$20,000) to purchase and improve an office building for the Trampas domestic water consumers' and mutual sewage works association in Taos county;

530. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate, furnish and equip improvements, including roof replacement and accessibility compliance, at El Prado community center in Taos county;

531. two hundred thousand dollars (\$200,000) to purchase and equip ambulances for Questa in Taos county;

532. seventy-five thousand dollars (\$75,000) to plan, design, construct and equip an animal control program in Questa in Taos county;

533. sixty-five thousand dollars (\$65,000) to purchase equipment for a veterans memorial field in Questa in Taos county;

534. five million three hundred seventy thousand five hundred five dollars (\$5,370,505) to plan, design, construct, renovate, equip and furnish the historic county courthouse in Taos in Taos county;

535. six hundred thousand dollars (\$600,000) to plan, design, construct, furnish and equip a meat processing facility for the economic development center in Taos in Taos county;

536. one hundred fifty thousand dollars (\$150,000) to plan, design, construct and equip a village hall building, including public safety vehicle bays, in Taos Ski Valley in Taos county;

537. seventy thousand dollars (\$70,000) to plan, design, construct, purchase, furnish and equip fire station 1 in Taos Ski Valley in Taos county;

538. one hundred twenty-five thousand dollars (\$125,000) to acquire land for and to plan, design, construct, purchase, renovate, repair, furnish and equip a community center for La Merced del Manzano land grant-merced in Torrance county;

539. one hundred fifty thousand dollars (\$150,000) to plan and acquire land for La Merced del Manzano land grant-merced in Torrance county;

540. ninety thousand dollars (\$90,000) to develop a comprehensive plan to design, construct and equip projects for the fire districts in Torrance county;

541. fifty thousand dollars (\$50,000) to plan, design, construct, furnish, equip and improve emergency management facilities, including a training room, an operations center, a shelter, storage, parking lots, garages and security, for Torrance county;

542. fifty thousand dollars (\$50,000) to purchase and equip emergency medical response vehicles for the fire department in Torrance county;

543. forty thousand dollars (\$40,000) to purchase and equip vehicles and equipment for the road department in Torrance county;

544. fifty thousand dollars (\$50,000) to plan, design, construct, purchase and install backup generator systems for Encino in Torrance county;

545. fifty thousand dollars (\$50,000) to purchase and equip ambulances for Estancia in Torrance county;

546. fifty thousand dollars (\$50,000) to plan, design, construct and improve the town hall and community center in Estancia in Torrance county;

547. two million nine hundred ten thousand dollars (\$2,910,000) to plan, design, construct, furnish and equip improvements to the fairgrounds in Estancia in Torrance county;

548. fifty thousand dollars (\$50,000) to plan, design, construct and upgrade the offices of the county clerk, treasurer and assessor, including archival storage cabinets, climate control and fire suppression systems, in Estancia in Torrance county;

549. two hundred sixty-five thousand dollars (\$265,000) to plan, design, construct, renovate, furnish and equip the city hall in Moriarty in Torrance county;

550. fifty thousand dollars (\$50,000) to plan, design, construct, upgrade, furnish and equip city parks and recreation facilities in Moriarty in Torrance county;

551. fifty thousand dollars (\$50,000) to plan, design, construct and improve cemeteries, including landscaping, in Moriarty in Torrance county;

552. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, furnish and equip improvements, including replacement of the heating, ventilation and air conditioning systems, at the Dr. Robert J. Saul recreation center in Mountainair in Torrance county;

553. three hundred thousand dollars (\$300,000) to purchase and equip skid steers and backhoes for Union county;

554. one hundred thousand dollars (\$100,000) to purchase and equip a virtual reality training technology system and equipment for the police department in Clayton in Union county;

555. three hundred fifty thousand dollars (\$350,000) to purchase and equip ambulances for Des Moines in Union county;

556. sixty thousand dollars (\$60,000) to plan, design, construct, equip and furnish a building for the public works department in Des Moines in Union county;

557. one hundred thousand dollars (\$100,000) to purchase and install equipment for the public works department in Folsom in Union county;

558. one hundred fifty thousand dollars (\$150,000) to purchase [~~and install~~] bleachers [~~at the rodeo facility~~] in Bosque Farms in Valencia county; *LINE ITEM VETO*

559. six hundred ninety-six thousand dollars (\$696,000) to purchase equipment and heavy equipment for the public works department in Rio Communities in Valencia county;

560. one hundred thousand dollars (\$100,000) to purchase and equip cardiac monitors and automated external defibrillators for public buildings in Valencia county;

561. four hundred seventy-four thousand one hundred seventeen dollars (\$474,117) to purchase and install interoperable communications equipment for public safety departments in Valencia county;

562. one hundred fifteen thousand dollars (\$115,000) to purchase and equip medical equipment, including lifepacks, cardiac monitors and defibrillators, for Valencia county;

563. four hundred thousand dollars (\$400,000) to purchase and equip a rescue ambulance for Valencia county;

564. ninety-five thousand dollars (\$95,000) to purchase and equip gear and supplies for training in the sheriff's office in Valencia county;

565. four hundred thousand dollars (\$400,000) to purchase, equip and upgrade digital radios and related equipment in Belen in Valencia county;

566. two hundred eighty thousand dollars (\$280,000) to purchase and equip a street sweeper for Belen in Valencia county;

567. five hundred thousand dollars (\$500,000) to plan, design, construct, purchase and install improvements to a veterans' memorial park, including a visitors' center, in Belen in Valencia county;

568. five hundred seventy-six thousand dollars (\$576,000) to purchase and equip digital radios for the police department, fire department and emergency medical services in Bosque Farms in Valencia county;

569. three hundred thousand dollars (\$300,000) to purchase and equip police vehicles in Bosque Farms in Valencia county;

570. one hundred seventy-five thousand dollars (\$175,000) to purchase and equip a mobile oxygen tank and equipment for the fire department in Los Lunas in Valencia county;

571. nine hundred sixty-five thousand dollars (\$965,000) to purchase and equip vehicles for the Los Lunas police department in Los Lunas in Valencia county;

572. seven hundred thousand dollars (\$700,000) to plan, design and construct Rancho Valencia park in Los Lunas in Valencia county;

573. eight hundred thousand dollars (\$800,000) to purchase rights of way for and to plan, design and construct a sound barrier wall in the Jubilee subdivision in Los Lunas in Valencia county;

574. four hundred thousand dollars (\$400,000) to plan, design, construct and improve the transportation center in Los Lunas in Valencia county;

575. two hundred fifty thousand dollars (\$250,000) to acquire property for, to plan, design, construct, furnish and equip upgrades to administrative facilities and to purchase and equip vehicles in Peralta in Valencia county;

576. five hundred thousand dollars (\$500,000) to plan, design, construct, furnish, equip and renovate a building for a community center in Peralta in Valencia county;

577. one hundred thousand dollars (\$100,000) to demolish and remove dangerous buildings and nuisances adjacent to roads in Rio Communities in Valencia county;

578. five hundred thousand dollars (\$500,000) to purchase and equip public safety vehicles and equipment for Rio Communities in Valencia county;

579. three hundred seventy-five thousand dollars (\$375,000) to plan, design, construct, renovate, repair and improve the Tome Dominguez community center and baseball field, including the purchase and installation of solar panels and heating, ventilation and air conditioning systems, for the Town of Tome land grant-merced in Tome in Valencia county;

580. three hundred fifty thousand dollars (\$350,000) to purchase and equip a vacuum truck in Vaughn in Guadalupe county;

581. one hundred thirty-five thousand dollars (\$135,000) to purchase and equip a backhoe for a municipal water and sanitation station in Tatum in Lea county;

582. three hundred seventy-five thousand dollars (\$375,000) to purchase and equip a sewer vacuum truck for Tatum in Lea county; and

583. four hundred twenty-five thousand dollars (\$425,000) to purchase and equip heavy equipment, including a backhoe, dump truck and fleet maintenance truck, for the Eldorado area water and sanitation district in Santa Fe county.

Chapter 66 Section 29 Laws 2024

SECTION 29. DEPARTMENT OF MILITARY AFFAIRS PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the department of military affairs for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. two million dollars (\$2,000,000) to plan, design, construct, repair and equip improvements to the youth challenge building in Roswell in Chaves county; and

2. five million dollars (\$5,000,000) to plan, design, construct, repair and equip improvements and to correct infrastructure deficiencies, including roads and parking lots, at department of military affairs readiness centers statewide.

Chapter 66 Section 30 Laws 2024

SECTION 30. MINERS' HOSPITAL PROJECT--GENERAL FUND.--One million five hundred thousand dollars (\$1,500,000) is appropriated from the general fund to the miners' Colfax medical center for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to acquire and install medical and other equipment for the miners' Colfax medical center hospital and long-term care facility in Raton in Colfax county.

Chapter 66 Section 31 Laws 2024

SECTION 31. OFFICE OF SUPERINTENDENT OF INSURANCE PROJECT--GENERAL FUND.--Eight hundred thousand dollars (\$800,000) is appropriated from the general fund to the office of superintendent of insurance for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to purchase, install and implement information technology systems for the office of superintendent of insurance to meet network adequacy requirements of the federal Patient Protection and Affordable Care Act in Santa Fe in Santa Fe county.

Chapter 66 Section 32 Laws 2024

SECTION 32. SPACEPORT AUTHORITY PROJECT--GENERAL FUND.--Three million two hundred thousand dollars (\$3,200,000) is appropriated from the general fund to the spaceport authority for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to plan, design, construct, improve and repair roofs and infrastructure at spaceport America in Sierra county.

Chapter 66 Section 33 Laws 2024

SECTION 33. DEPARTMENT OF TRANSPORTATION PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the department of transportation for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. three hundred fifty thousand dollars (\$350,000) to plan, design and construct road improvements to 12th street from the intersection of Sawmill road to the railroad tracks, including landscaping and lighting, in Albuquerque in Bernalillo county;

2. one hundred fifty thousand dollars (\$150,000) to acquire, plan, design, construct and improve rights of way on Ann avenue SW, including storm drainage, in Bernalillo county;

3. two hundred thousand dollars (\$200,000) to acquire easements and rights of way for and to plan, design and construct road and storm drainage improvements in the South Valley, including Armijo road SW, in Bernalillo county;

4. two hundred thousand dollars (\$200,000) to acquire rights of way for and to plan, design, construct and improve Atrisco Vista boulevard from Double Eagle airport to Paseo del Norte boulevard, including the realignment of the intersection of Atrisco Vista boulevard and Paseo del Norte boulevard, in Bernalillo county;

5. seventy-five thousand dollars (\$75,000) to acquire rights of way for and to plan, design and construct road and storm drainage improvements on Barcelona road SW in Bernalillo county;

6. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, repair and replace paved and unpaved county roads in the East Mountain area in Bernalillo county;

7. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, purchase, equip and improve Escarpment road, including drainage, traffic control systems, signage and striping, on the southwest mesa in Bernalillo county;

8. five hundred thousand dollars (\$500,000) to acquire land for and to plan, design, construct and improve street drainage in the Mountainview neighborhood, in cooperation with the Albuquerque metropolitan arroyo flood control authority, in Bernalillo county;

9. one hundred thousand dollars (\$100,000) to plan, design, construct, rehabilitate and improve roads, including mill and inlay, in the Primrose Pointe and Los Altos de Sandias subdivisions in Bernalillo county;

10. seven hundred fifty thousand dollars (\$750,000) to plan, design, construct and equip road and utility infrastructure improvements to county-maintained roads, including Barcelona road from Coors boulevard to the end of county maintenance, 4th street from Alameda boulevard to Roy avenue, Browning street from Carmel avenue to Elena drive and Sedillo Hill road from interstate 40 to the end of county maintenance, in Bernalillo county;

11. two hundred fifty thousand dollars (\$250,000) to acquire rights of way for and to plan, design, construct and improve county roads, including Bridge boulevard, in Bernalillo county;

12. one hundred twenty-five thousand dollars (\$125,000) to plan, design and construct drainage and road improvements on Condershire drive SW from Meade road to Dennis Chavez boulevard, on Meade road from Grace Vigil road to Condershire drive and on Grace Vigil road from Meade road to the road's end in Bernalillo county;

13. seventy-five thousand dollars (\$75,000) to plan, design, construct and install traffic control devices for the middle Rio Grande conservancy district in Bernalillo county;
14. one hundred thousand dollars (\$100,000) to acquire rights of way for and to plan, design, construct, renovate and improve county-maintained roads, including Rio Bravo boulevard and Second street, in Bernalillo county;
15. eight hundred thousand dollars (\$800,000) to acquire property for and to plan, design, construct, rehabilitate, renovate, landscape and equip a streetscape along San Pedro drive NE in the Mile High neighborhood in Albuquerque in Bernalillo county;
16. three hundred forty thousand dollars (\$340,000) to acquire rights of way for and to plan, design and construct improvements to Tablazon road from New Mexico highway 333 to Tecolote road in Bernalillo county;
17. twenty-five thousand dollars (\$25,000) to plan, design, construct, improve, equip and install traffic calming devices, including speed humps, on Tapia road in the South Valley in Bernalillo county;
18. fifty thousand dollars (\$50,000) to acquire rights of way for and to plan, design and construct an activity loop on Four Hills village streets in southeast Albuquerque in Bernalillo county;
19. one hundred seventy-five thousand dollars (\$175,000) to acquire land and rights of way for and to plan, design, construct, improve and equip storm water drainage in the southeast heights in Albuquerque in Bernalillo county;
20. eighty-five thousand dollars (\$85,000) to acquire rights of way for and to plan, design, construct, purchase, equip and install public safety fencing along the interstate 40 off-ramp at Juan Tabo boulevard adjacent to Paisano street NE in Albuquerque in Bernalillo county;
21. one hundred thousand dollars (\$100,000) to plan, design, construct, upgrade, equip, purchase and install street lighting in the international district in Albuquerque in Bernalillo county;
22. two hundred fifty thousand dollars (\$250,000) to acquire land for and to plan, design, construct, furnish, equip and improve Broadway boulevard NE between Lomas boulevard and Martin Luther King, Jr. avenue, including medians, a multi-use path and a protected signalized pedestrian crossing, in Albuquerque in Bernalillo county;
23. seventy-five thousand dollars (\$75,000) to plan, design, construct, equip and install pedestrian and other safety improvements, including sidewalks and street

lighting, on Central avenue between Louisiana boulevard and Eubank boulevard in Albuquerque in Bernalillo county;

24. four hundred fifty thousand dollars (\$450,000) to acquire easements and rights of way for and to plan, design, construct, equip and improve streets in the McDuffie-Twin parks neighborhood, including Constitution avenue NE, Washington street NE, signage, striping, crosswalks, automated activation systems, speed humps, curb enhancement and landscaping, in Albuquerque in Bernalillo county;

25. two hundred fifty thousand dollars (\$250,000) to acquire rights of way for and to plan, design, construct, purchase, equip and install street lighting on east Central avenue between Eubank boulevard and Tramway boulevard in Albuquerque in Bernalillo county;

26. one hundred twenty-five thousand dollars (\$125,000) to acquire easements and rights of way for and to plan, design, construct, equip and improve Girard boulevard, including signage, striping, crosswalks, automated activation systems, speed humps, curb enhancement and landscaping, in Albuquerque in Bernalillo county;

27. fifty thousand dollars (\$50,000) to plan, design, construct and equip sidewalk and street repairs and improvements on Matthew avenue NW in Albuquerque in Bernalillo county;

28. forty-five thousand dollars (\$45,000) to acquire property and rights of way for and to plan, design, construct, furnish, equip and landscape road and pedestrian improvements on Monte Vista boulevard NE in Albuquerque in Bernalillo county;

29. fifty thousand dollars (\$50,000) to acquire rights of way for and to plan, design and construct road improvements to Palomas avenue between San Pedro drive and Louisiana boulevard in Albuquerque in Bernalillo county;

30. two million eight hundred thousand dollars (\$2,800,000) to acquire rights of way for and to plan, design, construct and improve Paseo del Norte boulevard NW from calle Nortena to Rainbow boulevard and Unser boulevard NW from Kimmick drive to Rainbow boulevard, including storm drainage, lighting, landscaping, accessibility improvements and complete street designs, in Albuquerque in Bernalillo county;

31. two hundred ninety thousand dollars (\$290,000) to acquire easements and rights of way for and to plan, design, construct, equip and improve the streets in the Pueblo Alto and Mile High neighborhoods, including storm water infrastructure, in Albuquerque in Bernalillo county;

32. two hundred fifty thousand dollars (\$250,000) to purchase, install and construct a high-intensity activated crosswalk beacon on Rio Grande boulevard between the Old Town historic district and the Albuquerque BioPark in Albuquerque in Bernalillo county;

33. one hundred forty thousand dollars (\$140,000) to acquire easements and rights of way for and to plan, design, construct, equip and improve Pennsylvania street NE and Sandia high school area neighborhood streets, including signage, striping, crosswalks, automated activation systems, speed humps, curb enhancement and landscaping, in Albuquerque in Bernalillo county;

34. one hundred sixty thousand dollars (\$160,000) to acquire rights of way for and to plan, design, construct and improve Young avenue SW in Albuquerque in Bernalillo county;

35. eight hundred fifty thousand dollars (\$850,000) to plan, design and construct phase 2 of the 4th street revitalization project from Pueblo Solano road to Ortega road, including traffic lane reduction, pedestrian improvements, lighting and landscaping, in Los Ranchos de Albuquerque in Bernalillo county;

36. forty thousand dollars (\$40,000) to plan, design and construct shoulder and road improvements, including drainage and landscaping, on New Mexico highway 333 in Tijeras in Bernalillo county;

37. fifty thousand dollars (\$50,000) to plan, design and construct road improvements, including drainage, paving and pedestrian facilities, for Tijeras in Bernalillo county;

38. seven hundred fifty thousand dollars (\$750,000) to plan, design and construct road improvements along Lake Van drive, including widening, accessibility and bike lanes, in Dexter in Chaves county;

39. three hundred thousand dollars (\$300,000) to plan and design roadway and drainage improvements on Willow drive and Pinon street in Milan in Cibola county;

40. one hundred thousand dollars (\$100,000) to plan, design and construct 3rd street and Main street improvements in Springer in Colfax county;

41. one million three hundred fifty thousand dollars (\$1,350,000) to plan, design, construct, upgrade and improve county roads in Curry county;

42. one million four hundred thousand dollars (\$1,400,000) to plan, design and construct drainage improvements in the area of Cameo street and Purdue street in Clovis in Curry county;

43. three hundred thousand dollars (\$300,000) to acquire property and easements and to plan, design and construct road improvements for secondary access to the Picacho Hills area in Dona Ana county;

44. eight hundred fifty thousand dollars (\$850,000) to plan, design and construct phase 3 sidewalk and drainage improvements in Dona Ana county;

45. seven hundred twenty-seven thousand dollars (\$727,000) to plan, design and construct improvements on Firehouse road in the Mesquite area in Dona Ana county;
46. fifty thousand dollars (\$50,000) to plan, design, construct and install street lighting along La Fe avenue in the communities of Vado and Del Cerro in Dona Ana county;
47. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, improve and repair roads in the Picacho Hills area of Dona Ana county;
48. four hundred fifty thousand dollars (\$450,000) to acquire rights of way for and to plan, design, construct and install road, drainage and utility improvements along Westmoreland avenue in Dona Ana county;
49. two hundred fifty thousand dollars (\$250,000) to plan, design and construct road improvements to San Andres drive, Archer street, Madison street and Grant street, including drainage and sidewalks, in Anthony in Dona Ana county;
50. three million two hundred fifty thousand dollars (\$3,250,000) to acquire land for and to plan, design, construct and equip drainage improvements in La Union in Dona Ana county;
51. three hundred fifty thousand dollars (\$350,000) to acquire property and rights of way for and to plan, design, construct and improve projects identified in the Las Cruces active transportation plan, including bicycle and pedestrian routes and networks, in Las Cruces in Dona Ana county;
52. two hundred fifty thousand dollars (\$250,000) to plan, design and construct a bridge on Franco road in the area of Mesquite in Dona Ana county;
53. seven hundred fifty thousand dollars (\$750,000) to plan, design and construct a retention pond, including outlets and a spillway, to detain runoff generated north of Salem and downstream along Grande avenue in Salem in Dona Ana county;
54. three million five hundred thousand dollars (\$3,500,000) to acquire rights of way for and to plan, design, construct and install phase 2 of a grade separation at the intersection of Industrial road and the Union Pacific railroad in Santa Teresa in Dona Ana county;
55. two hundred thousand dollars (\$200,000) to plan, design and construct access roads and infrastructure improvements for the west warehouse and hangar lots at the Dona Ana county international jetport in Santa Teresa in Dona Ana county;

56. two hundred thousand dollars (\$200,000) to plan, design, construct and renovate rest areas, including tables and outdoor furniture, shade structures, trash containers, portable toilets and landscaping, in the area of Hope in Eddy county;
57. seven hundred fifty thousand dollars (\$750,000) to plan, design and construct improvements to south Sixth street from west Cedar street to west Cottonwood street in Loving in Eddy county;
58. two hundred seventy-two thousand five hundred dollars (\$272,500) to plan, design, construct and improve roads in Mosquero in Harding county;
59. two million dollars (\$2,000,000) to plan, design and construct improvements, including mill overlay and stripping, on New Mexico highway 208, also known as West county road, near Hobbs in Lea county;
60. three million one hundred fifty thousand dollars (\$3,150,000) to acquire rights of way and secure clearances for and to plan, design, repair and replace condemned and substandard bridges in McKinley county;
61. four hundred fifty thousand dollars (\$450,000) to plan, design and construct road improvements, including pavement resurfacing, drainage, curb and gutter and sidewalks, in Gallup in McKinley county;
62. three hundred fifty thousand dollars (\$350,000) to plan, design, construct and equip lighting at the junction of Navajo route 30 and United States highway 491 in the Mexican Springs chapter of the Navajo Nation in McKinley county;
63. one hundred seventy-five thousand dollars (\$175,000) to plan, design, construct and improve Navajo route 7128 and Navajo route 46 in the Pueblo Pintado chapter of the Navajo Nation in McKinley county;
64. fifty thousand dollars (\$50,000) to plan, design and construct Uprooted Tree road improvements in Tse'Lichii chapter of the Navajo Nation in McKinley county;
65. two hundred thousand dollars (\$200,000) to acquire easements and rights of way for and to plan, design and construct road improvements in the Rock Springs chapter of the Navajo Nation in McKinley county;
66. two hundred thousand dollars (\$200,000) to plan, design, construct and improve streets for the Red Lake chapter of the Navajo Nation in McKinley county;
67. one hundred thousand dollars (\$100,000) to plan, design, construct, repair and improve roads, including culverts, in the Bent area in Otero county;
68. three hundred fifty thousand dollars (\$350,000) to purchase and equip a distributor truck for road department in Roosevelt county;

69. four hundred thousand dollars (\$400,000) to plan, design and construct road improvements in Portales in Roosevelt county;

70. one million nine hundred twenty-one thousand dollars (\$1,921,000) to acquire rights of way for and to plan, design and construct road improvements, including drainage, on county road 4990 in Bloomfield in San Juan county;

71. two hundred thousand dollars (\$200,000) to plan, design and construct fencing and a cattleguard on Navajo route 19 in the Newcomb chapter of the Navajo Nation in San Juan county;

72. four hundred thousand dollars (\$400,000) to plan, design and construct Navajo route 5010/N342 improvements in the Tse Alnaozti'i chapter of the Navajo Nation in San Juan county;

73. one hundred thousand dollars (\$100,000) to plan, design, construct, upgrade, replace and equip traffic lights for the Shiprock chapter of the Navajo Nation in Shiprock in San Juan county;

74. fifty thousand dollars (\$50,000) to plan, design and construct road improvements, including sidewalks, drainage and curb and gutter, on El Creston circle in Las Vegas in San Miguel county;

75. one hundred fifty thousand dollars (\$150,000) to plan, design and construct road improvements on Lutheran lane, including the intersection at Collins drive, in Las Vegas in San Miguel county;

76. fifty thousand dollars (\$50,000) to plan, design and construct a bridge for the acequia de los Seguras in San Miguel county;

77. one hundred ninety-three thousand dollars (\$193,000) to plan, design and construct improvements to the water storage tank access road for the Canon mutual domestic water consumers and sewage works association in Sandoval county;

78. one million eight hundred seventy-eight thousand dollars (\$1,878,000) to plan, design and construct improvements to paseo del Volcan from Unser boulevard to Rainbow road in Sandoval county;

79. five hundred thousand dollars (\$500,000) to plan, design and construct safety improvements to the intersection at mile marker 12.2 on New Mexico highway 22 in the Pueblo of Cochiti in Sandoval county;

80. six hundred ninety-three thousand dollars (\$693,000) to plan, design and construct improvements to west Meadowlark lane in Corrales in Sandoval county;

81. two million dollars (\$2,000,000) to plan, design and construct a New Mexico highway 4 bypass for the Pueblo of Jemez in Sandoval county;
82. fifty thousand dollars (\$50,000) to plan, design and construct the San Felipe south bridge project in the Pueblo of San Felipe in Sandoval county;
83. one hundred thousand dollars (\$100,000) to plan, design and construct an all-weather crossing at Arroyo del Rancho and county road 84 in Santa Fe county;
84. four hundred twenty thousand dollars (\$420,000) to plan, design, construct and improve avenida Vista Grande bridge in Santa Fe county;
85. four hundred fifty thousand dollars (\$450,000) to plan, design and construct a bridge at the San Ysidro crossing at the Santa Fe river in Santa Fe county;
86. five hundred thousand dollars (\$500,000) to acquire rights of way for and to plan, design, construct and improve roads, including Horton road, Church street, east Venus road and south Steeplechase drive, in Edgewood in Santa Fe county;
87. fifty thousand dollars (\$50,000) to plan, design and conduct a transportation safety study on county-maintained roads in La Cienega in Santa Fe county;
88. four million five hundred thousand dollars (\$4,500,000) to acquire rights of way for and to plan, design and construct a road connection from the New Mexico highway 599-Jaguar drive interchange to the Santa Fe regional airport for Santa Fe in Santa Fe county;
89. fifty thousand dollars (\$50,000) to acquire rights of way for and to plan, design, construct and improve the intersection of Rufina street and Lopez lane in Santa Fe in Santa Fe county;
90. fifty thousand dollars (\$50,000) to acquire rights of way for and to plan, design and construct road and spine infrastructure extensions to paseo del Sol per the Tierra Contenta master plan for affordable housing in Santa Fe in Santa Fe county;
91. one hundred thousand dollars (\$100,000) to acquire rights of way for and to plan, design and construct a pedestrian underpass at the intersection of Saint Michael's drive, a New Mexico rail runner express railroad crossing and a Santa Fe rail trail crossing in Santa Fe in Santa Fe county;
92. two hundred fifteen thousand dollars (\$215,000) to acquire easements and rights of way for and to plan, design, construct, equip and improve streets, including drainage, in Williamsburg in Sierra county;

93. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, purchase and install landscaping and art work and to relocate a monument at the interstate 25 exits in Socorro in Socorro county;

94. fifteen million dollars (\$15,000,000) to plan, design, construct and equip electric vehicle infrastructure statewide;

95. three hundred twenty-five thousand dollars (\$325,000) to plan, design, construct, replace, repair and improve bridges in Red River in Taos county;

96. one hundred thousand dollars (\$100,000) to plan, design, construct and equip storm water drainage systems and flood control improvements on streets in Mountainair in Torrance county;

97. two hundred fifteen thousand dollars (\$215,000) to plan, design, construct and improve First street, including paving, curb and gutter and drainage, in Belen in Valencia county;

98. one million dollars (\$1,000,000) to plan, design and construct a westward connection to the north interstate 25 interchange in Belen in Valencia county; and

99. one hundred thousand dollars (\$100,000) to plan, design, construct and equip street lights on Horner street in Rio Communities in Valencia county.

Chapter 66 Section 34 Laws 2024

SECTION 34. EASTERN NEW MEXICO UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of eastern

New Mexico university for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. two hundred thousand dollars (\$200,000) to purchase a greenhouse and classroom equipment for the agricultural program at the Roswell branch campus of eastern New Mexico university in Chaves county;

2. eighty thousand dollars (\$80,000) to purchase and equip an adult-size mannequin for use in the health education simulation center at the Roswell branch campus of eastern New Mexico university in Chaves county;

3. two million dollars (\$2,000,000) to plan, design, construct, renovate and equip the health sciences center at the Roswell branch campus of eastern New Mexico university in Chaves county;

4. four hundred forty thousand dollars (\$440,000) to purchase, replace, equip and install heating, ventilation and air conditioning systems at the Roswell branch campus of eastern New Mexico university in Chaves county;

5. one hundred twenty-five thousand dollars (\$125,000) to plan, design, construct, furnish and equip educational spaces for the science, technology, engineering, arts and mathematics programs at the Ruidoso branch campus of eastern New Mexico university in Lincoln county;

6. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, renovate, expand, furnish and equip training spaces for the welding and construction trades education programs at the Ruidoso branch campus of eastern New Mexico university in Lincoln county;

7. four hundred thousand dollars (\$400,000) to purchase and install an audiology diagnostic system and a brain-computer interface, including support equipment, at eastern New Mexico university in Portales in Roosevelt county;

8. three hundred thousand dollars (\$300,000) to purchase and install equipment for biology and chemistry research and training at eastern New Mexico university in Portales in Roosevelt county;

9. three hundred thousand dollars (\$300,000) to purchase, install and equip a signal router for KENW at eastern New Mexico university in Portales in Roosevelt county; and

10. twelve million dollars (\$12,000,000) to plan, design, construct, furnish and equip a new student academic services building at eastern New Mexico university in Portales in Roosevelt county.

Chapter 66 Section 35 Laws 2024

SECTION 35. NEW MEXICO HIGHLANDS UNIVERSITY PROJECTS--
GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of New Mexico highlands university for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. two hundred twenty-five thousand dollars (\$225,000) to plan, design, construct, purchase and equip campus security upgrades, including vehicles, barricades and tasers, at New Mexico highlands university in Las Vegas in San Miguel county;

2. forty thousand dollars (\$40,000) to purchase, equip and furnish campus safety and security upgrades, including automated external defibrillators, at New Mexico highlands university in Las Vegas in San Miguel county;

3. three million dollars (\$3,000,000) to plan, design, construct, furnish and equip improvements to the facilities building at New Mexico highlands university in Las Vegas in San Miguel county; and

4. four hundred thirty thousand dollars (\$430,000) to plan, design, construct, renovate, purchase, furnish and equip a facility as an indoor and outdoor recreation center at New Mexico highlands university in Las Vegas in San Miguel county.

Chapter 66 Section 36 Laws 2024

SECTION 36. NEW MEXICO MILITARY INSTITUTE PROJECT--GENERAL FUND.--One hundred seventy-three thousand dollars (\$173,000) is appropriated from the general fund to the board of regents of the New Mexico military institute for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to plan, design, construct, furnish and equip a post-secondary education building, including classrooms, physical fitness instructional space, offices and restrooms, at the New Mexico military institute in Roswell in Chaves county.

Chapter 66 Section 37 Laws 2024

SECTION 37. NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of the New Mexico institute of mining and technology for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, furnish, equip and purchase equipment, including exhibits, for the national cave and karst research institute in Carlsbad in Eddy county;

2. three hundred thousand dollars (\$300,000) to purchase and equip vehicles and equipment for the Playas research and training center in Hidalgo county;

3. one million four hundred fifty thousand dollars (\$1,450,000) to purchase and equip equipment for the New Mexico institute of mining and technology, including laboratory, research and instructional equipment, information technology and furniture, in Socorro in Socorro county;

4. three million five hundred thousand dollars (\$3,500,000) to plan, design, construct, furnish and equip the Kelly Hall building in Socorro in Socorro county;

5. two hundred fifty thousand dollars (\$250,000) to purchase and equip equipment, computer technology and furnishings for the miners fabrication laboratory in Socorro in Socorro county; and

6. eighty thousand dollars (\$80,000) to purchase and equip vehicles, including four-wheel drive vehicles, in Socorro in Socorro county.

Chapter 66 Section 38 Laws 2024

SECTION 38. NEW MEXICO STATE UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of New Mexico state university for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. ninety thousand dollars (\$90,000) to purchase and equip an air curtain burner for the San Francisco soil and water conservation district in Catron county;
2. five hundred thousand dollars (\$500,000) to plan, design, construct, furnish and equip a creative media building at the Dona Ana branch community college of New Mexico state university in Dona Ana county;
3. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, furnish, equip and improve the baseball locker room at New Mexico state university in Las Cruces in Dona Ana county;
4. one hundred thousand dollars (\$100,000) to plan, design, construct, improve, purchase and equip safety upgrades, including street lighting, fixtures and security access control systems, at New Mexico state university in Las Cruces in Dona Ana county;
5. four million seven hundred thousand dollars (\$4,700,000) to plan, design, abate and demolish Cole village at New Mexico state university in Las Cruces in Dona Ana county;
6. four hundred fifty thousand dollars (\$450,000) to plan, design, construct, renovate, furnish, equip and improve the New Mexico state university football facilities in Las Cruces in Dona Ana county;
7. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, renovate, furnish and equip the golf course learning center and driving range building at New Mexico state university in Las Cruces in Dona Ana county;
8. two million fifty thousand dollars (\$2,050,000) to plan, design, construct, equip and improve a multipurpose field and band tower at New Mexico state university in Las Cruces in Dona Ana county;
9. seven million dollars (\$7,000,000) to plan, design, construct, renovate, furnish and equip the New Mexico department of agriculture building, including abatement and demolition for new construction, at New Mexico state university in Las Cruces in Dona Ana county;

10. four hundred thousand dollars (\$400,000) to plan, design, construct, renovate, furnish and equip the New Mexico state university soccer stadium in Las Cruces in Dona Ana county;
11. eighty-five thousand dollars (\$85,000) to plan, design, construct, renovate, furnish and equip the New Mexico state university softball stadium in Las Cruces in Dona Ana county;
12. ten million dollars (\$10,000,000) to plan, design, construct, furnish and equip improvements to a college of engineering facility at New Mexico state university in Las Cruces in Dona Ana county;
13. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate, furnish and equip the weight training facility, including floor replacement, at New Mexico state university in Las Cruces in Dona Ana county;
14. seventy-five thousand dollars (\$75,000) to plan and design a regional hydrogeological study and operational ground water model for evaluating ground water resources for the northern region of the Tularosa basin for the Carrizozo soil and water conservation district in Lincoln county;
15. ten million dollars (\$10,000,000) to plan, design, construct, furnish and equip a reforestation center in Mora in Mora county;
16. one million one hundred twenty-five thousand dollars (\$1,125,000) to plan, design, abate and demolish facilities at the Alamogordo branch campus of New Mexico state university in Otero county;
17. one million five hundred thousand dollars (\$1,500,000) to plan, design, construct, furnish and equip renovations to the Rohovec fine arts theater at the Alamogordo branch campus of New Mexico state university in Otero county;
18. twenty thousand dollars (\$20,000) to purchase office and shop equipment for the east Rio Arriba soil and water conservation district in Rio Arriba county;
19. one hundred five thousand dollars (\$105,000) to plan, design, construct, purchase and equip a storage building for water conservation equipment, including forklifts and shade balls, for the Roosevelt soil and water conservation district in Roosevelt county;
20. sixty thousand dollars (\$60,000) to purchase and equip passenger vans for the cooperative extension service in Sandoval county;
21. forty thousand dollars (\$40,000) to purchase and equip a utility vehicle for the Sierra soil and water conservation district in Sierra county;

22. two hundred thirty-five thousand dollars (\$235,000) to purchase, equip and install teaching laboratories for the science, technology, engineering and mathematics outreach center at New Mexico state university campuses statewide;

23. twenty thousand dollars (\$20,000) to purchase and install information technology, including related equipment, furniture, infrastructure and geographic mapping systems, for the Edgewood soil and water conservation district in Torrance county;

24. seventy-five thousand dollars (\$75,000) to purchase and equip a truck and trailer for the east Valencia urban gardens in the Valencia soil and water conservation district in Valencia county;

25. two hundred ten thousand dollars (\$210,000) to plan, design, construct and implement a bosque restoration project for the Valencia soil and water conservation district in Valencia county;

26. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, improve, furnish and equip a building for the Mora soil and water conservation district in Mora county; and

27. fifty thousand dollars (\$50,000) to purchase and equip heavy equipment, including a tractor, attachments, implements and a trailer, for the upper Chama soil and water conservation district in Rio Arriba county.

Chapter 66 Section 39 Laws 2024

SECTION 39. NORTHERN NEW MEXICO STATE SCHOOL PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of northern New Mexico state school for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. one million dollars (\$1,000,000) to plan, design, construct, renovate, equip and furnish the trades and workforce development center at northern New Mexico state school in Rio Arriba county;

2. five hundred thousand dollars (\$500,000) to plan, design, construct and equip improvements to the facilities on the El Rito campus of northern New Mexico state school in El Rito in Rio Arriba county;

3. one hundred thousand dollars (\$100,000) to plan, design, construct, renovate, furnish and equip the Eagle memorial sportsplex at the Espanola campus of northern New Mexico state school in Rio Arriba county;

4. five hundred thousand dollars (\$500,000) to plan, design, construct and renovate the fine arts center and student support areas, including the purchase of equipment, furnishings and technology upgrades, at the Espanola campus of northern New Mexico state school in Rio Arriba county; and

5. one hundred fifty thousand dollars (\$150,000) to plan, design, construct, furnish and equip ~~renewable energy~~ infrastructure at the El Rito and Espanola campuses of northern New Mexico state school in Rio Arriba county. *LINE ITEM VETO*

Chapter 66 Section 40 Laws 2024

SECTION 40. UNIVERSITY OF NEW MEXICO PROJECTS--GENERAL FUND.--
The following amounts are appropriated from the general fund to the board of regents of the university of New Mexico for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. fifty thousand dollars (\$50,000) to plan, design, construct, purchase and equip solar panels for the student union building at the university of New Mexico in Albuquerque in Bernalillo county;

2. sixty thousand dollars (\$60,000) to plan, design, construct and equip an outdoor amphitheater, including a stage, at the university of New Mexico in Albuquerque in Bernalillo county;

3. fifty thousand dollars (\$50,000) to plan, design, construct, furnish, equip and improve the arena at the university of New Mexico in Albuquerque in Bernalillo county;

4. eight hundred fifty thousand dollars (\$850,000) to plan, design, construct, equip, furnish and improve athletic facilities at the university of New Mexico in Albuquerque in Bernalillo county;

5. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, purchase, install and equip the offices in the Bandelier east building at the university of New Mexico in Albuquerque in Bernalillo county;

6. twenty-five thousand dollars (\$25,000) to purchase, install and equip improvements, including laboratory equipment, for the biology facilities in Castetter hall at the university of New Mexico in Albuquerque in Bernalillo county;

7. two hundred thousand dollars (\$200,000) to plan, design, construct, purchase, equip and install security gates at the university of New Mexico in Albuquerque in Bernalillo county;

8. one hundred ninety thousand dollars (\$190,000) to plan, design, construct, equip and install safety and security improvements, including campus lighting, at the university of New Mexico in Albuquerque in Bernalillo county;

9. three hundred forty-five thousand dollars (\$345,000) to plan, design, construct, equip and improve campus lighting, including for the Cornell mall, at the university of New Mexico in Albuquerque in Bernalillo county;

10. fifty thousand dollars (\$50,000) to plan, design, construct, renovate, equip and upgrade the classrooms at the university of New Mexico Centennial science and engineering library in Albuquerque in Bernalillo county;

11. nine hundred forty-five thousand dollars (\$945,000) to plan, design, construct, repair, equip, furnish and renovate the indoor football practice field at the university of New Mexico in Albuquerque in Bernalillo county;

12. fifty thousand dollars (\$50,000) to purchase and install equipment for the university of New Mexico health sciences research center in Albuquerque in Bernalillo county;

13. fifteen million dollars (\$15,000,000) to plan, design, construct, furnish and equip a comprehensive cancer center at the university of New Mexico in Albuquerque in Bernalillo county;

14. one hundred seventy thousand dollars (\$170,000) to plan, design, construct, equip and improve a health sciences student success center at the university of New Mexico in Albuquerque in Bernalillo county;

15. two million dollars (\$2,000,000) to plan and design a new humanities and social science facility at the university of New Mexico in Albuquerque in Bernalillo county;

16. two hundred fifty thousand dollars (\$250,000) to plan, design, construct and renovate classrooms and to purchase and equip equipment, including audio systems, display screens, information technology, furniture and computer work stations, at the indigenous design and planning institute at the university of New Mexico in Albuquerque in Bernalillo county;

17. ten thousand dollars (\$10,000) to [~~plan, design, construct,~~] equip[~~, furnish~~] and upgrade the university of New Mexico medical sciences laboratory in Albuquerque in Bernalillo county; *LINE ITEM VETO*

18. fifty thousand dollars (\$50,000) to plan, design, construct, equip and improve the north campus child care center at the university of New Mexico in Albuquerque in Bernalillo county;

19. twenty-five thousand dollars (\$25,000) to plan, design, construct, repair and replace the roof of the north golf course club house at the university of New Mexico in Albuquerque in Bernalillo county;

20. two hundred fifty thousand dollars (\$250,000) to plan, design, construct, repair, renovate and equip space for the physical therapy program at the university of New Mexico in Albuquerque in Bernalillo county;

21. one million seventy thousand dollars (\$1,070,000) to plan, design, construct, equip, repair and improve Popejoy hall at the university of New Mexico in Albuquerque in Bernalillo county;

22. four hundred thousand dollars (\$400,000) to plan, design, construct, purchase and equip the reserve officer training corps facilities, including a track and training field, at the university of New Mexico in Albuquerque in Bernalillo county;

23. one hundred fifteen thousand dollars (\$115,000) to plan, design, construct, equip and install sleep pods at Zimmerman library at the university of New Mexico in Albuquerque in Bernalillo county;

24. two million eight hundred twenty-five thousand dollars (\$2,825,000) to plan, design, construct, improve, furnish and equip the football team facilities in the university of New Mexico Tow Diehm complex in Albuquerque in Bernalillo county;

25. three hundred fifty thousand dollars (\$350,000) to plan, design, construct, improve, furnish, equip and install video boards for athletic venues at the university of New Mexico in Albuquerque in Bernalillo county;

26. six hundred seventy-five thousand dollars (\$675,000) to plan, design, construct, improve, furnish and equip the womens' sports facilities at the university of New Mexico in Albuquerque in Bernalillo county;

27. six hundred seventy thousand dollars (\$670,000) to plan, design, construct, repair, renovate and replace the roof on building 2 at the Los Alamos branch campus of the university of New Mexico in Los Alamos county;

28. three million six hundred twenty thousand dollars (\$3,620,000) to plan, design, construct, renovate, repair and equip improvements to the Los Alamos branch campus of the university of New Mexico in Los Alamos county;

29. three million nine hundred thousand dollars (\$3,900,000) to plan, design, renovate, construct, furnish and equip improvements to Gurley hall at the Gallup branch campus of the university of New Mexico in McKinley county;

30. one million one hundred twenty-five thousand dollars (\$1,125,000) to plan, design, construct, renovate, furnish and equip renovations and an addition to Fred Peralta hall at the Taos branch campus of the university of New Mexico in Taos county;

31. two hundred seventy-five thousand dollars (\$275,000) to plan, design, construct, renovate, purchase, install and equip infrastructure, including accessibility improvements, at the Harwood museum at the Taos branch campus of the university of New Mexico in Taos county; and

32. two hundred thousand dollars (\$200,000) to plan, design, construct, furnish and equip a science and space education center at the Taos branch campus of the university of New Mexico in Taos county.

Chapter 66 Section 41 Laws 2024

SECTION 41. WESTERN NEW MEXICO UNIVERSITY PROJECTS--GENERAL FUND.--The following amounts are appropriated from the general fund to the board of regents of western New Mexico university for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, for the following purposes:

1. two hundred thousand dollars (\$200,000) to [~~plan, design, construct, renovate, equip and~~] landscape [~~a vocational technology center at western New Mexico university in~~] Grant county; and *LINE ITEM VETO*

2. one hundred thousand dollars (\$100,000) to purchase and install a modular building at the Deming learning center at western New Mexico university in Deming in Luna county.

Chapter 66 Section 42 Laws 2024

SECTION 42. VETERANS' SERVICES DEPARTMENT PROJECTS--GENERAL FUND.--Six hundred thousand dollars (\$600,000) is appropriated from the general fund to the veterans' services department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 1 of this act, to purchase and equip mobile units for veterans programs statewide.

Chapter 66 Section 43 Laws 2024

SECTION 43. WASTEWATER FACILITY CONSTRUCTION LOAN FUND--GENERAL FUND.--Five million dollars (\$5,000,000) is appropriated from the general fund to the wastewater facility construction loan fund for expenditure by the department of environment in fiscal year 2024 and subsequent fiscal years to provide matching funds for clean water state revolving fund projects that meet the eligibility requirements of the Federal Water Pollution Control Act statewide.

Chapter 66 Section 44 Laws 2024

SECTION 44. WORKERS' COMPENSATION ADMINISTRATION PROJECT-- APPROPRIATION FROM THE WORKERS' COMPENSATION ADMINISTRATION FUND.--Three hundred thirty thousand dollars (\$330,000) is appropriated from the workers' compensation administration fund to the capital program fund for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, to plan, design, construct, renovate and repair the workers' compensation administration building in Albuquerque in Bernalillo county.

Chapter 66 Section 45 Laws 2024

SECTION 45. DEPARTMENT OF GAME AND FISH PROJECT-- APPROPRIATION FROM THE TRAIL SAFETY FUND.--Five hundred thousand dollars (\$500,000) is appropriated from the trail safety fund to the department of game and fish for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, for restoration and improvements to off-highway vehicle trails statewide.

Chapter 66 Section 46 Laws 2024

SECTION 46. HIGHER EDUCATION DEPARTMENT PROJECT-- APPROPRIATION FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--Thirty million dollars (\$30,000,000) is appropriated from the public school capital outlay fund to the higher education department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, to plan, design, construct, furnish and equip a literacy institute to benefit students, families and teachers statewide.

Chapter 66 Section 47 Laws 2024

SECTION 47. PUBLIC EDUCATION DEPARTMENT PROJECTS-- APPROPRIATIONS FROM THE PUBLIC SCHOOL CAPITAL OUTLAY FUND.--The following amounts are appropriated from the public school capital outlay fund to the public education department for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, for the following purposes:

1. one million five hundred thousand dollars (\$1,500,000) to plan, design and construct infrastructure for fueling and charging stations for alternatively fueled buses statewide;
2. five hundred forty-seven thousand five hundred dollars (\$547,500) to purchase cameras for newly purchased to-and-from school buses statewide; and
3. twenty-nine million one hundred sixty-six thousand six hundred forty dollars (\$29,166,640) to purchase district-owned to-and-from school buses.

Chapter 66 Section 48 Laws 2024

SECTION 48. DEPARTMENT OF GAME AND FISH PROJECT--
APPROPRIATION FROM THE HABITAT MANAGEMENT FUND.--Two million dollars (\$2,000,000) is appropriated from the habitat management fund to the department of game and fish for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, for wildlife and riparian habitat restoration and for improvements at properties owned by the state game commission statewide.

Chapter 66 Section 49 Laws 2024

SECTION 49. DEPARTMENT OF GAME AND FISH PROJECT--
APPROPRIATION FROM THE SIKES ACT ACCOUNT OF THE GAME PROTECTION FUND.--Two million five hundred thousand dollars (\$2,500,000) is appropriated from the Sikes Act account of the game protection fund to the department of game and fish for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, for wildlife and riparian habitat restoration and for improvements at properties owned by the state game commission statewide.

Chapter 66 Section 50 Laws 2024

SECTION 50. GENERAL SERVICES DEPARTMENT PROJECT--
APPROPRIATION FROM THE CAPITOL BUILDINGS REPAIR FUND.--Five million dollars (\$5,000,000) is appropriated from the capitol buildings repair fund to the capital program fund for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, to plan, design, construct, renovate, equip and furnish the Bataan memorial building, including historic preservation renovations, in Santa Fe in Santa Fe county.

Chapter 66 Section 51 Laws 2024

SECTION 51. DEPARTMENT OF GAME AND FISH PROJECT--
APPROPRIATION FROM THE BIG GAME ENHANCEMENT ACCOUNT OF THE GAME PROTECTION FUND.--Two million dollars (\$2,000,000) is appropriated from the big game enhancement account of the game protection fund to the department of game and fish for expenditure in fiscal years 2024 through 2028, unless otherwise provided in Section 2 of this act, for wildlife and riparian habitat restoration and for improvements at properties owned by the state game commission statewide.

Chapter 66 Section 52 Laws 2024

SECTION 52. ISSUANCE OF SEVERANCE TAX BONDS AND
APPROPRIATION OF BOND PROCEEDS TO CERTAIN FUNDS.--As provided in Sections 7-27-10.1 and 7-27-12.5 NMSA 1978, the state board of finance shall issue and sell severance tax bonds, and the proceeds of the bonds are appropriated to the

water project fund, the tribal infrastructure project fund, the colonias infrastructure project fund and the New Mexico housing trust fund based on the severance tax bonding capacity estimate dated January 15, 2024 and made by the state board of finance on behalf of the department of finance and administration.

Chapter 66 Section 53 Laws 2024

SECTION 53. ISSUANCE OF SEVERANCE TAX BONDS AND APPROPRIATIONS FOR PROJECTS PREVIOUSLY AUTHORIZED BY LAW.--

A. As provided in Laws 2022, Chapter 53, the state board of finance may issue and sell severance tax bonds in an amount not to exceed nine million three hundred ninety thousand three hundred ninety-three dollars (\$9,390,393) for projects and in project amounts that are authorized pursuant to that chapter, but for which severance tax bonds have not been issued.

B. Proceeds from the severance tax bonds issued as provided in this section are appropriated to the agencies for which the projects are authorized, as provided pursuant to Laws 2022, Chapter 53.

Chapter 66 Section 54 Laws 2024

SECTION 54. Laws 2023, Chapter 199, Section 1 is amended to read:

"SECTION 1. GENERAL FUND APPROPRIATIONS--LIMITATIONS--REVERSIONS.--

A. Except as otherwise specifically provided by law, the unexpended balance of an appropriation made in this act from the general fund shall revert:

(1) no later than September 30 following:

(a) the end of fiscal year 2025 for a project for which an appropriation was made to purchase vehicles, including emergency vehicles and other vehicles that require special equipment; heavy equipment; books; educational technology; or other equipment or furniture that is not related to a more inclusive construction or renovation project; or

(b) the end of fiscal year 2027 for a project for which an appropriation was made related to an inclusive construction or renovation project; or

(2) within six months of completion of the project for any other project for which an appropriation was made, but no later than the end of fiscal year 2027.

B. The agencies named in this 2023 act shall certify to the department of finance and administration that the money appropriated in this section is needed for the

purposes specified in the applicable section of this 2023 act. If an agency has not certified the need for the appropriation for a particular project by the end of fiscal year 2025, the authorization for that project is void.

C. Except for appropriations to the capital program fund, money from appropriations made in this act shall not be used to pay indirect project costs.

D. Money that is appropriated from the general fund pursuant to this act shall not be subject to a binding written agreement with a third party prior to the authorized state agency's approval to enter into that agreement.

E. For the purposes of this section, "unexpended balance" means the remainder of an appropriation after reserving for unpaid costs and expenses subject to a binding written agreement with a third party."

Chapter 66 Section 55 Laws 2024

SECTION 55. PROJECT SCOPE--EXPENDITURES.--If an appropriation for a project authorized in this act is not sufficient to complete all the purposes specified, the appropriation may be expended for any portion of the purposes specified in the appropriation. Expenditures shall not be made for purposes other than those specified in the appropriation.

Chapter 66 Section 56 Laws 2024

SECTION 56. ART IN PUBLIC PLACES.--Pursuant to Section 13-4A-4 NMSA 1978 and where applicable, the appropriations authorized in this act include one percent for the art in public places fund.

Chapter 66 Section 57 Laws 2024

SECTION 57. SEVERANCE TAX BONDS--AUTHORIZATIONS--
APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell severance tax bonds up to three hundred twenty million dollars (\$320,000,000) in compliance with the Severance Tax Bonding Act in fiscal year 2025 for the transportation projects certified pursuant to Subsection B of this section; provided that the state board of finance shall only issue bonds with a term that does not extend beyond the fiscal year in which they are issued. The state board of finance shall schedule the issuance and sale of the bonds in the most expeditious and economical manner possible upon a finding by the board that the project has been developed sufficiently to justify the issuance and that the project can proceed to contract within a reasonable time. The state board of finance shall further take the appropriate steps necessary to comply with the federal Internal Revenue Code of 1986, as amended. Proceeds from the sale of the bonds are appropriated to the department of transportation for the projects provided in Subsection B of this section.

B. The department of transportation shall certify to the state board of finance when the money from the proceeds of the severance tax bonds authorized in this section is needed for the following transportation projects. If the department of transportation has not certified the need for severance tax bond proceeds for a project by the end of fiscal year 2025, the authorization for that project is void:

(1) up to forty-five million dollars (\$45,000,000) for acquisition of rights of way, reconstruction and improvement of the interchange at the intersection of state highway 213 and state highway 404;

(2) up to forty million dollars (\$40,000,000) for acquisition of rights of way, reconstruction and improvement of the interstate 25 corridor from milepost 276 to milepost 291;

(3) up to sixty-two million eight hundred thousand dollars (\$62,800,000) for acquisition of rights of way, reconstruction and improvement of the bridge on interstate 40 east of Gallup from milepost 28.7 to milepost 30.7;

(4) up to forty-five million dollars (\$45,000,000) for acquisition of rights of way, reconstruction and improvement of United States highway 380 from Roswell to the Texas state line;

(5) up to twenty-five million dollars (\$25,000,000) for acquisition of rights of way, reconstruction and improvement of the interchange at the intersection of interstate 25 and United States highway 64 in Raton;

(6) up to seventy million dollars (\$70,000,000) for acquisition of rights of way, reconstruction and improvement of United States highway 180 from milepost 128.27 to milepost 142.5;

(7) up to eight million dollars (\$8,000,000) for acquisition of rights of way and the first phase of construction of an interchange in Los Lunas to access interstate 25 at milepost 202;

(8) up to seventy-five million dollars (\$75,000,000) for acquisition of rights of way, reconstruction and improvement of New Mexico highway 128 from milepost 28.8 to 50.5; and

(9) up to one hundred seven million dollars (\$107,000,000) for acquisition of rights of way, reconstruction and improvement of Rio Bravo boulevard in Albuquerque and Bernalillo county from milepost 8.98 to 10.32.

C. Before the department of transportation may certify for the need of severance tax bond proceeds, the project shall be developed sufficiently so that the department reasonably expects to:

(1) incur within six months after the applicable bond proceeds are available for the project a substantial binding obligation to a third party to expend at least five percent of the bond proceeds for the project; and

(2) spend at least eighty-five percent of the bond proceeds within three years after the applicable bond proceeds are available for the project.

D. Except as otherwise specifically provided by law:

(1) the unexpended balance from the proceeds of severance tax bonds appropriated for a project shall revert to the severance tax bonding fund within six months of completion of the project, but no later than the end of fiscal year 2027; and

(2) all remaining balances from the proceeds of severance tax bonds appropriated for a project shall revert to the severance tax bonding fund three months after the latest reversion date specified for that type of project in Paragraph (1) of this subsection.

E. Money from severance tax bond proceeds provided pursuant to this section shall not be used to pay indirect project costs.

F. Money that is appropriated from the proceeds of severance tax bonds pursuant to this section shall not be subject to a binding written agreement with a third party prior to the department of transportation's approval to enter into that agreement.

G. For the purposes of this section, "unexpended balance" means the remainder of an appropriation after reserving for unpaid costs and expenses subject to a binding written agreement with a third party.

Chapter 66 Section 58 Laws 2024

SECTION 58. SEVERANCE TAX BONDS--AUTHORIZATIONS-- APPROPRIATION OF PROCEEDS.--

A. The state board of finance may issue and sell severance tax bonds up to thirty million dollars (\$30,000,000) in compliance with the Severance Tax Bonding Act in fiscal year 2025 for projects within tribal communities certified pursuant to Subsection B of this section; provided that the state board of finance shall only issue bonds with a term that does not extend beyond the fiscal year in which they are issued. The state board of finance shall schedule the issuance and sale of the bonds in the most expeditious and economical manner possible upon a finding by the board that the project has been developed sufficiently to justify the issuance and that the project can proceed to contract within a reasonable time. The state board of finance shall further take the appropriate steps necessary to comply with the federal Internal Revenue Code of 1986, as amended. Proceeds from the sale of the bonds are appropriated to Indian affairs department for the projects provided in Subsection B of this section.

B. The Indian affairs department shall certify to the state board of finance when the money from the proceeds of the severance tax bonds authorized in this section is needed to complete a prior approved project or fund a project provided for in this act within a tribal community. If the Indian affairs department has not certified the need for severance tax bond proceeds for a project by the end of fiscal year 2025, the authorization for that project is void.

C. Except as otherwise specifically provided by law:

(1) the unexpended balance from the proceeds of severance tax bonds appropriated for a project shall revert to the severance tax bonding fund within six months of completion of the project, but no later than the end of fiscal year 2027; and

(2) all remaining balances from the proceeds of severance tax bonds appropriated for a project shall revert to the severance tax bonding fund three months after the latest reversion date specified for that type of project in Paragraph (1) of this subsection.

D. Money from severance tax bond proceeds provided pursuant to this section shall not be used to pay indirect project costs.

E. Money that is appropriated from the proceeds of severance tax bonds pursuant to this section shall not be subject to a binding written agreement with a third party prior to the Indian affairs department's approval to enter into that agreement.

F. For the purposes of this section, "unexpended balance" means the remainder of an appropriation after reserving for unpaid costs and expenses subject to a binding written agreement with a third party."

Chapter 66 Section 59 Laws 2024

SECTION 59. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.

LAWS 2024, CHAPTER 67

**HTRC/House Bill 252, aa, partial veto
Approved March 6, 2024**

AN ACT

RELATING TO TAXATION; AMENDING THE INDUSTRIAL REVENUE BOND ACT AND THE COUNTY INDUSTRIAL REVENUE BOND ACT TO INCLUDE CERTAIN ELECTRIC ENERGY STORAGE FACILITIES AS ELIGIBLE PROJECTS; REQUIRING THE PROVISION OF PAYMENT-IN-LIEU-OF-TAXES PAYMENTS TO SCHOOL DISTRICTS IF A MUNICIPALITY OR COUNTY ACQUIRES ENERGY STORAGE

FACILITY PROJECTS; ADJUSTING INDIVIDUAL INCOME TAX BRACKETS AND RATES; EXTENDING THE AMOUNT OF TIME TO MAKE A QUALIFIED INVESTMENT AND BE ELIGIBLE FOR THE ANGEL INVESTMENT CREDIT; ADDING CERTAIN HEALTH CARE PROVIDERS TO THE RURAL HEALTH CARE PRACTITIONER TAX CREDIT; MODIFYING THE REQUIREMENTS FOR RECEIVING THE TAX CREDIT; REQUIRING REPORTING OF THE TAX CREDIT; LIMITING THE CAPITAL GAINS DEDUCTION PURSUANT TO THE INCOME TAX ACT; CREATING THE HOME FIRE RECOVERY INCOME TAX CREDIT; CREATING A FLAT CORPORATE INCOME TAX RATE; CREATING A GROSS RECEIPTS TAX DEDUCTION FOR ENVIRONMENTAL MODIFICATION SERVICES MADE TO THE HOMES OF MEDICAID RECIPIENTS; CREATING GROSS RECEIPTS TAX DEDUCTIONS FOR THE SALE OF CHILD CARE ASSISTANCE THROUGH A LICENSED CHILD CARE ASSISTANCE PROGRAM AND PRE-KINDERGARTEN SERVICES BY FOR-PROFIT PRE-KINDERGARTEN PROVIDERS; PROVIDING A GROSS RECEIPTS TAX DEDUCTION FOR SALES OF ENERGY STORAGE EQUIPMENT TO A GOVERNMENT FOR THE PURPOSE OF INSTALLING AN ENERGY STORAGE FACILITY; INCREASING THE AMOUNT OF THE SPECIAL NEEDS ADOPTED CHILD TAX CREDIT; PROVIDING AN INCOME TAX DEDUCTION FOR SCHOOL SUPPLIES PURCHASED BY A PUBLIC SCHOOL TEACHER; EXTENDING THE GEOTHERMAL GROUND-COUPLED HEAT PUMP TAX CREDITS PURSUANT TO THE INCOME TAX ACT AND THE CORPORATE INCOME AND FRANCHISE TAX ACT, INCREASING THE ANNUAL AGGREGATE CAP FOR EACH CREDIT, MAKING THE CREDIT REFUNDABLE AND AMENDING THE DEFINITION OF "GEOTHERMAL GROUND-COUPLED HEAT PUMP"; CREATING THE CLEAN CAR INCOME TAX CREDIT, THE CLEAN CAR CHARGING UNIT INCOME TAX CREDIT, THE CLEAN CAR CORPORATE INCOME TAX CREDIT AND THE CLEAN CAR CHARGING UNIT CORPORATE INCOME TAX CREDIT; REMOVING A SUNSET DATE TO ALLOW A TAXPAYER ENGAGED IN CERTAIN ELECTRICITY GENERATION TO APPORTION BUSINESS INCOME BY THE SINGLE SALES FACTOR PERMANENTLY; REQUIRING CERTAIN RECEIPTS FOR SERVICES PROVIDED BY A HEALTH CARE PRACTITIONER THAT ARE DEDUCTIBLE FROM GROSS RECEIPTS TO BE WITHIN THE SCOPE OF PRACTICE OF THE PRACTITIONER AND DEFINING "COPAYMENT" IN THE DEDUCTION; CREATING A GROSS RECEIPTS TAX CREDIT FOR LEGAL SERVICES FOR WILDFIRE COMPENSATION RECOVERY; CREATING A GROSS RECEIPTS TAX CREDIT FOR DYED DIESEL USED FOR AGRICULTURAL PURPOSES; ~~PROVIDING AN OIL AND GAS SEVERANCE TAX EXEMPTION FOR THE SEVERANCE OF OIL AND NATURAL GAS FROM A PRODUCTION COMPLIANCE PROJECT COMPLETED TO COMPLY WITH CERTAIN AGENCY RULES;~~ REMOVING THE SUNSET DATE OF AN INCOME TAX EXEMPTION FOR ARMED FORCES RETIREMENT PAY AND EXTENDING THE EXEMPTION TO THE SURVIVING SPOUSE OF AN ARMED FORCES RETIREE;

CREATING THE GEOTHERMAL ELECTRICITY GENERATION INCOME TAX CREDIT AND THE GEOTHERMAL ELECTRICITY GENERATION CORPORATE INCOME TAX CREDIT; CREATING THE ADVANCED ENERGY EQUIPMENT INCOME TAX CREDIT AND THE ADVANCED ENERGY EQUIPMENT CORPORATE INCOME TAX CREDIT; RESTORING CERTAIN INCOME IN THE AMOUNT OF INCOME USED TO DETERMINE CORPORATE INCOME TAX LIABILITY, CLARIFYING AN AMOUNT OF CERTAIN INTANGIBLE INCOME USED TO DETERMINE THAT LIABILITY AND INCLUDING CORPORATIONS THAT HAVE TWENTY PERCENT OR MORE OF THEIR PROPERTY, PAYROLL AND SALES SOURCED TO LOCATIONS WITHIN THE UNITED STATES OR ITS POSSESSIONS OR TERRITORIES IN A WATER'S EDGE GROUP; AMENDING OWNERSHIP ELIGIBILITY REQUIREMENTS FOR THE NEW SOLAR MARKET DEVELOPMENT INCOME TAX CREDIT AND INCREASING THE ANNUAL AGGREGATE AMOUNT OF CREDITS THAT MAY BE CERTIFIED IN CERTAIN CALENDAR YEARS; CREATING GROSS RECEIPTS TAX AND COMPENSATING TAX DEDUCTIONS FOR GEOTHERMAL ELECTRICITY GENERATION FACILITY CONSTRUCTION COSTS; PROVIDING DELAYED REPEALS. *LINE ITEM VETO*

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

Chapter 67 Section 1 Laws 2024

SECTION 1. Section 3-32-1 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-31-1, as amended) is amended to read:

"3-32-1. INDUSTRIAL REVENUE BOND ACT--DEFINITIONS.--Wherever used in the Industrial Revenue Bond Act unless a different meaning clearly appears in the context, the following terms whether used in the singular or plural shall be given the following respective interpretations:

A. "municipality" means a city, town or village in New Mexico;

B. "project" means any land and building or other improvements thereon, the acquisition by or for a New Mexico corporation of the assets or stock of an existing business or corporation located outside the state to be relocated within or near the municipality in the state and all real and personal properties deemed necessary in connection therewith, whether or not now in existence, which shall be suitable for use by the following or by any combination of two or more thereof:

(1) an industry for the manufacturing, processing or assembling of agricultural or manufactured products;

(2) a commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining or industry but does not include a facility designed

for the sale of goods or commodities at retail or distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities;

(3) a business in which all or part of the activities of the business involve the supplying of services to the general public or to governmental agencies or to a specific industry or customer but does not include an establishment primarily engaged in the sale of goods or commodities at retail;

(4) a water distribution or irrigation system, including without limitation, pumps, distribution lines, transmission lines, towers, dams and similar facilities and equipment, designed to provide water to a vineyard or winery;

(5) an electric generation or transmission facility, other than one for which both location approval and a certificate of convenience and necessity are required prior to commencing construction or operation of the facility, pursuant to the Public Utility Act;

(6) an energy storage facility, which is a facility that uses mechanical, chemical, thermal, kinetic or other processes to store energy for release at a later time to integrate energy supply associated with renewable generation across the electric grid; and

(7) a 501(c)(3) corporation;

C. "governing body" means the board or body in which the legislative powers of the municipality are vested;

D. "property" means any land, improvements thereon, buildings and any improvements thereto, machinery and equipment of any and all kinds necessary to the project, operating capital and any other personal properties deemed necessary in connection with the project;

E. "mortgage" means a mortgage or a mortgage and deed of trust or the pledge and hypothecation of any assets as collateral security;

F. "health care service" means the diagnosis or treatment of sick or injured persons or medical research and includes the ownership, operation, maintenance, leasing and disposition of health care facilities such as hospitals, clinics, laboratories, x-ray centers and pharmacies and, for any small municipality only, office facilities for physicians;

G. "refinance a hospital or 501(c)(3) corporation project" means the issuance of bonds by a municipality and the use of all or substantially all of the proceeds to liquidate any obligations previously incurred to finance or aid in financing a project of a nonprofit corporation engaged in health care services, including nursing homes, or of a 501(c)(3) corporation, which would constitute a project under the Industrial Revenue

Bond Act had it been originally undertaken and financed by a municipality pursuant to the Industrial Revenue Bond Act; and

H. "501(c)(3) corporation" means a corporation that demonstrates to the taxation and revenue department that it has been granted exemption from the federal income tax as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended or renumbered."

Chapter 67 Section 2 Laws 2024

SECTION 2. Section 3-32-6 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-31-3, as amended) is amended to read:

"3-32-6. ADDITIONAL POWERS CONFERRED ON MUNICIPALITIES.--In addition to any other powers that it may now have, a municipality shall have the following powers:

A. to acquire, whether by construction, purchase, gift or lease, one or more projects that shall be located within this state and may be located within or without the municipality or partially within or partially without the municipality, but which shall not be located more than fifteen miles outside of the corporate limits of the municipality; provided that:

(1) urban transit buses qualifying as a project pursuant to Subsection B of Section 3-32-3 NMSA 1978 need not be continuously located within this state, but the commercial enterprise using the urban transit buses for leasing shall meet the location requirement of this subsection; and

(2) a municipality shall not acquire any electricity generation facility, transmission facility or energy storage facility project unless the school districts within the municipality in which the project is located receive annual in-lieu tax payments; provided that the annual in-lieu tax payments required by this paragraph shall be:

(a) payable to the school districts for the period the municipality owns and leases the project;

(b) in an aggregate amount equal to the amount received by the municipality multiplied by the percentage determined by dividing the average of mills imposed by the school districts within the municipality plus state debt service mills as of the date of issuance of the bonds by the average of the mills imposed by all entities levying taxes on property in the municipality as of such date;

(c) divided among the school districts located within the municipality, if there is more than one school district in such municipality, and the in-lieu payment shall be allocated as follows: 1) fifty percent allocated equally among all school districts in which the project is located; 2) forty percent allocated to the school districts

within the municipality in proportion to the area of each school district within the municipality; and 3) ten percent allocated to the school districts in proportion to the average of each school district's student membership pursuant to the Public School Code reported on the second and third reporting dates for the most recent school year for which data is available as of the date of issuance of the bonds; and

(d) for each individual school district located within the municipality, no less than the amount due to the school district in the tax year immediately preceding the issuance of the bonds from the property included in a project, had such project not been created;

B. to sell or lease or otherwise dispose of any or all of its projects upon such terms and conditions as the governing body may deem advisable and as shall not conflict with the provisions of the Industrial Revenue Bond Act;

C. to issue revenue bonds for the purpose of defraying the cost of acquiring by construction and purchase, or either, any project and to secure the payment of such bonds, all as provided in the Industrial Revenue Bond Act. No municipality shall have the power to operate any project as a business or in any manner except as lessor;

D. to refinance one or more hospital or 501(c)(3) corporation projects and to acquire any such hospital or 501(c)(3) corporation project whether by construction, purchase, gift or lease, which hospital or 501(c)(3) corporation project shall be located within this state and may be located within or without the municipality or partially within or partially without the municipality, but which shall not be located more than fifteen miles outside of the corporate limits of the municipality, and to issue revenue bonds to refinance and acquire a hospital or 501(c)(3) corporation project and to secure the payment of such bonds, all as provided in the Industrial Revenue Bond Act. A municipality shall not have the power to operate a hospital or 501(c)(3) corporation project as a business or in any manner except as lessor; and

E. to refinance one or more projects of any private institution of higher education and to acquire any such project, whether by construction, purchase, gift or lease; provided that the project shall be located within this state and may be located within or without the municipality or partially within or partially without the municipality, but the project shall not be located more than fifteen miles outside of the corporate limits of the municipality, and to issue revenue bonds to refinance and acquire any project of any private institution of higher education and to secure the payment of such bonds. A municipality shall not have the power to operate a project of a private institution of higher education as a business or in any manner except as lessor."

Chapter 67 Section 3 Laws 2024

SECTION 3. Section 4-59-2 NMSA 1978 (being Laws 1975, Chapter 286, Section 2, as amended) is amended to read:

"4-59-2. DEFINITIONS.--As used in the County Industrial Revenue Bond Act, unless the context clearly indicates otherwise:

- A. "commission" means the governing body of a county;
- B. "county" means a county organized or incorporated in New Mexico;
- C. "501(c)(3) corporation" means a corporation that demonstrates to the taxation and revenue department that it has been granted exemption from the federal income tax as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended or renumbered;
- D. "health care service" means the diagnosis or treatment of sick or injured persons or medical research and includes the ownership, operation, maintenance, leasing and disposition of health care facilities, such as hospitals, clinics, laboratories, x-ray centers and pharmacies;
- E. "mortgage" means a mortgage or a mortgage and deed of trust or the pledge and hypothecation of any assets as collateral security;
- F. "project" means any land and building or other improvements thereon, the acquisition by or for a New Mexico corporation of the assets or stock of an existing business or corporation located outside the state to be relocated within a county but, except as provided in Paragraph (1) of Subsection A of Section 4-59-4 NMSA 1978, not within the boundaries of any incorporated municipality in the state, and all real and personal properties deemed necessary in connection therewith, whether or not now in existence, that shall be suitable for use by the following or by any combination of two or more thereof:
 - (1) an industry for the manufacturing, processing or assembling of agricultural or manufactured products;
 - (2) a commercial enterprise that has received a permit from the energy, minerals and natural resources department for a mine that has not been in operation prior to the issuance of bonds for the project for which the enterprise will be involved;
 - (3) a commercial enterprise that has received any necessary state permit for a refinery, treatment plant or processing plant of energy products that was not in operation prior to the issuance of bonds for the project for which the enterprise will be involved;
 - (4) a commercial enterprise in storing, warehousing, distributing or selling products of agriculture, mining or industry, but does not include a facility designed for the sale or distribution to the public of electricity, gas, telephone or other services commonly classified as public utilities, except for:

(a) water utilities;

(b) an electric generation or transmission facility, other than one for which both location approval and a certificate of convenience and necessity are required prior to commencing construction or operation of the facility, pursuant to the Public Utility Act; and

(c) an energy storage facility, which is a facility that uses mechanical, chemical, thermal, kinetic or other processes to store energy for release at a later time to integrate energy supply associated with renewable generation across the electric grid;

(5) a business in which all or part of the activities of the business involve the supplying of services to the general public or to governmental agencies or to a specific industry or customer;

(6) a nonprofit corporation engaged in health care services;

(7) a mass transit or other transportation activity involving the movement of passengers, an industrial park, an office headquarters and a research facility;

(8) a water distribution or irrigation system, including without limitation, pumps, distribution lines, transmission lines, towers, dams and similar facilities and equipment; and

(9) a 501(c)(3) corporation; and

G. "property" means any land, improvements thereon, buildings and any improvements thereto, machinery and equipment of any and all kinds necessary to the project, operating capital and any other personal properties deemed necessary in connection with the project."

Chapter 67 Section 4 Laws 2024

SECTION 4. Section 4-59-4 NMSA 1978 (being Laws 1975, Chapter 286, Section 4, as amended) is amended to read:

"4-59-4. ADDITIONAL POWERS CONFERRED ON COUNTIES.--In addition to any other powers that it may now have, each county shall have the following powers:

A. to acquire, whether by construction, purchase, gift or lease, one or more projects, which shall be located within this state and shall be located within the county outside the boundaries of any incorporated municipality; provided, however, that:

(1) a class A county with a population of more than three hundred thousand may acquire projects located anywhere in the county; and

(2) a county shall not acquire any electricity generation facility, transmission facility or energy storage facility project unless the school districts within the county in which the project is located receive annual in-lieu tax payments; provided that the annual in-lieu tax payments required by this paragraph shall be:

(a) payable to the school districts for the period the county owns and leases the project;

(b) in an aggregate amount equal to the amount received by the county multiplied by the percentage determined by dividing the average of all of the mills imposed by the school districts in the county, including the operating, capital improvement, building improvement, education technology and bond mills imposed by the school districts in the county plus state debt service mills as of the date of issuance of the bonds by the average of the mills imposed by all entities levying taxes on property in the county as of such date;

(c) divided among the school districts located within the county, and if there is more than one school district in such county, the in-lieu payment shall be allocated as follows: 1) fifty percent allocated equally among all school districts in which the project is located; 2) forty percent allocated to the school districts within the county in proportion to the area of each school district within the county; and 3) ten percent allocated to the school districts in proportion to the average of each school district's student membership pursuant to the Public School Code reported on the second and third reporting dates for the most recent school year for which data is available as of the date of issuance of the bonds; and

(d) for each individual school district located within the county, no less than the amount due to the school district in the tax year immediately preceding the issuance of the bonds from the property included in a project, had such project not been created;

B. to sell or lease or otherwise dispose of any or all of its projects upon such terms and conditions as the commission may deem advisable and as shall not conflict with the provisions of the County Industrial Revenue Bond Act; and

C. to issue revenue bonds for the purpose of defraying the cost of acquiring, by construction and purchase or either, any project and to secure the payment of such bonds, all as provided in the County Industrial Revenue Bond Act. No county shall have the power to operate any project as a business or in any manner except as lessor thereof."

Chapter 67 Section 5 Laws 2024

SECTION 5. Section 7-2-7 NMSA 1978 (being Laws 2005, Chapter 104, Section 4, as amended) is amended to read:

"7-2-7. INDIVIDUAL INCOME TAX RATES.--The tax imposed by Section 7-2-3 NMSA 1978 shall be at the following rates for any taxable year beginning on or after January 1, 2025:

A. For married individuals filing joint returns, heads of household and surviving spouses:

For taxable income:	The tax shall be:
Not over \$8,000	1.5% of taxable income
Over \$8,000 but not over \$25,000	\$120 plus 3.2% of excess over \$8,000
Over \$25,000 but not over \$50,000	\$664 plus 4.3% of excess over \$25,000
Over \$50,000 but not over \$100,000	\$1,739 plus 4.7% of excess over \$50,000
Over \$100,000 but not over \$315,000	\$4,089 plus 4.9% of excess over \$100,000
Over \$315,000	\$14,624 plus 5.9% of excess over \$315,000.

B. For single individuals and for estates and trusts:

For taxable income:	The tax shall be:
Not over \$5,500	1.5% of taxable income
Over \$5,500 but not over \$16,500	\$82.50 plus 3.2% of excess over \$5,500
Over \$16,500 but not over \$33,500	\$434.50 plus 4.3% of excess over \$16,500
Over \$33,500 but not over \$66,500	\$1,165.50 plus 4.7% of excess over \$33,500
Over \$66,500 but not over \$210,000	\$2,716.50 plus 4.9% of excess over \$66,500
Over \$210,000	

\$9,748 plus 5.9% of excess over \$210,000.

C. For married individuals filing separate returns:

For taxable income:	The tax shall be:
Not over \$4,000	1.5% of taxable income
Over \$4,000 but not over \$12,500	\$60.00 plus 3.2% of excess over \$4,000
Over \$12,500 but not over \$25,000	\$332 plus 4.3% of excess over \$12,500
Over \$25,000 but not over \$50,000	\$869.50 plus 4.7% of excess over \$25,000
Over \$50,000 but not over \$157,500	\$2,044.50 plus 4.9% of excess over \$50,000
Over \$157,500	\$7,312 plus 5.9% of excess over \$157,500.

D. The tax on the sum of any lump-sum amounts included in net income is an amount equal to five multiplied by the difference between:

- (1) the amount of tax due on the taxpayer's taxable income; and
- (2) the amount of tax that would be due on an amount equal to the taxpayer's taxable income and twenty percent of the taxpayer's lump-sum amounts included in net income."

Chapter 67 Section 6 Laws 2024

SECTION 6. Section 7-2-18.17 NMSA 1978 (being Laws 2007, Chapter 172, Section 1, as amended) is amended to read:

"7-2-18.17. ANGEL INVESTMENT CREDIT.--

A. A taxpayer who files a New Mexico income tax return, is not a dependent of another taxpayer, is an accredited investor and makes a qualified investment may apply for, and the department may allow, a claim for a credit in an amount not to exceed twenty-five percent of the qualified investment; provided that a credit for each qualified investment shall not exceed sixty-two thousand five hundred dollars (\$62,500). The tax credit provided in this section shall be known as the "angel investment credit".

B. A taxpayer may claim the angel investment credit:

- (1) for not more than one qualified investment per investment round;
- (2) for qualified investments in no more than five qualified businesses per taxable year; and
- (3) for a qualified investment made on or before December 31, 2030.

C. A taxpayer may apply for an angel investment credit by submitting a completed application to the department on forms and in a manner required by the department no later than one year following the end of the calendar year in which the qualified investment is made. A taxpayer shall not apply for more than one credit for the same qualified investment in the same investment round.

D. Except as provided in Subsection J of this section, a taxpayer shall claim the angel investment credit no later than one year following the date the completed application for the credit is approved by the department.

E. Applications and all subsequent materials submitted to the department related to the application shall also be submitted to the economic development department.

F. The department shall allow a maximum annual aggregate of two million dollars (\$2,000,000) in angel investment credits per calendar year. Completed applications shall be considered in the order received. Applications for credits that would have been allowed but for the limit imposed by this subsection shall be allowed in subsequent calendar years.

G. The department shall report annually to the revenue stabilization and tax policy committee and the legislative finance committee on the utilization and effectiveness of the angel investment credit. The report shall include, at a minimum: the number of accredited investors determined to be eligible for the credit in the previous year; the names of those investors; the amount of credit for which each investor was determined to be eligible; and the number and names of the businesses determined to be qualified businesses for purposes of an investment by an accredited investor.

H. A taxpayer who otherwise qualifies for and claims a credit pursuant to this section for a qualified investment made by a partnership or other business association of which the taxpayer is a member may claim a credit only in proportion to the taxpayer's interest in the partnership or business association.

I. Married individuals who file separate returns for a taxable year in which they could have filed a joint return may each claim one-half of the credit that would have been allowed on a joint return.

J. The angel investment credit may only be deducted from the taxpayer's income tax liability. Any portion of the tax credit provided by this section that remains

unused at the end of the taxpayer's taxable year may be carried forward for five consecutive years.

K. As used in this section:

(1) "accredited investor" means a person who is an accredited investor within the meaning of Rule 501 issued by the federal securities and exchange commission pursuant to the federal Securities Act of 1933, as amended;

(2) "business" means a corporation, general partnership, limited partnership, limited liability company or other similar entity, but excludes an entity that is a government or a nonprofit organization designated as such by the federal government or any state;

(3) "equity" means common or preferred stock of a corporation, a partnership interest in a limited partnership or a membership interest in a limited liability company, including debt subject to an option in favor of the creditor to convert the debt into common or preferred stock, a partnership interest or a membership interest;

(4) "investment round" means an offer and sale of securities and all other offers and sales of securities that would be integrated with such offer and sale of securities under Regulation D issued by the federal securities and exchange commission pursuant to the federal Securities Act of 1933, as amended;

(5) "manufacturing" means combining or processing components or materials to increase their value for sale in the ordinary course of business, but does not include:

(a) construction;

(b) farming;

(c) processing natural resources, including hydrocarbons; or

(d) preparing meals for immediate consumption, on- or off-premises;

(6) "qualified business" means a business that:

(a) maintains its principal place of business and employs a majority of its full-time employees, if any, in New Mexico and a majority of its tangible assets, if any, are located in New Mexico;

(b) engages in qualified research or manufacturing activities in New Mexico;

(c) is not primarily engaged in or is not primarily organized as any of the following types of businesses: credit or finance services, including banks, savings and loan associations, credit unions, small loan companies or title loan companies; financial brokering or investment; professional services, including accounting, legal services, engineering and any other service the practice of which requires a license; insurance; real estate; construction or construction contracting; consulting or brokering; mining; wholesale or retail trade; providing utility service, including water, sewerage, electricity, natural gas, propane or butane; publishing, including publishing newspapers or other periodicals; broadcasting; or providing internet operating services;

(d) has not issued securities registered pursuant to Section 6 of the federal Securities Act of 1933, as amended; has not issued securities traded on a national securities exchange; is not subject to reporting requirements of the federal Securities Exchange Act of 1934, as amended; and is not registered pursuant to the federal Investment Company Act of 1940, as amended, at the time of the investment;

(e) has one hundred or fewer employees calculated on a full-time-equivalent basis in the taxable year in which the investment was made; and

(f) has not had gross revenues in excess of five million dollars (\$5,000,000) in any fiscal year ending on or before the date of the investment;

(7) "qualified investment" means a cash investment in a qualified business for equity, but does not include an investment by a taxpayer if the taxpayer, a member of the taxpayer's immediate family or an entity affiliated with the taxpayer receives compensation from the qualified business in exchange for services provided to the qualified business within one year of investment in the qualified business; and

(8) "qualified research" means "qualified research" as defined by Section 41 of the Internal Revenue Code."

Chapter 67 Section 7 Laws 2024

SECTION 7. Section 7-2-18.22 NMSA 1978 (being Laws 2007, Chapter 361, Section 2) is amended to read:

"7-2-18.22. RURAL HEALTH CARE PRACTITIONER TAX CREDIT.--

A. A taxpayer who files an individual New Mexico tax return, who is not a dependent of another individual, who is an eligible health care practitioner and who has provided health care services in New Mexico in a rural health care underserved area in a taxable year may claim a credit against the tax liability imposed by the Income Tax Act. The credit provided in this section may be referred to as the "rural health care practitioner tax credit".

B. The rural health care practitioner tax credit may be claimed and allowed in an amount that shall not exceed:

(1) five thousand dollars (\$5,000) for all physicians, osteopathic physicians, dentists, psychologists, podiatric physicians and optometrists who qualify pursuant to the provisions of this section and have provided health care during a taxable year for at least one thousand five hundred eighty-four hours at a practice site located in an approved rural health care underserved area. Eligible health care practitioners listed in this paragraph who provided health care services for at least seven hundred ninety-two hours but less than one thousand five hundred eighty-four hours at a practice site located in an approved rural health care underserved area during a taxable year are eligible for one-half of the tax credit amount; and

(2) three thousand dollars (\$3,000) for all pharmacists, dental hygienists, physician assistants, certified registered nurse anesthetists, certified nurse practitioners, clinical nurse specialists, registered nurses, midwives, licensed clinical social workers, licensed independent social workers, professional mental health counselors, professional clinical mental health counselors, marriage and family therapists, professional art therapists, alcohol and drug abuse counselors and physical therapists who qualify pursuant to the provisions of this section and have provided health care during a taxable year for at least one thousand five hundred eighty-four hours at a practice site located in an approved rural health care underserved area. Eligible health care practitioners listed in this paragraph who provided health care services for at least seven hundred ninety-two hours but less than one thousand five hundred eighty-four hours at a practice site located in an approved rural health care underserved area during a taxable year are eligible for one-half of the tax credit amount.

C. Before an eligible health care practitioner may claim the rural health care practitioner tax credit, the practitioner shall submit an application to the department of health that describes the practitioner's clinical practice and contains additional information that the department of health may require. The department of health shall determine whether an eligible health care practitioner qualifies for the rural health care practitioner tax credit and shall issue a certificate to each qualifying eligible health care practitioner. The department of health shall provide the taxation and revenue department appropriate information for all eligible health care practitioners to whom certificates are issued in a secure manner on regular intervals agreed upon by both the taxation and revenue department and the department of health.

D. A taxpayer claiming the credit provided by this section shall submit a copy of the certificate issued by the department of health with the taxpayer's New Mexico income tax return for the taxable year. If the amount of the credit claimed exceeds a taxpayer's tax liability for the taxable year in which the credit is being claimed, the excess may be carried forward for three consecutive taxable years.

E. A taxpayer allowed a tax credit pursuant to this section shall report the amount of the credit to the department in a manner required by the department.

F. The department shall compile an annual report on the tax credit provided by this section that shall include the number of taxpayers approved by the department to receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

G. As used in this section:

(1) "eligible health care practitioner" means:

(a) a dentist or dental hygienist licensed pursuant to the Dental Health Care Act;

(b) a midwife that is a: 1) certified nurse-midwife licensed by the board of nursing as a registered nurse and licensed by the public health division of the department of health to practice nurse-midwifery as a certified nurse-midwife; or 2) licensed midwife licensed by the public health division of the department of health to practice licensed midwifery;

(c) an optometrist licensed pursuant to the provisions of the Optometry Act;

(d) an osteopathic physician licensed pursuant to the provisions of the Medical Practice Act;

(e) a physician licensed pursuant to the provisions of the Medical Practice Act or a physician assistant licensed pursuant to the provisions of the Physician Assistant Act;

(f) a podiatric physician licensed pursuant to the provisions of the Podiatry Act;

(g) a psychologist licensed pursuant to the provisions of the Professional Psychologist Act;

(h) a registered nurse licensed pursuant to the provisions of the Nursing Practice Act;

(i) a pharmacist licensed pursuant to the provisions of the Pharmacy Act;

(j) a licensed clinical social worker or a licensed independent social worker licensed pursuant to the provisions of the Social Work Practice Act;

(k) a professional mental health counselor, a professional clinical mental health counselor, a marriage and family therapist, an alcohol and drug abuse counselor or a professional art therapist licensed pursuant to the provisions of the Counseling and Therapy Practice Act; and

(l) a physical therapist licensed pursuant to the provisions of the Physical Therapy Act;

(2) "health care underserved area" means a geographic area or practice location in which it has been determined by the department of health, through the use of indices and other standards set by the department of health, that sufficient health care services are not being provided;

(3) "practice site" means a private practice, public health clinic, hospital, public or private nonprofit primary care clinic or other health care service location in a health care underserved area; and

(4) "rural" means a rural county or an unincorporated area of a partially rural county, as designated by the health resources and services administration of the United States department of health and human services."

Chapter 67 Section 8 Laws 2024

SECTION 8. Section 7-2-34 NMSA 1978 (being Laws 1999, Chapter 205, Section 1, as amended) is amended to read:

"7-2-34. DEDUCTION--NET CAPITAL GAIN INCOME.--

A. A taxpayer may claim a deduction from net income in an amount equal to the greater of:

(1) the taxpayer's net capital gain income for the taxable year for which the deduction is being claimed, but not to exceed two thousand five hundred dollars (\$2,500); or

(2) forty percent of up to one million dollars (\$1,000,000) of the taxpayer's net capital gain income from the sale of a business that is allocated or apportioned to New Mexico pursuant to Section 7-2-11 NMSA 1978 for the taxable year for which the deduction is being claimed.

B. Married individuals who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half of the deduction provided by this section that would have been allowed on the joint return.

C. As used in this section, "net capital gain" means "net capital gain" as defined in Section 1222 (11) of the Internal Revenue Code."

Chapter 67 Section 9 Laws 2024

SECTION 9. A new section of the Income Tax Act is enacted to read:

"HOME FIRE RECOVERY INCOME TAX CREDIT.--

A. A taxpayer who is not a dependent of another individual and who, beginning on the effective date of this section and prior to January 1, 2030, incurs qualified home expenditures for a home in New Mexico to replace a prior home of the taxpayer that was destroyed by a wildfire in calendar years 2021 through 2023 may claim a tax credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act in an amount equal to the qualified home expenditures incurred by the taxpayer not to exceed fifty thousand dollars (\$50,000) per home. The tax credit provided by this section may be referred to as the "home fire recovery income tax credit".

B. A taxpayer who seeks to claim the tax credit shall apply for certification of eligibility from the construction industries division of the regulation and licensing department on forms and in a manner prescribed by that division. The aggregate amount of credits that may be certified as eligible in any calendar year is five million dollars (\$5,000,000). An application for certification shall be made no later than twelve months after the calendar year in which construction of the home is completed. Completed applications shall be considered in the order received. If a taxpayer submits an application for the tax credit and the aggregate amount of certifications has been met for the calendar year, the application shall be placed at the front of a queue for certification in a subsequent calendar year. Except as otherwise provided in Subsections F and G of this section, only one tax credit shall be certified per taxpayer.

C. An application for certification of eligibility shall include:

(1) proof that the taxpayer's prior home was destroyed by wildfire in calendar years 2021 through 2023, including a sworn statement by the taxpayer;

(2) proof that the taxpayer incurred expenditures for the construction of a home on the same property of the taxpayer's prior, wildfire-destroyed home, including a contract with a builder or manufacturer;

(3) a sworn statement by the taxpayer and the builder or manufacturer of the home that the construction of the home has been completed and stating the date of its completion; and

(4) any additional information the construction industries division of the regulation and licensing department may require to determine eligibility for the tax credit.

D. If the construction industries division of the regulation and licensing department determines that the taxpayer meets the requirements of this section, the

division shall issue a dated certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable year in which the credit may be claimed. The construction industries division shall provide the department with the certificates of eligibility issued pursuant to this subsection in an electronic format at regularly agreed-upon intervals.

E. A taxpayer issued a certificate of eligibility shall claim the tax credit in a manner required by the department within twelve months of being issued the certificate of eligibility.

F. That portion of the tax credit that exceeds a taxpayer's tax liability in the taxable year in which the tax credit is claimed shall not be refunded but may be carried forward for a maximum of three consecutive taxable years.

G. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the tax credit that would have been claimed on a joint return.

H. A taxpayer may be allocated the right to claim the tax credit in proportion to the taxpayer's ownership interest if the taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all of the requirements to be eligible for the credit. The total credit claimed by all members of the partnership or limited liability company shall not exceed the allowable credit pursuant to this section.

I. The department shall compile an annual report on the tax credit that shall include the number of taxpayers approved by the department to receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

J. As used in this section:

(1) "home" means a dwelling designed for long-term habitation in which the taxpayer resides for a majority of the year and is:

(a) constructed permanently on a taxpayer's property with a foundation and that cannot be moved; or

(b) a manufactured home or modular home that is a single-family dwelling with a heated area of at least thirty-six by twenty-four feet and at least eight hundred sixty-four square feet and constructed in a factory to the standards of the United States department of housing and urban development, the National Manufactured Housing Construction and Safety Standards Act of 1974 and the Housing and Urban Development Zone Code 2 or the Uniform Building Code, as amended to the

date of the unit's construction, and installed consistent with the Manufactured Housing Act and with the rules made pursuant thereto relating to permanent foundations; and

(2) "qualified home expenditures" means gross expenditures for the construction or manufacture of a home on the same property in New Mexico that a taxpayer's prior home was destroyed by a wildfire in calendar years 2021 through 2023, less any compensation related to home construction, manufacture or repair costs received pursuant to the federal Hermit's Peak/Calf Canyon Fire Assistance Act or from insurance or other source of compensation."

Chapter 67 Section 10 Laws 2024

SECTION 10. Section 7-2A-5 NMSA 1978 (being Laws 1981, Chapter 37, Section 38, as amended) is amended to read:

"7-2A-5. CORPORATE INCOME TAX RATES.--The corporate income tax imposed on corporations by Section 7-2A-3 NMSA 1978 shall be five and nine-tenths percent of taxable income."

Chapter 67 Section 11 Laws 2024

SECTION 11. Section 7-9-54.3 NMSA 1978 (being Laws 2002, Chapter 37, Section 8, as amended by Laws 2010, Chapter 77, Section 2 and by Laws 2010, Chapter 78, Section 2) is amended to read:

"7-9-54.3. DEDUCTION--GROSS RECEIPTS TAX--WIND AND SOLAR GENERATION EQUIPMENT--ENERGY STORAGE EQUIPMENT--SALES TO GOVERNMENTS.--

A. Prior to July 1, 2034, receipts from selling wind generation equipment or solar generation equipment to a government for the purpose of installing a wind or solar electric generation facility may be deducted from gross receipts.

B. Prior to July 1, 2034, receipts from selling energy storage equipment or related equipment to a government for the purpose of installing an energy storage facility may be deducted from gross receipts.

C. As used in this section:

(1) "energy storage equipment" means equipment that is installed for the purpose of storing electric energy in an energy storage facility that uses mechanical, chemical, thermal, kinetic or other processes to store energy for release at a later time to integrate energy supply associated with renewable generation across the electric grid;

(2) "government" means the United States or the state or a governmental unit or a subdivision, agency, department or instrumentality of the federal government or the state;

(3) "related equipment" means transformers, power conversion equipment, circuit breakers and switching and metering equipment used to connect:

(a) a wind or solar electric generation plant to the electric grid; or

(b) an energy storage facility to the electric grid or to a wind or solar electric generation plant;

(4) "solar generation equipment" means solar thermal energy collection, concentration and heat transfer and conversion equipment; solar tracking hardware and software; photovoltaic panels and inverters; support structures; turbines and associated electrical generating equipment used to generate electricity from solar thermal energy; and related equipment; and

(5) "wind generation equipment" means wind generation turbines, blades, nacelles, rotors and supporting structures used to generate electricity from wind and related equipment."

Chapter 67 Section 12 Laws 2024

SECTION 12. A new section of the Gross Receipts and Compensating Tax Act is enacted to read:

"DEDUCTION--GROSS RECEIPTS TAX--ENVIRONMENTAL MODIFICATIONS FOR MEDICAID RECIPIENTS.--

A. Prior to July 1, 2034, receipts of an eligible provider for environmental modifications reimbursed by the medical assistance division may be deducted from gross receipts.

B. As used in this section:

(1) "eligible provider" means a provider who meets requirements of the medical assistance division to provide environmental modifications pursuant to a waiver granted by the federal department of health and human services to provide home and community-based services to recipients;

(2) "environmental modifications" include the purchasing and installing of equipment or making physical adaptations to a recipient's residence that are necessary to ensure the health, welfare and safety of the recipient or enhance the recipient's access to the home environment and increase the recipient's ability to act independently;

(3) "medicaid" means the medical assistance program established pursuant to Title 19 of the federal Social Security Act and regulations issued pursuant to that act;

(4) "medical assistance division" means the medical assistance division of the health care authority department; and

(5) "recipient" means a person whom the medical assistance division has determined to be eligible to receive medicaid-related services and who meets the financial and medical level of care criteria to receive medical assistance division services through one of the division's waiver programs granted by the federal department of health and human services."

Chapter 67 Section 13 Laws 2024

SECTION 13. A new section of the Gross Receipts and Compensating Tax Act is enacted to read:

"DEDUCTIONS--GROSS RECEIPTS--CHILD CARE ASSISTANCE THROUGH A LICENSED CHILD CARE ASSISTANCE PROGRAM--PRE-KINDERGARTEN SERVICES BY FOR-PROFIT PRE-KINDERGARTEN PROVIDERS.--

A. Receipts from the sale of child care assistance services by a taxpayer pursuant to a contract or grant with the early childhood education and care department to provide such services through a licensed child care assistance program may be deducted from gross receipts.

B. Receipts of for-profit pre-kindergarten providers for the sale of pre-kindergarten services pursuant to the Pre-Kindergarten Act may be deducted from gross receipts.

C. A taxpayer allowed a deduction pursuant to this section shall report the amount of the deduction separately in a manner required by the department.

D. The department shall compile an annual report on the deductions provided by this section that shall include the number of taxpayers that claimed each deduction, the aggregate amount of deductions claimed and any other information necessary to evaluate the effectiveness of the deductions. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the deductions.

E. As used in this section:

(1) "child care assistance" means "child care assistance" or "early childhood care assistance", as those terms are defined in the Early Childhood Care Accountability Act; and

(2) "licensed child care assistance program" means "licensed child care program", "licensed early childhood care program" or "licensed exempt child care program", as those terms are defined in the Early Childhood Care Accountability Act."

Chapter 67 Section 14 Laws 2024

SECTION 14. A new section of the Gross Receipts and Compensating Tax Act is enacted to read:

"CREDIT--GROSS RECEIPTS TAX--LEGAL SERVICES FOR WILDFIRE COMPENSATION RECOVERY.--

A. A taxpayer who sells legal services to and at the request of a person eligible to receive compensation pursuant to the federal Hermit's Peak/Calf Canyon Fire Assistance Act may claim a tax credit against gross receipts taxes due in an amount equal to the amount of gross receipts tax due on the receipt for the sale; provided that:

(1) the legal services are directly related to recovering the compensation;

(2) the taxpayer did not pass the amount of gross receipts tax on to the person eligible to receive the federal compensation; and

(3) the legal services were sold to a person who states in writing in a manner that the department may require that the person is eligible to receive the federal compensation, the services were directly related to recovering the compensation and the gross receipts tax was not passed on to the person.

B. A taxpayer may claim the tax credit for the taxable period in which the legal services are provided. To receive the credit, the taxpayer shall apply to the department on forms and in a manner prescribed by the department. The maximum aggregate amount of tax credits that may be allowed in a fiscal year is five million dollars (\$5,000,000). Completed applications shall be considered in the order received. Applications received after the aggregate amount has been met shall not be approved.

C. That portion of the tax credit claimed by a taxpayer that exceeds the taxpayer's gross receipts tax liability in the taxable period in which the credit is claimed shall not be refunded to the taxpayer but may be carried forward for thirty-six consecutive taxable periods.

D. As used in this section, "legal services" means services performed by a licensed attorney for a client, regardless of the attorney's form of business entity or whether the services are prepaid, including legal representation before courts or administrative agencies; drafting legal documents, such as contracts or patent applications; legal research; advising and counseling; arbitration; mediation; and notary public and other ancillary legal services performed for a client in conjunction with a

licensed attorney. "Legal services" does not include lobbying or government relations services, title insurance agent services, licensing or selling legal software or legal document templates, insurance investigation services or any legal representation involving financial crimes or tax evasion in New Mexico."

Chapter 67 Section 15 Laws 2024

SECTION 15. A new section of the Gross Receipts and Compensating Tax Act is enacted to read:

"~~CREDIT--GROSS RECEIPTS TAX--SALE OF DYED SPECIAL FUEL USED FOR AGRICULTURAL PURPOSES.--~~

A. Prior to July 1, 2029, a taxpayer who sells special fuel dyed in accordance with federal regulations may claim a tax credit against gross receipts taxes due in an amount equal to the amount of any gross receipts tax due on the receipt for sale; provided that:

(1) the taxpayer did not pass the amount of gross receipts tax on to the person purchasing the special fuel; and

(2) the special fuel is sold to a person who states in writing in a manner that the department may require that the person will use the special fuel primarily for agricultural purposes and the gross receipts tax was not passed on to the person.

B. A taxpayer may claim the tax credit for the taxable period in which the special fuel is sold. To receive the credit, the taxpayer shall apply to the department on forms and in a manner prescribed by the department. The maximum aggregate amount of tax credits that may be allowed in a fiscal year is ten million dollars (\$10,000,000). Completed applications shall be considered in the order received. Applications received after the aggregate amount has been met shall not be approved.

C. That portion of the tax credit claimed by a taxpayer that exceeds the taxpayer's gross receipts tax liability in the taxable period in which the credit is claimed shall not be refunded to the taxpayer but may be carried forward for thirty-six consecutive taxable periods."

Chapter 67 Section 16 Laws 2024

~~[SECTION 16. Section 7-29-4 NMSA 1978 (being Laws 1980, Chapter 62, Section 5, as amended) is amended to read:~~

~~"7-29-4. OIL AND GAS SEVERANCE TAX IMPOSED--COLLECTION--
INTEREST OWNER'S LIABILITY TO STATE--INDIAN LIABILITY--EXCLUSIONS.--~~

A.—There is imposed and shall be collected by the department a tax on all products that are severed and sold, except as provided in Subsection B of this section. The measure of the tax and the rates are:

(1)—on natural gas severed and sold, except as provided in Paragraphs (4), (6) and (7) of this subsection, three and three-fourths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978;

(2)—on oil and on other liquid hydrocarbons removed from natural gas at or near the wellhead, except as provided in Paragraphs (3), (5), (8) and (9) of this subsection, three and three-fourths percent of taxable value determined pursuant to Section 7-29-4.1 NMSA 1978;

(3)—on oil and on other liquid hydrocarbons removed from natural gas at or near the wellhead produced from a qualified enhanced recovery project, one and seven-eighths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978, provided that the annual average price of west Texas intermediate crude oil, determined by the department by averaging the posted prices in effect on the last day of each month of the twelve-month period ending on May 31 prior to the fiscal year in which the tax rate is to be imposed, was less than twenty-eight dollars (\$28.00) per barrel;

(4)—on the natural gas from a well workover project that is certified by the oil conservation division of the energy, minerals and natural resources department in its approval of the well workover project, two and forty-five hundredths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978, provided that the annual average price of west Texas intermediate crude oil, determined by the department by averaging the posted prices in effect on the last day of each month of the twelve-month period ending on May 31 prior to the fiscal year in which the tax rate is to be imposed, was less than twenty-four dollars (\$24.00) per barrel;

(5)—on the oil and on other liquid hydrocarbons removed from natural gas at or near the wellhead from a well workover project that is certified by the oil conservation division of the energy, minerals and natural resources department in its approval of the well workover project, two and forty-five hundredths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978, provided that the annual average price of west Texas intermediate crude oil, determined by the department by averaging the posted prices in effect on the last day of each month of the twelve-month period ending on May 31 prior to the fiscal year in which the tax rate is to be imposed, was less than twenty-four dollars (\$24.00) per barrel;

(6)—on the natural gas from a stripper well property, one and seven-eighths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978, provided the average annual taxable value of natural gas was equal to or less than one dollar fifteen cents (\$1.15) per thousand cubic feet in the calendar year preceding July 1 of the fiscal year in which the tax rate is to be imposed;

~~(7) — on the natural gas from a stripper well property, two and thirteen-sixteenths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978, provided that the average annual taxable value of natural gas was greater than one dollar fifteen cents (\$1.15) per thousand cubic feet but not more than one dollar thirty five cents (\$1.35) per thousand cubic feet in the calendar year preceding July 1 of the fiscal year in which the tax rate is to be imposed;~~

~~(8) — on the oil and on other liquid hydrocarbons removed from natural gas at or near the wellhead from a stripper well property, one and seven-eighths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978, provided that the average annual taxable value of oil was equal to or less than fifteen dollars (\$15.00) per barrel in the calendar year preceding July 1 of the fiscal year in which the tax rate is to be imposed;~~

~~(9) — on the oil and on other liquid hydrocarbons removed from natural gas at or near the wellhead from a stripper well property, two and thirteen-sixteenths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978, provided that the average annual taxable value of oil was greater than fifteen dollars (\$15.00) per barrel but not more than eighteen dollars (\$18.00) per barrel in the calendar year preceding July 1 of the fiscal year in which the tax rate is to be imposed; and~~

~~(10) — on carbon dioxide, helium and non-hydrocarbon gases, three and three-fourths percent of the taxable value determined pursuant to Section 7-29-4.1 NMSA 1978.~~

B. — The tax imposed in Subsection A of this section shall not be imposed on:

~~(1) — natural gas severed and sold from a production restoration project during the first ten years of production following the restoration of production, provided that the annual average price of west Texas intermediate crude oil, determined by the department by averaging the posted prices in effect on the last day of each month of the twelve-month period ending on May 31 prior to each fiscal year in which the tax exemption is to be effective, was less than twenty four dollars (\$24.00) per barrel;~~

~~(2) — beginning July 1, 2024, natural gas severed from a stripper well property and sold from a production compliance project during the first ten years of production following the completion of the project or until the date the total amount of tax that would have been imposed but for this subsection equals the cost of the production compliance project, whichever occurs first;~~

~~(3) — beginning July 1, 2024, oil and other liquid hydrocarbons removed from natural gas at or near the wellhead from a stripper well property production compliance project during the first ten years of production following the completion of the project or until the date the total amount of tax that would have been imposed but for~~

~~this subsection equals the cost of the production compliance project, whichever occurs first; and~~

~~(4) — oil and other liquid hydrocarbons removed from natural gas at or near the wellhead from a production restoration project during the first ten years of production following the restoration of production, provided that the annual average price of west Texas intermediate crude oil, determined by the department by averaging the posted prices in effect on the last day of each month of the twelve-month period ending on May 31 prior to each fiscal year in which the tax exemption is to be effective, was less than twenty-four dollars (\$24.00) per barrel.~~

~~C. — Every interest owner shall be liable for the tax to the extent of the interest owner's interest in such products. Any Indian tribe, Indian pueblo or Indian shall be liable for the tax to the extent authorized or permitted by law.~~

~~D. — The tax imposed by this section may be referred to as the "oil and gas severance tax".~~

~~E. — As used in this section, "production compliance project" means a procedure undertaken by the operator of a natural gas or crude oil well that, in order to continue production from the well, is required by rules promulgated on or after May 25, 2021 by the oil conservation commission to reduce the venting and flaring of natural gas from wells and production equipment and facilities and of natural gas from natural gas gathering systems or by the environmental improvement board to reduce ambient ozone concentrations."] *LINE ITEM VETO*~~

Chapter 67 Section 17 Laws 2024

~~[SECTION 17. Section 7-29B-1 NMSA 1978 (being Laws 1995, Chapter 15, Section 1) is amended to read:~~

~~"7-29B-1. SHORT TITLE. — Chapter 7, Article 29B NMSA 1978 may be cited as the "Natural Gas and Crude Oil Production Incentive Act"."] *LINE ITEM VETO*~~

Chapter 67 Section 18 Laws 2024

~~[SECTION 18. Section 7-29B-2 NMSA 1978 (being Laws 1995, Chapter 15, Section 2, as amended by Laws 1999, Chapter 7, Section 2 and as further amended by Laws 1999, Chapter 256, Section 3) is amended to read:~~

~~"7-29B-2. DEFINITIONS. — As used in the Natural Gas and Crude Oil Production Incentive Act:~~

~~A. "average annual taxable value" means the average of the taxable value per barrel, determined pursuant to Section 7-31-5 NMSA 1978, of all oil produced in New Mexico for the specified calendar year as determined by the department;~~

~~B. "average daily production" means, for any crude oil or natural gas property assigned a single production number by the department, the number derived by dividing the total volume of crude oil or natural gas production from the property reported to the division during a calendar year by the sum of the number of days each eligible well within the property produced or injected during that calendar year;~~

~~C. "department" means the taxation and revenue department;~~

~~D. "division" means the oil conservation division of the energy, minerals and natural resources department;~~

~~E. "eligible well" means a crude oil or natural gas well that produces or an injection well that injects and is integral to production for any period of time during the preceding calendar year;~~

~~F. "natural gas" means any combustible vapor composed chiefly of hydrocarbons occurring naturally;~~

~~G. "operator" means the person responsible for the actual physical operation of a natural gas or oil well;~~

~~H. "person" means any individual or other legal entity, including any group or combination of individuals or other legal entities acting as a unit;~~

~~I. "production compliance project" means a procedure undertaken by the operator of a natural gas or crude oil well that, in order to continue production from the well, is required by rules promulgated on or after May 25, 2021 by the oil conservation commission to reduce the venting and flaring of natural gas from wells and production equipment and facilities and of natural gas from natural gas gathering systems or by the environmental improvement board to reduce ambient ozone concentrations;~~

~~J. "production restoration incentive tax exemption" means the tax exemption set forth in Subsection B of Section 7-29-4 NMSA 1978 for natural gas or oil produced from a production restoration project;~~

~~K. "production restoration project" means the use of any process for returning to production a natural gas or oil well that had thirty days or less of production in any period of twenty-four consecutive months beginning on or after January 1, 1993 as approved and certified by the division;~~

~~L. "severance" means the taking from the soil of any product in any manner whatsoever;~~

~~M. "stripper well property" means a crude oil or natural gas producing property that is assigned a single production unit number by the department and;~~

~~(1) — if a crude oil producing property, produced an average daily production of less than ten barrels of oil per eligible well per day for the preceding calendar year;~~

~~(2) — if a natural gas producing property, produced an average daily production of less than sixty thousand cubic feet of natural gas per eligible well per day during the preceding calendar year; or~~

~~(3) — if a property with wells that produce both crude oil and natural gas, produced an average daily production of less than ten barrels of oil per eligible well per day for the preceding calendar year, as determined by converting the volume of natural gas produced by the well to barrels of oil by using a ratio of six thousand cubic feet to one barrel of oil;~~

~~N. "stripper well incentive tax rates" means the tax rates set forth in Paragraphs (6) through (9) of Subsection A of Section 7-29-4 NMSA 1978 and in Paragraphs (4) through (7) of Subsection A of Section 7-31-4 NMSA 1978 for natural gas or oil produced from a well within a stripper well property;~~

~~O. "well workover incentive tax rate" means the tax rate set forth in Paragraphs (4) and (5) of Subsection A of Section 7-29-4 NMSA 1978 on the natural gas or oil produced from a well workover project; and~~

~~P. "well workover project" means any procedure undertaken by the operator of a natural gas or oil well that is intended to increase the production from the well and that has been approved and certified by the division."] LINE ITEM VETO~~

Chapter 67 Section 19 Laws 2024

~~[SECTION 19. Section 7-29B-3 NMSA 1978 (being Laws 1995, Chapter 15, Section 3, as amended by Laws 1999, Chapter 7, Section 3 and as further amended by Laws 1999, Chapter 256, Section 4) is amended to read:~~

~~"7-29B-3. APPROVAL OF PRODUCTION RESTORATION PROJECTS, PRODUCTION COMPLIANCE PROJECTS, WELL WORKOVER PROJECTS AND STRIPPER WELL PROPERTIES.--~~

~~A. — A natural gas or oil well shall be approved by the division as a production restoration project if:~~

~~(1) — the operator of the well makes application to the division in accordance with the provisions of the Natural Gas and Crude Oil Production Incentive Act and rules adopted pursuant to that act for approval of a production restoration project and the application is made within twelve months of the completion of the production restoration project; and~~

~~(2) — the division records show that the well had thirty days or less of production in any period of twenty-four consecutive months beginning on or after January 1, 1993.~~

~~B. — A natural gas or crude oil well shall be approved by the division as a production compliance project if:~~

~~(1) — the operator of the well makes an application to the division in accordance with the provisions of the Natural Gas and Crude Oil Production Incentive Act and rules adopted pursuant to that act for approval of a production compliance project and the application is made within twelve months of the completion of the production compliance project;~~

~~(2) — in order to continue production, the production compliance project was required by rules promulgated on or after May 25, 2021 by the oil conservation commission to reduce the venting and flaring of natural gas from wells and production equipment and facilities and of natural gas from natural gas gathering systems or by the environmental improvement board to reduce ambient ozone concentrations;~~

~~(3) — the well is approved and certified by the division as a stripper well property;~~

~~(4) — the operator of the well has total production in New Mexico of not more than one thousand barrels of oil equivalent per day; and~~

~~(5) — the production compliance project was implemented to install, upgrade or replace the following well equipment, as approved by the division:~~

~~(a) — tank controls;~~

~~(b) — pneumatic devices;~~

~~(c) — actuators;~~

~~(d) — vapor recovery units;~~

~~(e) — forward-looking infrared cameras; and~~

~~(f) — smokeless combustion chambers.~~

~~C. — A natural gas or oil well shall be approved by the division as a well workover project if:~~

~~(1) — the operator of the well makes application to the division in accordance with the provisions of the Natural Gas and Crude Oil Production Incentive Act and rules adopted pursuant to that act for approval of a well workover project;~~

~~(2) — the division determines that the procedure performed by the operator of the well is a procedure to increase the production from the well, but is not routine maintenance performed by a prudent operator to maintain the well in operation. Such procedures may include, but are not limited to:~~

~~(a) — re-entry into the well to drill deeper, to sidetrack to a different location or to recomplete for production;~~

~~(b) — recompletion by reperforation of a zone from which natural gas or oil has been produced or by perforation of a different zone;~~

~~(c) — repair or replacement of faulty or damaged casing or related downhole equipment;~~

~~(d) — fracturing, acidizing or installing compression equipment; or~~

~~(e) — squeezing, cementing or installing equipment necessary for removal of excessive water, brine or condensate from the well bore in order to establish, continue or increase production from the well; and~~

~~(3) — the operator of the well submits to the division evidence of a positive production increase over the production rate of the well prior to the workover. The operator must submit a production curve or tabulation made up of at least twelve months' production prior to the workover and at least three months' production following the workover that reflects a positive production increase from the workover. The production curve or tabulation must be certified by the operator as that of the well on which a workover was performed.~~

~~D. — A natural gas or crude oil producing property shall be approved and certified by the division as a stripper well property if the division records show that the property is assigned a single production unit number by the department and:~~

~~(1) — if a crude oil producing property, produced an average daily production of less than ten barrels of oil per eligible well per day for the preceding calendar year;~~

~~(2) — if a natural gas producing property, produced an average daily production of less than sixty thousand cubic feet of natural gas per eligible well per day during the preceding calendar year; or~~

~~(3) — if a property with wells that produce both crude oil and natural gas, produced an average daily production of less than ten barrels of oil per eligible well per day for the preceding calendar year, as determined by converting the volume of natural gas produced by the well to barrels of oil by using a ratio of six thousand cubic feet to one barrel of oil."] *LINE ITEM VETO*~~

Chapter 67 Section 20 Laws 2024

[SECTION 20. Section 7-29B-4 NMSA 1978 (being Laws 1995, Chapter 15, Section 4, as amended) is amended to read:

~~"7-29B-4. APPLICATION PROCEDURES--CERTIFICATION OF APPROVAL--RULES--ADMINISTRATION.--~~

~~A.——The operator of a proposed production restoration project, production compliance project or well workover project shall apply to the division for approval of a production restoration project, production compliance project or a well workover project in the form and manner prescribed by the division and shall provide any relevant material and information the division requires for that approval.~~

~~B.——Upon a determination that the project complies with the provisions of the Natural Gas and Crude Oil Production Incentive Act and rules adopted pursuant to that act, the division shall approve the application and shall issue a certification of approval to the operator and designate the natural gas or oil well as a production restoration project, production compliance project or well workover project, as applicable.~~

~~C.——In addition to the powers enumerated in Section 70-2-12 NMSA 1978, the division shall adopt, promulgate and enforce rules to carry out the provisions of the Natural Gas and Crude Oil Production Incentive Act.~~

~~D.——The division shall consider and approve applications for approval of a production restoration project, production compliance project or well workover project without holding hearings on the applications. If the division denies approval of an application pursuant to such a process, the division, upon the request of the applicant, shall set a hearing of the application before an examiner appointed by the division to conduct the hearing. The hearing shall be conducted in accordance with the provisions of the Oil and Gas Act for such hearings.]"~~ *LINE ITEM VETO*

Chapter 67 Section 21 Laws 2024

[SECTION 21. Section 7-29B-5 NMSA 1978 (being Laws 1995, Chapter 15, Section 5, as amended) is amended to read:

~~"7-29B-5. NOTICE TO SECRETARY OF TAXATION AND REVENUE.--The division shall notify immediately the secretary of taxation and revenue upon:~~

~~A.——adoption of rules pursuant to the provisions of the Natural Gas and Crude Oil Production Incentive Act;~~

~~B.——certification of the date that production has been restored on a production restoration project;~~

C. ~~certification of the date that a production compliance project has been completed;~~

D. ~~certification of the date that a well workover project has been completed;~~
and

E. ~~certification of the stripper well properties for the fiscal year."] LINE ITEM~~
~~VETO~~

Chapter 67 Section 22 Laws 2024

[SECTION 22. Section 7-29B-6 NMSA 1978 (being Laws 1995, Chapter 15, Section 6, as amended) is amended to read:

~~"7-29B-6. QUALIFICATION FOR PRODUCTION RESTORATION INCENTIVE TAX EXEMPTION, PRODUCTION COMPLIANCE PROJECT TAX EXEMPTION AND WELL WORKOVER AND STRIPPER WELL PROPERTY INCENTIVE TAX RATE-- SECRETARY OF TAXATION AND REVENUE APPROVAL--REFUND.--~~

A. ~~The person responsible for paying the oil and gas severance tax on natural gas or oil produced from a production restoration project shall qualify to receive a ten-year production restoration incentive tax exemption upon:~~

~~(1) application to the department in the form and manner prescribed by the department for approval for the ten-year production restoration incentive tax exemption;~~

~~(2) submission of the certification of approval from the division and designation of the natural gas or oil well as a production restoration project; and~~

~~(3) submission of any other relevant material that the secretary of taxation and revenue deems necessary to administer the applicable provisions of the Natural Gas and Crude Oil Production Incentive Act.~~

B. ~~The person responsible for paying the oil and gas severance tax on natural gas or oil produced from a production compliance project shall qualify to receive a production compliance project tax exemption upon:~~

~~(1) application to the department in the form and manner prescribed by the department for approval of the production compliance project tax exemption;~~

~~(2) submission of the certification of approval from the division and designation of the natural gas or oil well as a production compliance project;~~

~~(3) submission to the department of verifiable total costs of compliance for the production compliance project for payout purposes; and~~

~~(4) — submission of any other relevant material that the department deems necessary to administer the applicable provisions of the Natural Gas and Crude Oil Production Incentive Act.~~

~~C. — The person responsible for payment of the oil and gas severance tax on natural gas or oil produced from a well workover project shall qualify for the well workover incentive tax rate on all the natural gas or oil produced by that project upon:~~

~~(1) — application to the department in the form and manner prescribed by the department for approval to apply the well workover incentive tax rate to the natural gas or oil produced from a well workover project;~~

~~(2) — submission of the certification from the division of approval and designation of the natural gas or oil well as a well workover project; and~~

~~(3) — any other relevant material that the department considers necessary to administer the applicable provisions of the Natural Gas and Crude Oil Production Incentive Act.~~

~~D. — The person responsible for paying the oil and gas severance tax and the oil and gas emergency school tax on natural gas and crude oil produced from a stripper well property shall qualify to receive the stripper well property incentive tax rate for the fiscal year following certification by the division in the form and manner agreed to by the division and the department designating the property as a stripper well property. The division shall certify stripper well properties for calendar year 1998 no later than June 30, 1999 and no later than June 1 of each succeeding year for the preceding calendar year.~~

~~E. — The production restoration incentive tax exemption shall apply to natural gas or oil produced from a production restoration project beginning the first day of the month following the date the division certifies that production has been restored and ending the last day of the tenth year of production following that date. The well workover incentive tax rate applies to the natural gas or oil produced from a well workover project beginning the first day of the month following the date the division certifies that the well workover project has been completed. The stripper well property incentive tax rates apply to the natural gas or oil produced from a stripper well property in the twelve months beginning May 1 prior to July 1 of the fiscal year to which the certification of the property as a stripper well property applies.~~

~~F. — The person responsible for payment of the oil and gas severance tax on natural gas or oil production from an approved well workover project may file a claim for credit against current tax liability or for refund in accordance with Section 7-1-26 NMSA 1978 for taxes paid in excess of the amount due using the well workover incentive tax rate. Notwithstanding the provisions of Subsection E of Section 7-1-26 NMSA 1978, any such refund granted shall be made in the form of a credit against any future oil and gas severance tax liabilities incurred by the taxpayer.~~

~~G.— Well workover projects certified prior to July 1, 1999 shall be deemed to be approved and certified in accordance with the provisions of this 1999 act and natural gas or oil produced from those projects shall be eligible for the well workover incentive tax rate effective beginning July 1, 1999.~~

~~H.— The secretary of taxation and revenue may adopt and promulgate rules to enforce the provisions of this section.—] *LINE ITEM VETO*~~

Chapter 67 Section 23 Laws 2024

SECTION 23. Section 7-2-18.16 NMSA 1978 (being Laws 2007, Chapter 45, Section 10) is amended to read:

"7-2-18.16. CREDIT--SPECIAL NEEDS ADOPTED CHILD TAX CREDIT--
CREATED--QUALIFICATIONS--DURATION OF CREDIT.--

A. A taxpayer who files an individual New Mexico income tax return, who is not a dependent of another individual and who adopts a special needs child on or after January 1, 2007 or has adopted a special needs child prior to January 1, 2007, may claim a credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act. The credit authorized pursuant to this section may be referred to as the "special needs adopted child tax credit".

B. A taxpayer may claim and the department may allow a special needs adopted child tax credit in the amount of one thousand five hundred dollars (\$1,500) to be claimed against the taxpayer's tax liability for the taxable year imposed pursuant to the Income Tax Act.

C. A taxpayer may claim a special needs adopted child tax credit for each year that the child may be claimed as a dependent for federal taxation purposes by the taxpayer.

D. If the amount of the special needs adopted child tax credit due to the taxpayer exceeds the taxpayer's individual income tax liability, the excess shall be refunded.

E. Married individuals who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half of the special needs adopted child tax credit provided in this section that would have been allowed on a joint return.

F. A taxpayer allowed a tax credit pursuant to this section shall report the amount of the credit to the department in a manner required by the department.

G. The department shall compile an annual report on the credit provided by this section that shall include the number of taxpayers approved by the department to

receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

H. As used in this section, "special needs adopted child" means an individual who may be over eighteen years of age and who is certified by the children, youth and families department or a licensed child placement agency as meeting the definition of a "difficult to place child" pursuant to the Adoption Act; provided, however, if the classification as a "difficult to place child" is based on a physical or mental impairment or an emotional disturbance the physical or mental impairment or emotional disturbance shall be at least moderately disabling."

Chapter 67 Section 24 Laws 2024

SECTION 24. A new section of the Income Tax Act is enacted to read:

"DEDUCTION--SCHOOL SUPPLIES PURCHASED BY A PUBLIC SCHOOL TEACHER.--

A. A taxpayer who is not a dependent of another individual and is a public school teacher may claim a deduction from net income in an amount equal to the costs of school supplies purchased by the public school teacher in a taxable year, not to exceed:

(1) for a taxable year beginning on January 1, 2024 and prior to January 1, 2025, five hundred dollars (\$500); and

(2) for a taxable year beginning on January 1, 2025 and prior to January 1, 2029, one thousand dollars (\$1,000).

B. To claim a deduction pursuant to this section, a taxpayer shall submit to the department information required by the secretary establishing that the taxpayer is eligible to claim a deduction pursuant to this section.

C. A taxpayer allowed a deduction pursuant to this section shall report the amount of the deduction to the department in a manner required by the department.

D. The department shall compile an annual report on the deduction provided by this section that shall include the number of taxpayers approved by the department to receive the deduction, the aggregate amount of deductions approved and any other information necessary to evaluate the deduction. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the deduction.

E. As used in this section:

(1) "public school teacher" means a person who is licensed as a teacher pursuant to the Public School Code and who teaches at a public school, as that term is defined in the Public School Code; and

(2) "school supplies" means items purchased by a public school teacher and used by the students of the teacher in the teacher's classroom for educational purposes, including notebooks, paper, writing instruments, crayons, art supplies, rulers, maps and globes, but not including computers or other similar digital devices, watches, radios, digital music players, headphones, sporting equipment, portable or desktop telephones, cellular telephones or other electronic communication devices, copiers, office equipment, furniture or fixtures."

Chapter 67 Section 25 Laws 2024

SECTION 25. Section 7-2-18.24 NMSA 1978 (being Laws 2009, Chapter 271, Section 1) is amended to read:

"7-2-18.24. GEOTHERMAL GROUND-COUPLED HEAT PUMP INCOME TAX CREDIT.--

A. A taxpayer who files an individual New Mexico income tax return for a taxable year beginning on or after January 1, 2024 and who purchases and installs after the effective date of this section but before December 31, 2034 a geothermal ground-coupled heat pump in a residence, business or agricultural enterprise in New Mexico owned by that taxpayer may apply for, and the department may allow, a tax credit of up to thirty percent of the purchase and installation costs of the system. The credit provided in this section may be referred to as the "geothermal ground-coupled heat pump income tax credit". The total geothermal ground-coupled heat pump income tax credit allowed to a taxpayer shall not exceed nine thousand dollars (\$9,000). The department shall allow a geothermal ground-coupled heat pump income tax credit only for geothermal ground-coupled heat pumps that are installed by a nationally accredited ground source heat pump installer certified by the energy, minerals and natural resources department.

B. That portion of a geothermal ground-coupled heat pump income tax credit that exceeds a taxpayer's tax liability in the taxable year in which the credit is claimed shall be refunded to the taxpayer.

C. The energy, minerals and natural resources department shall adopt rules establishing procedures to provide certification of geothermal ground-coupled heat pumps for purposes of obtaining a geothermal ground-coupled heat pump income tax credit. The rules shall address technical specifications and requirements relating to safety, building code and standards compliance, minimum system sizes, system applications and lists of eligible components. The energy, minerals and natural resources department may modify the specifications and requirements as necessary to maintain a high level of system quality and performance.

D. The maximum annual aggregate of credits that may be certified in a calendar year by the energy, minerals and natural resources department is four million dollars (\$4,000,000). That department shall not certify a tax credit for which a taxpayer claims a 2021 sustainable building tax credit using a geothermal ground-coupled heat pump as a component of qualification for the rating system certification level used in determining eligibility for that credit. Applications for the credit shall be considered in the order received by the department.

E. A taxpayer who otherwise qualifies and claims a geothermal ground-coupled heat pump income tax credit with respect to property owned by a partnership or other business association of which the taxpayer is a member may claim a credit only in proportion to that taxpayer's interest in the partnership or association. The total credit claimed in the aggregate by all members of the partnership or association with respect to the property shall not exceed the amount of the credit that could have been claimed by a sole owner of the property.

F. Married individuals who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half of the credit that would have been allowed on a joint return.

G. A taxpayer allowed a tax credit pursuant to this section shall report the amount of the credit to the department in a manner required by the department.

H. The department shall compile an annual report on the tax credit provided by this section that shall include the number of taxpayers approved by the department to receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

I. As used in this section, "geothermal ground-coupled heat pump" means a heating and refrigerating system that directly or indirectly utilizes available heat below the surface of the earth for distribution of heating and cooling or domestic hot water and that has either a minimum coefficient of performance of three and four-tenths or an efficiency ratio of sixteen or greater."

Chapter 67 Section 26 Laws 2024

SECTION 26. Section 7-2A-24 NMSA 1978 (being Laws 2009, Chapter 271, Section 2) is amended to read:

"7-2A-24. GEOTHERMAL GROUND-COUPLED HEAT PUMP CORPORATE INCOME TAX CREDIT.--

A. A taxpayer that files a New Mexico corporate income tax return for a taxable year beginning on or after January 1, 2024 and that purchases and installs after

the effective date of this section but before December 31, 2034 a geothermal ground-coupled heat pump in a property owned by the taxpayer may claim against the taxpayer's corporate income tax liability, and the department may allow, a tax credit of up to thirty percent of the purchase and installation costs of the system. The credit provided in this section may be referred to as the "geothermal ground-coupled heat pump corporate income tax credit". The total geothermal ground-coupled heat pump corporate income tax credit allowed to a taxpayer shall not exceed nine thousand dollars (\$9,000). The department shall allow a geothermal ground-coupled heat pump corporate income tax credit only for geothermal ground-coupled heat pumps that are installed by a nationally accredited ground source heat pump installer certified by the energy, minerals and natural resources department.

B. That portion of a geothermal ground-coupled heat pump corporate income tax credit that exceeds a taxpayer's tax liability in the taxable year in which the credit is claimed shall be refunded to the taxpayer.

C. The energy, minerals and natural resources department shall adopt rules establishing procedures to provide certification of geothermal ground-coupled heat pumps for purposes of obtaining a geothermal ground-coupled heat pump corporate income tax credit. The rules shall address technical specifications and requirements relating to safety, building code and standards compliance, minimum system sizes, system applications and lists of eligible components. The energy, minerals and natural resources department may modify the specifications and requirements as necessary to maintain a high level of system quality and performance.

D. The maximum annual aggregate of credits that may be certified in a calendar year by the energy, minerals and natural resources department is four million dollars (\$4,000,000). That department shall not certify a tax credit for which a taxpayer claims a 2021 sustainable building tax credit using a geothermal ground-coupled heat pump as a component of qualification for the rating system certification level used in determining eligibility for that credit. Applications for the credit shall be considered in the order received by the department.

E. A taxpayer allowed a tax credit pursuant to this section shall report the amount of the credit to the department in a manner required by the department.

F. The department shall compile an annual report on the tax credit provided by this section that shall include the number of taxpayers approved by the department to receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

G. As used in this section, "geothermal ground-coupled heat pump" means a heating and refrigerating system that directly or indirectly utilizes available heat below the surface of the earth for distribution of heating and cooling or domestic hot water and

that has either a minimum coefficient of performance of three and four-tenths or an efficiency ratio of sixteen or greater."

Chapter 67 Section 27 Laws 2024

SECTION 27. A new section of the Income Tax Act is enacted to read:

"CLEAN CAR INCOME TAX CREDIT.--

A. A taxpayer who is not a dependent of another individual and who, beginning on the effective date of this section and prior to January 1, 2030, purchases an electric vehicle, plug-in hybrid electric vehicle or fuel cell vehicle or enters into a new lease of at least three years for one of these vehicles may claim a tax credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act in an amount provided in Subsection B of this section. The tax credit provided by this section may be referred to as the "clean car income tax credit".

B. The amount of the tax credit shall be in an amount equal to:

(1) for taxable years beginning January 1, 2024 and prior to January 1, 2027:

(a) three thousand dollars (\$3,000) for a new electric vehicle;

(b) two thousand five hundred dollars (\$2,500) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) two thousand five hundred dollars (\$2,500) for a previously owned electric vehicle; and

(d) two thousand dollars (\$2,000) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle;

(2) for a taxable year beginning January 1, 2027 and prior to January 1, 2028:

(a) two thousand two hundred twenty dollars (\$2,220) for a new electric vehicle;

(b) one thousand eight hundred fifty dollars (\$1,850) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) one thousand eight hundred fifty dollars (\$1,850) for a previously owned electric vehicle; and

(d) one thousand four hundred eighty dollars (\$1,480) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle;

(3) for a taxable year beginning on January 1, 2028 and prior to January 1, 2029:

(a) one thousand four hundred seventy dollars (\$1,470) for a new electric vehicle;

(b) one thousand two hundred twenty-five dollars (\$1,225) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) one thousand two hundred twenty-five dollars (\$1,225) for a previously owned electric vehicle; and

(d) nine hundred eighty dollars (\$980) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle; and

(4) for the taxable year beginning January 1, 2029:

(a) nine hundred sixty dollars (\$960) for a new electric vehicle;

(b) eight hundred dollars (\$800) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) eight hundred dollars (\$800) for a previously owned electric vehicle; and

(d) six hundred forty dollars (\$640) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle.

C. For a previously owned motor vehicle to be eligible for the tax credit, the vehicle shall have a model year that is at least two years prior to the calendar year in which the taxpayer purchased or leased the vehicle.

D. A taxpayer shall apply for certification of eligibility for the tax credit from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. Except as provided in Subsections I and J of this section, only one tax credit shall be certified per taxpayer per taxable year, and only one tax credit shall be certified per previously owned motor vehicle. The energy, minerals and natural resources department may promulgate rules governing the procedure for administering the provisions of this subsection.

E. An application for certification of eligibility shall include proof of vehicle purchase from or lease through a dealer licensed by the motor vehicle division of the department pursuant to Section 66-4-2 NMSA 1978 or a dealer located on tribal land

within New Mexico, the vehicle's registration or application for title and registration in New Mexico and any additional information the energy, minerals and natural resources department may require to determine eligibility for the credit. If the energy, minerals and natural resources department determines that the taxpayer meets the requirements of this section, that department shall issue a dated certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable years in which the credit may be claimed. The energy, minerals and natural resources department shall provide the department with the certificates of eligibility issued pursuant to this subsection in an electronic format at regularly agreed upon intervals.

F. Applications for certification of the tax credit shall be made no later than one year from the date on which the vehicle is purchased or the lease is entered into.

G. A certificate of eligibility for the tax credit may be sold, exchanged or otherwise transferred to another taxpayer for the full value of the credit. The parties to such a transaction shall notify the department of the sale, exchange or transfer within ten days of the sale, exchange or transfer in an electronic format prescribed by the department.

H. That portion of the tax credit claimed by a taxpayer that exceeds the taxpayer's income tax liability in the taxable year in which a clean car income tax credit is claimed shall be refunded to the taxpayer.

I. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the tax credit that would have been claimed on a joint return.

J. A taxpayer may be allocated the right to claim the tax credit in proportion to the taxpayer's ownership interest if the taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all of the requirements to be eligible for the credit. The total credit claimed by all members of the partnership or limited liability company shall not exceed the allowable credit pursuant to this section.

K. A taxpayer allowed to claim the tax credit shall claim the tax credit in a manner required by the department. The credit shall be claimed within three taxable years of the end of the year in which the energy, minerals and natural resources department certifies the credit.

L. As used in this section:

(1) "electric vehicle" means a motor vehicle that derives all of the vehicle's power from electricity stored in a battery that:

(a) has a capacity of not less than twenty-five kilowatt-hours;

(b) is capable of powering the vehicle for a range of at least one hundred miles; and

(c) is capable of being recharged from an external source of electricity;

(2) "fuel cell vehicle" means a motor vehicle that:

(a) uses a fuel cell to produce electricity that is used to drive an electric motor; and

(b) is capable of powering the vehicle for a range of at least one hundred miles;

(3) "motor vehicle" means a vehicle with four wheels that:

(a) is required under the Motor Vehicle Code to be registered in this state and that is registered in this state;

(b) is made by a manufacturer;

(c) is manufactured primarily for use on public streets, roads or highways;

(d) has not been modified from the original manufacturer specifications;

(e) is rated at not less than two thousand two hundred pounds unloaded base weight and not more than nine thousand seven hundred fifty pounds unloaded base weight;

(f) has a maximum speed capability of at least sixty-five miles per hour; and

(g) is purchased from or leased through a dealer licensed by the motor vehicle division of the department pursuant to Section 66-4-2 NMSA 1978 or a dealer located on tribal land within New Mexico;

(4) "new" means a motor vehicle that has a base manufacturer suggested retail price, before options and destination charges and before any taxes are imposed, of fifty-five thousand dollars (\$55,000) or less;

(5) "plug-in hybrid electric vehicle" means a motor vehicle that derives part of the vehicle's power from electricity stored in a battery that:

(a) has a capacity of not less than six kilowatt-hours;

(b) is capable of powering a vehicle for a range of at least thirty miles; and

(c) is capable of being recharged from an external source of electricity;

(6) "previously owned" means a motor vehicle that is not new, that has a market value of twenty-five thousand dollars (\$25,000) or less, that is certified by the dealer selling the motor vehicle and for which the dealer provides at least a one-year extended manufacturer's warranty against defects and repairs; and

(7) "tribal land" means all land owned by a tribe and located within the exterior boundaries of the tribe's reservation or grant and all land held by the United States in trust for the tribe."

Chapter 67 Section 28 Laws 2024

SECTION 28. A new section of the Income Tax Act is enacted to read:

"CLEAN CAR CHARGING UNIT INCOME TAX CREDIT.--

A. A taxpayer who is not a dependent of another individual and who, beginning on the effective date of this section and prior to January 1, 2030, purchases and installs an electric vehicle charging unit or fuel cell charging unit in New Mexico may claim a credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act in an amount provided in Subsection B of this section. The tax credit provided by this section may be referred to as the "clean car charging unit income tax credit".

B. The amount of tax credit shall be in an amount equal to:

(1) for a direct current fast charger or fuel cell charging unit, twenty-five thousand dollars (\$25,000) or the cost to purchase and install the direct current fast charger or fuel cell charging unit, whichever is less; and

(2) for all other electric vehicle charging units, four hundred dollars (\$400) or the cost to purchase and install the electric vehicle charging unit, whichever is less.

C. A taxpayer shall apply for certification of eligibility for the tax credit from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. Except as provided in Subsections H and I of this section, only one tax credit shall be certified for a direct current fast charger or a fuel cell charging unit per taxpayer per taxable year. The energy, minerals and natural resources department may issue rules governing the procedure for administering the provisions of this subsection.

D. An application for certification of eligibility shall include:

(1) a receipt for the purchase and installation of the electric vehicle charging unit or fuel cell charging unit;

(2) for electric vehicle charging units, a copy of the data sheet that specifies the connector type, plug type, voltage and current of the electric vehicle charging unit;

(3) for a fuel cell charging unit, technical specifications on the fuel dispensing unit and fuel storage system, including information about operational pressures of the fuel cell charging unit; and

(4) any other information the energy, minerals and natural resources department may require to evaluate eligibility for the credit.

E. If the energy, minerals and natural resources department determines that the taxpayer meets the requirements of this section, that department shall issue a dated certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable years in which the credit may be claimed. The energy, minerals and natural resources department shall provide the department certificates of eligibility issued in an electronic format at regularly agreed upon intervals.

F. An application for certification of the tax credit shall be made no later than one year from the date in which the electric vehicle charging unit or fuel cell charging unit for which the credit is claimed is purchased and installed.

G. That portion of tax credit that exceeds a taxpayer's income tax liability in the taxable year in which the credit is claimed shall be refunded to the taxpayer.

H. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the tax credit that would have been claimed on a joint return.

I. A taxpayer may be allocated the right to claim the tax credit in proportion to the taxpayer's ownership interest if the taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all requirements to be eligible for the credit. The total credit claimed by all members of the partnership or limited liability company shall not exceed the allowable credit pursuant to this section.

J. A taxpayer allowed to claim a tax credit pursuant to this section shall claim the tax credit in a manner required by the department. The credit shall be claimed within three taxable years of the end of the year in which the energy, minerals and natural resources department certifies the credit.

K. A taxpayer who claims the 2021 sustainable building tax credit for expenses of purchasing or installing an electric vehicle charging unit or fuel cell charging unit shall not be eligible to claim the tax credit provided by this section.

L. As used in this section:

(1) "direct current fast charger" means an electric vehicle charging unit that provides at least fifty kilowatts of direct current electrical power for charging an electric vehicle through a connector based on fast charging equipment standards and that is approved for installation for that purpose under the National Electrical Code through an underwriters laboratories certification or an equivalent certifying organization;

(2) "electric vehicle" means a motor vehicle subject to the registration fee pursuant to Section 66-6-2 or 66-6-4 NMSA 1978 that derives all of the vehicle's power from electricity stored in a battery that:

- (a) has a capacity of not less than twenty-five kilowatt-hours;
- (b) is capable of powering the vehicle for a range of at least one hundred miles; and
- (c) is capable of being recharged from an external source of electricity;

(3) "electric vehicle charging unit" means a device that:

- (a) is used to provide electricity to an electric vehicle or plug-in hybrid electric vehicle;
- (b) is designed to create a connection between an electricity source and the electric vehicle or plug-in hybrid electric vehicle; and
- (c) uses the electric vehicle's or plug-in hybrid electric vehicle's control system to ensure that electricity flows at an appropriate voltage and current level;

(4) "fuel cell charging unit" means a facility or unit that dispenses liquefied or compressed hydrogen for fuel cell vehicle refueling and that is approved for installation for that purpose under applicable codes and compliant with requirements of applicable certifying organizations;

(5) "fuel cell vehicle" means a motor vehicle subject to the registration fee pursuant to Section 66-6-2 or 66-6-4 NMSA 1978 that:

(a) uses a fuel cell to produce electricity that is used to drive an electric motor; and

(b) is capable of powering the vehicle for a range of at least one hundred miles; and

(6) "plug-in hybrid electric vehicle" means a motor vehicle subject to the registration fee pursuant to Section 66-6-2 or 66-6-4 NMSA 1978 that derives part of the vehicle's power from electricity stored in a battery that:

(a) has a capacity of not less than six kilowatt-hours;

(b) is capable of powering a vehicle for a range of at least thirty miles; and

(c) is capable of being recharged from an external source of electricity."

Chapter 67 Section 29 Laws 2024

SECTION 29. A new section of the Corporate Income and Franchise Tax Act is enacted to read:

"CLEAN CAR CORPORATE INCOME TAX CREDIT.--

A. A taxpayer that, beginning on the effective date of this section and prior to January 1, 2030, purchases an electric vehicle, plug-in hybrid electric vehicle or fuel cell vehicle or enters into a new lease of at least three years for one of these vehicles may claim a tax credit against the taxpayer's tax liability imposed pursuant to the Corporate Income and Franchise Tax Act in an amount provided in Subsection B of this section. The tax credit provided by this section may be referred to as the "clean car corporate income tax credit".

B. The amount of the tax credit shall be in an amount equal to:

(1) for taxable years beginning January 1, 2024 and prior to January 1, 2027:

(a) three thousand dollars (\$3,000) for a new electric vehicle;

(b) two thousand five hundred dollars (\$2,500) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) two thousand five hundred dollars (\$2,500) for a previously owned electric vehicle; and

(d) two thousand dollars (\$2,000) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle;

(2) for a taxable year beginning January 1, 2027 and prior to January 1, 2028:

(a) two thousand two hundred twenty dollars (\$2,220) for a new electric vehicle;

(b) one thousand eight hundred fifty dollars (\$1,850) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) one thousand eight hundred fifty dollars (\$1,850) for a previously owned electric vehicle; and

(d) one thousand four hundred eighty dollars (\$1,480) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle;

(3) for a taxable year beginning on January 1, 2028 and prior to January 1, 2029:

(a) one thousand four hundred seventy dollars (\$1,470) for a new electric vehicle;

(b) one thousand two hundred twenty-five dollars (\$1,225) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) one thousand two hundred twenty-five dollars (\$1,225) for a previously owned electric vehicle; and

(d) nine hundred eighty dollars (\$980) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle; and

(4) for the taxable year beginning January 1, 2029:

(a) nine hundred sixty dollars (\$960) for a new electric vehicle;

(b) eight hundred dollars (\$800) for a new plug-in hybrid electric vehicle or fuel cell vehicle;

(c) eight hundred dollars (\$800) for a previously owned electric vehicle; and

(d) six hundred forty dollars (\$640) for a previously owned plug-in hybrid electric vehicle or fuel cell vehicle.

C. For a previously owned vehicle to be eligible for the tax credit, the vehicle shall have a model year that is at least two years prior to the calendar year in which the taxpayer purchased or leased the vehicle.

D. A taxpayer shall apply for certification of eligibility for the tax credit from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. Only one tax credit shall be certified per taxpayer per taxable year. The energy, minerals and natural resources department may promulgate rules governing the procedure for administering the provisions of this subsection.

E. An application for certification of eligibility shall include proof of vehicle purchase from or lease through a dealer licensed by the motor vehicle division of the department pursuant to Section 66-4-2 NMSA 1978 or a dealer located on tribal land within New Mexico, the vehicle's registration or application for title and registration in New Mexico and any additional information the energy, minerals and natural resources department may require to determine eligibility for the credit. If the energy, minerals and natural resources department determines that the taxpayer meets the requirements of this section, that department shall issue a dated certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable years in which the credit may be claimed. The energy, minerals and natural resources department shall provide the department with the certificates of eligibility issued pursuant to this subsection in an electronic format at regularly agreed upon intervals.

F. Applications for certification of the tax credit shall be made no later than one year from the date on which the vehicle is purchased or the lease is entered into.

G. A certificate of eligibility for the tax credit may be sold, exchanged or otherwise transferred to another taxpayer for the full value of the credit. The parties to such a transaction shall notify the department of the sale, exchange or transfer within ten days of the sale, exchange or transfer in an electronic format prescribed by the department.

H. That portion of the tax credit claimed by a taxpayer that exceeds the taxpayer's income tax liability in the taxable year in which a clean car corporate income tax credit is claimed shall be refunded to the taxpayer.

I. A taxpayer allowed to claim the tax credit shall claim the tax credit in a manner required by the department. The credit shall be claimed within three taxable years of the end of the year in which the energy, minerals and natural resources department certifies the credit.

J. As used in this section:

(1) "electric vehicle" means a motor vehicle that derives all of the vehicle's power from electricity stored in a battery that:

(a) has a capacity of not less than twenty-five kilowatt-hours;

(b) is capable of powering the vehicle for a range of at least one hundred miles; and

(c) is capable of being recharged from an external source of electricity;

(2) "fuel cell vehicle" means a motor vehicle that:

(a) uses a fuel cell to produce electricity that is used to drive an electric motor; and

(b) is capable of powering the vehicle for a range of at least one hundred miles;

(3) "motor vehicle" means a vehicle with four wheels that:

(a) is required under the Motor Vehicle Code to be registered in this state and that is registered in this state;

(b) is made by a manufacturer;

(c) is manufactured primarily for use on public streets, roads or highways;

(d) has not been modified from the original manufacturer specifications;

(e) is rated at not less than two thousand two hundred pounds unloaded base weight and not more than nine thousand seven hundred fifty pounds unloaded base weight;

(f) has a maximum speed capability of at least sixty-five miles per hour; and

(g) is purchased from or leased through a dealer licensed by the motor vehicle division of the department pursuant to Section 66-4-2 NMSA 1978 or a dealer located on tribal land within New Mexico;

(4) "new" means a motor vehicle that has a base manufacturer suggested retail price, before options and destination charges and before any taxes are imposed, of fifty-five thousand dollars (\$55,000) or less;

(5) "plug-in hybrid electric vehicle" means a motor vehicle that derives part of the vehicle's power from electricity stored in a battery that:

(a) has a capacity of not less than six kilowatt-hours;

(b) is capable of powering a vehicle for a range of at least thirty miles; and

(c) is capable of being recharged from an external source of electricity;

(6) "previously owned" means a motor vehicle that is not new and that has a market value of twenty-five thousand dollars (\$25,000) or less; and

(7) "tribal land" means all land owned by a tribe and located within the exterior boundaries of the tribe's reservation or grant and all land held by the United States in trust for the tribe."

Chapter 67 Section 30 Laws 2024

SECTION 30. A new section of the Corporate Income and Franchise Tax Act is enacted to read:

"CLEAN CAR CHARGING UNIT CORPORATE INCOME TAX CREDIT.--

A. A taxpayer that, beginning on the effective date of this section and prior to January 1, 2030, purchases and installs an electric vehicle charging unit or fuel cell charging unit in New Mexico may claim a credit against the taxpayer's tax liability imposed pursuant to the Corporate Income and Franchise Tax Act in an amount provided in Subsection B of this section. The tax credit provided by this section may be referred to as the "clean car charging unit corporate income tax credit".

B. The amount of tax credit shall be in an amount equal to:

(1) for a direct current fast charger or fuel cell charging unit, twenty-five thousand dollars (\$25,000) or the cost to purchase and install the direct current fast charger or fuel cell charging unit, whichever is less; and

(2) for all other electric vehicle charging units, four hundred dollars (\$400) or the cost to purchase and install the electric vehicle charging unit, whichever is less.

C. A taxpayer shall apply for certification of eligibility for the tax credit from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. Only one tax credit shall be certified for a direct current fast charger or a fuel cell charging unit per taxpayer per taxable year. The energy, minerals and natural resources department may issue rules governing the procedure for administering the provisions of this subsection.

D. An application for certification of eligibility shall include:

(1) a receipt for the purchase and installation of the electric vehicle charging unit or fuel cell charging unit;

(2) for electric vehicle charging units, a copy of the data sheet that specifies the connector type, plug type, voltage and current of the electric vehicle charging unit;

(3) for a fuel cell charging unit, technical specifications on the fuel dispensing unit and fuel storage system, including information about operational pressures of the fuel cell charging unit; and

(4) any other information the energy, minerals and natural resources department may require to evaluate eligibility for the credit.

E. If the energy, minerals and natural resources department determines that the taxpayer meets the requirements of this section, that department shall issue a dated certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable years in which the credit may be claimed. The energy, minerals and natural resources department shall provide the department certificates of eligibility issued in an electronic format at regularly agreed upon intervals.

F. An application for certification of the tax credit shall be made no later than one year from the date in which the electric vehicle charging unit or fuel cell charging unit for which the credit is claimed is purchased and installed.

G. That portion of tax credit that exceeds a taxpayer's income tax liability in the taxable year in which the credit is claimed shall be refunded to the taxpayer.

H. A taxpayer allowed to claim a tax credit pursuant to this section shall claim the tax credit in a manner required by the department. The credit shall be claimed within three taxable years of the end of the year in which the energy, minerals and natural resources department certifies the credit.

I. A taxpayer that claims the 2021 sustainable building tax credit for expenses of purchasing or installing an electric vehicle charging unit or fuel cell charging unit shall not be eligible to claim the tax credit provided by this section.

J. As used in this section:

(1) "direct current fast charger" means an electric vehicle charging unit that provides at least fifty kilowatts of direct current electrical power for charging an electric vehicle through a connector based on fast charging equipment standards and that is approved for installation for that purpose under the National Electrical Code

through an underwriters laboratories certification or an equivalent certifying organization;

(2) "electric vehicle" means a motor vehicle subject to the registration fee pursuant to Section 66-6-2 or 66-6-4 NMSA 1978 that derives all of the vehicle's power from electricity stored in a battery that:

- (a) has a capacity of not less than twenty-five kilowatt-hours;
- (b) is capable of powering the vehicle for a range of at least one hundred miles; and
- (c) is capable of being recharged from an external source of electricity;

(3) "electric vehicle charging unit" means a device that:

- (a) is used to provide electricity to an electric vehicle or plug-in hybrid electric vehicle;
- (b) is designed to create a connection between an electricity source and the electric vehicle or plug-in hybrid electric vehicle; and
- (c) uses the electric vehicle's or plug-in hybrid electric vehicle's control system to ensure that electricity flows at an appropriate voltage and current level;

(4) "fuel cell charging unit" means a facility or unit that dispenses liquefied or compressed hydrogen for fuel cell vehicle refueling and that is approved for installation for that purpose under applicable codes and compliant with requirements of applicable certifying organizations;

(5) "fuel cell vehicle" means a motor vehicle subject to the registration fee pursuant to Section 66-6-2 or 66-6-4 NMSA 1978 that:

- (a) uses a fuel cell to produce electricity that is used to drive an electric motor; and
- (b) is capable of powering the vehicle for a range of at least one hundred miles; and

(6) "plug-in hybrid electric vehicle" means a motor vehicle subject to the registration fee pursuant to Section 66-6-2 or 66-6-4 NMSA 1978 that derives part of the vehicle's power from electricity stored in a battery that:

- (a) has a capacity of not less than six kilowatt-hours;

(b) is capable of powering a vehicle for a range of at least thirty miles; and

(c) is capable of being recharged from an external source of electricity."

Chapter 67 Section 31 Laws 2024

SECTION 31. Section 7-4-10 NMSA 1978 (being Laws 1993, Chapter 153, Section 1, as amended) is amended to read:

"7-4-10. APPORTIONMENT OF BUSINESS INCOME.--

A. Except as provided in Subsections B and C of this section, all business income shall be apportioned to this state by multiplying the income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor and the denominator of which is three.

B. If eighty percent or more of the New Mexico numerators of the property and payroll factors for a filing group, or for a taxpayer that is not a member of a filing group, are employed in manufacturing or operating a computer processing facility, the filing group or the taxpayer may elect to have business income apportioned to this state by multiplying the income by the sales factor for the taxable year.

C. If a filing group, or a taxpayer that is not a member of a filing group, has a headquarters operation in New Mexico, the filing group or the taxpayer may elect to have business income apportioned to this state by multiplying the income by the sales factor for the taxable year.

D. To elect the method of apportionment provided by Subsection B or C of this section, the taxpayer shall notify the department of the election, in writing, no later than the date on which the taxpayer files the return for the first taxable year to which the election will apply. The election shall apply as follows:

(1) if the election is made for taxable years beginning prior to January 1, 2020, to the taxable year in which the election is made and to each taxable year thereafter for three years, or until the taxable year ending prior to January 1, 2020, whichever is earlier;

(2) if the election is made for a taxable year beginning on or after January 1, 2020, to the taxable year in which the election is made and to each taxable year thereafter until the taxpayer notifies the department, in writing, that the election is terminated, except that the taxpayer shall not terminate the election until the method of apportioning business income provided by Subsection B or C of this section has been used by the taxpayer for at least three consecutive taxable years, including a total of at least thirty-six calendar months; and

(3) if the election is made by a qualifying filing group, the election shall apply to the members of the filing group properly included pursuant to Section 7-2A-8.3 NMSA 1978.

E. For purposes of this section:

(1) "filing group" means "filing group" as that term is defined in the Corporate Income and Franchise Tax Act;

(2) "headquarters operation" means:

(a) the center of operations of a business: 1) where corporate staff employees are physically employed; 2) where the centralized functions are primarily performed, including administrative, planning, managerial, human resources, purchasing, information technology and accounting, but not including operating a call center; 3) the function and purpose of which is to manage and direct most aspects and functions of the business operations within a subdivided area of the United States; 4) from which final authority over regional or subregional offices, operating facilities and any other offices of the business are issued; and 5) including national and regional headquarters if the national headquarters is subordinate only to the ownership of the business or its representatives and the regional headquarters is subordinate to the national headquarters; or

(b) the center of operations of a business: 1) the function and purpose of which is to manage and direct most aspects of one or more centralized functions; and 2) from which final authority over one or more centralized functions is issued;

(3) "manufacturing" means combining or processing components or materials to increase their value for sale in the ordinary course of business, but does not include:

(a) construction;

(b) farming;

(c) power generation; provided that "manufacturing" includes electricity generation at a facility that does not require location approval and a certificate of convenience and necessity prior to commencing construction or operation of the facility pursuant to the Public Utility Act;

(d) processing natural resources, including hydrocarbons; or

(e) processing or preparation of meals for immediate consumption; and

(4) "operating a computer processing facility" means managing the necessary and ancillary activities for the operation of a facility primarily used to process data or information, but does not include managing the operation of facilities that are predominantly used to support sales of tangible property or the provision of banking, financial or professional services."

Chapter 67 Section 32 Laws 2024

SECTION 32. Section 7-2-5.13 NMSA 1978 (being Laws 2022, Chapter 47, Section 6) is amended to read:

"7-2-5.13. EXEMPTION--ARMED FORCES RETIREMENT PAY.--

A. An individual who is an armed forces retiree or the surviving spouse of an armed forces retiree may claim an exemption in an amount equal to thirty thousand dollars (\$30,000) of armed forces retirement pay includable, except for this exemption, in net income.

B. As used in this section, "armed forces retiree" means a former member of the armed forces of the United States who has qualified by years of service or disability to separate from military service with lifetime benefits."

Chapter 67 Section 33 Laws 2024

SECTION 33. A new section of the Income Tax Act is enacted to read:

"GEOTHERMAL ELECTRICITY GENERATION INCOME TAX CREDIT.--

A. For taxable years prior to January 1, 2032, a taxpayer who is not a dependent of another individual and who holds an interest in a geothermal electricity generation facility may apply for, and the department may allow, a credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act. The tax credit provided by this section may be referred to as the "geothermal electricity generation income tax credit".

B. The amount of a tax credit allowed pursuant to this section shall be an amount equal to one and one-half cents (\$0.015) per kilowatt-hour of electricity generated in New Mexico in a taxable year by the geothermal electricity generation facility in which the taxpayer holds an interest.

C. A taxpayer shall apply for certification of eligibility for the credit provided by this section from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. The total annual aggregate amount of credits that may be certified for geothermal electricity generation income tax credits and geothermal electricity generation corporate income tax credits in any calendar year is five million dollars (\$5,000,000). Completed applications shall be considered in the

order received. Applications for certification received after this limitation has been met in a calendar year shall not be approved for that calendar year, but shall be considered for certification in the following calendar year. The application shall include proof that the taxpayer is eligible for certification, including that the geothermal electricity generation facility that produced the energy for which the taxpayer is claiming credit, the geothermal resources used by the geothermal electricity generation facility and the taxpayer's interest in the geothermal electricity generation facility are in accordance with the definitions set forth in this section. For taxpayers approved to receive the credit, the energy, minerals and natural resources department shall issue a certificate of eligibility stating the amount of credit to which the taxpayer is entitled and the taxable year in which the credit may be claimed. The certificate of eligibility shall be numbered for identification and declare the date of issuance and the amount of the tax credit allowed.

D. A taxpayer may claim a geothermal electricity generation income tax credit for the taxable year in which electricity was generated in New Mexico by a geothermal electricity generation facility in which the taxpayer holds an interest. To receive the credit provided by this section, a taxpayer shall apply to the department on forms and in the manner prescribed by the department. The application shall include a certification made pursuant to Subsection C of this section.

E. That portion of a credit that exceeds a taxpayer's tax liability in the taxable year in which the credit is claimed may be carried forward for up to three consecutive years.

F. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the credit that would have been claimed on a joint return.

G. A taxpayer may be allocated the right to claim a credit provided by this section in proportion to the taxpayer's ownership interest if the taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all of the requirements to be eligible for the credit. The total credit claimed by all members of the partnership or limited liability company shall not exceed the maximum amount of the credit allowed pursuant to this section.

H. A taxpayer allowed a tax credit pursuant to this section shall report the amount of the credit to the department in a manner required by the department.

I. The department shall compile an annual report on the credit provided by this section that shall include the number of taxpayers approved by the department to receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

J. As used in this section:

(1) "geothermal electricity generation facility" means a facility located in New Mexico that generates electricity from geothermal resources and:

(a) for new facilities, begins construction on or after January 1, 2025; or

(b) for existing facilities, on or after January 1, 2025, increases the amount of electricity generated from geothermal resources the facility generated prior to that date by at least one hundred percent;

(2) "geothermal resources" means the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit or the energy, in whatever form, below the surface of the earth present in, resulting from, created by or that may be extracted from this natural heat in excess of two hundred fifty degrees Fahrenheit and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, but excluding oil, hydrocarbon gas and other hydrocarbon substances and excluding the heating and cooling capacity of the earth not resulting from the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit as may be used for the heating and cooling of buildings through an on-site geoexchange heat pump or similar on-site system; and

(3) "interest in a geothermal electricity generation facility" means title to a geothermal electricity generation facility; a leasehold interest in such facility; an ownership interest in a business or entity that is taxed for federal income tax purposes as a partnership that holds title to or a leasehold interest in such facility; or an ownership interest, through one or more intermediate entities that are each taxed for federal income tax purposes as a partnership, in a business that holds title to or a leasehold interest in such facility."

Chapter 67 Section 34 Laws 2024

SECTION 34. A new section of the Corporate Income and Franchise Tax Act is enacted to read:

"GEOTHERMAL ELECTRICITY GENERATION CORPORATE INCOME TAX CREDIT.--

A. For taxable years prior to January 1, 2032, a taxpayer that holds an interest in a geothermal electricity generation facility may apply for, and the department may allow, a credit against the taxpayer's tax liability imposed pursuant to the Corporate Income and Franchise Tax Act. The tax credit provided by this section may be referred to as the "geothermal electricity generation corporate income tax credit".

B. The amount of a tax credit allowed pursuant to this section shall be an amount equal to one and one-half cents (\$0.015) per kilowatt-hour of electricity generated in New Mexico in a taxable year by the geothermal electricity generation facility in which the taxpayer holds an interest.

C. A taxpayer shall apply for certification of eligibility for the credit provided by this section from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. The total annual aggregate amount of geothermal electricity generation corporate income tax credits and geothermal electricity generation income tax credits that may be certified in any calendar year is five million dollars (\$5,000,000). Completed applications shall be considered in the order received. Applications for certification received after this limitation has been met in a calendar year shall not be approved for that calendar year, but shall be considered for certification in the following calendar year. The application shall include proof that the taxpayer is eligible for certification, including that the geothermal electricity generation facility that produced the energy for which the taxpayer is claiming credit, the geothermal resources used by the geothermal electricity generation facility and the taxpayer's interest in the geothermal electricity generation facility are in accordance with the definitions set forth in this section. For taxpayers approved to receive the credit, the energy, minerals and natural resources department shall issue a certificate of eligibility stating the amount of credit to which the taxpayer is entitled and the taxable year in which the credit may be claimed. The certificate of eligibility shall be numbered for identification and declare the date of issuance and the amount of the tax credit allowed.

D. A taxpayer may claim a geothermal electricity generation corporate income tax credit for the taxable year in which electricity was generated in New Mexico by a geothermal electricity generation facility in which the taxpayer holds an interest. To receive the credit provided by this section, a taxpayer shall apply to the department on forms and in the manner prescribed by the department. The application shall include a certification made pursuant to Subsection C of this section.

E. That portion of a credit that exceeds a taxpayer's tax liability in the taxable year in which the credit is claimed may be carried forward for up to three consecutive years.

F. A taxpayer allowed a tax credit pursuant to this section shall report the amount of the credit to the department in a manner required by that department.

G. The department shall compile an annual report on the credit provided by this section that shall include the number of taxpayers approved by the department to receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

H. As used in this section:

(1) "geothermal electricity generation facility" means a facility located in New Mexico that generates electricity from geothermal resources and:

(a) for new facilities, begins construction on or after January 1, 2025; or

(b) for existing facilities, on or after January 1, 2025, increases the amount of electricity generated from geothermal resources the facility generated prior to that date by at least one hundred percent;

(2) "geothermal resources" means the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit or the energy, in whatever form, below the surface of the earth present in, resulting from, created by or that may be extracted from this natural heat in excess of two hundred fifty degrees Fahrenheit and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, but excluding oil, hydrocarbon gas and other hydrocarbon substances and excluding the heating and cooling capacity of the earth not resulting from the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit as may be used for the heating and cooling of buildings through an on-site geexchange heat pump or similar on-site system; and

(3) "interest in a geothermal electricity generation facility" means title to a geothermal electricity generation facility; a leasehold interest in such facility; an ownership interest in a business or entity that is taxed for federal income tax purposes as a partnership that holds title to or a leasehold interest in such facility; or an ownership interest, through one or more intermediate entities that are each taxed for federal income tax purposes as a partnership, in a business that holds title to or a leasehold interest in such facility."

Chapter 67 Section 35 Laws 2024

SECTION 35. A new section of the Income Tax Act is enacted to read:

"ADVANCED ENERGY EQUIPMENT INCOME TAX CREDIT.--

A. The tax credit provided by this section may be referred to as the "advanced energy equipment income tax credit". A taxpayer who is not a dependent of another individual, who makes qualified expenditures for a qualified manufacturing facility located in New Mexico and who files an individual New Mexico income tax return for a taxable year beginning on or after January 1, 2025, and prior to January 1, 2033, may claim the tax credit in the amount provided in Subsection B of this section.

B. The amount of the tax credit shall be in an amount equal to the lesser of twenty percent of the amount of the qualified expenditures made by the taxpayer for a qualified manufacturing facility or twenty-five million dollars (\$25,000,000).

C. Prior to incurring a qualified expenditure, a taxpayer shall apply for preliminary certification of eligibility for the tax credit from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. Such preliminary certification shall be made in consultation with the economic development department and shall be limited to confirming that the qualified expenditures proposed to be made by the taxpayer will in whole or in part be used to produce advanced energy products and providing an estimate of the amount of tax credit for which the taxpayer may be eligible. Only one certificate of eligibility shall be issued for all activities performed at a qualified manufacturing facility, regardless of ownership of the facility.

D. Within twelve months of commencement of production of any advanced energy product, the taxpayer shall seek final certification from the energy, minerals and natural resources department. The total annual aggregate amount of advanced energy equipment income tax credits and advanced energy equipment corporate income tax credits that may be certified in a calendar year shall not exceed twenty-five million dollars (\$25,000,000). An application for final certification shall include information required by the energy, minerals and natural resources department to determine eligibility for the tax credit, including information substantiating qualified expenditures. If, after consultation with the economic development department, the energy, minerals and natural resources department determines that the taxpayer meets the requirements of this section, the energy, minerals and natural resources department shall issue a dated certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable years in which the credit may be claimed. The energy, minerals and natural resources department shall provide the department with the certificates of eligibility issued pursuant to this subsection in an electronic format at regularly agreed-upon intervals. A certificate of eligibility for the tax credit may be sold, exchanged or otherwise transferred to another taxpayer in increments of not less than one million dollars (\$1,000,000); provided that if the total amount certified is less than one million dollars (\$1,000,000), the certificate of the entire amount of the credit may be transferred. The parties to such a transaction shall notify the department of the sale, exchange or transfer within ten days of the sale, exchange or transfer in an electronic format prescribed by the department.

E. A taxpayer allowed to claim the tax credit shall claim the credit in a manner required by the department. The tax credit shall be claimed within one year of receiving final certification from the energy, minerals and natural resources department. The taxpayer shall claim the amount certified and approved against the taxpayer's income tax liabilities. Any amount of credit that exceeds the taxpayer's income tax liabilities may be carried forward for five consecutive taxable years. A taxpayer who claims the tax credit shall report to the department and the energy, minerals and natural resources department on the continued operations of the qualified manufacturing facility.

F. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the tax credit that would have been claimed on a joint return.

G. A taxpayer may be allocated the right to claim the tax credit in a proportion to the taxpayer's ownership interest if the taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all of the requirements to be eligible for the credit. The total credit claimed by all members of the partnership or limited liability company shall not exceed the allowable credit pursuant to this section.

H. If the taxpayer or a successor in the business of the taxpayer ceases operations at the qualifying manufacturing facility or ceases to produce advanced energy products for at least one hundred eighty days within a two-year period after the taxpayer has claimed the tax credit, any amount of credit that received final certification with respect to that facility that is not claimed against a taxpayer's tax liability shall be extinguished, and within thirty days after the one hundred eightieth day of cessation of operations, the taxpayer who received final certification pursuant to Subsection D of this section shall pay to the department the tax liability against which the certified credit was claimed. For the purposes of this section, a taxpayer shall not be deemed to have ceased operations during reasonable periods for maintenance or retooling, for the repair or replacement of facilities damaged or destroyed or during labor disputes.

I. As used in this section:

(1) "advanced energy product" means a technology, product, system or component eligible for a federal tax credit under Section 45X of the Internal Revenue Code;

(2) "essential" means directly necessary to the production of an advanced energy products;

(3) "manufacturing equipment" means an essential machine, mechanism or tool or a component of an essential machine, mechanism or tool used directly and exclusively in a taxpayer's qualified manufacturing facility and that is subject to depreciation pursuant to the Internal Revenue Code by the taxpayer carrying on the manufacturing. "Manufacturing equipment" does not include a vehicle that leaves the site of a manufacturing operation for the purpose of transporting persons or property, including property for which the taxpayer claims a credit pursuant to Section 7-9-79 NMSA 1978;

(4) "qualified expenditure" means an expenditure made on or after January 1, 2025 and prior to January 1, 2033 for the purchase of that portion of the costs of manufacturing equipment dedicated to manufacturing advanced energy products; and

(5) "qualified manufacturing facility" means a facility located in New Mexico, including any connected, associated or subsidiary facilities, that employs personnel to perform production tasks with manufacturing equipment not previously existing at the facility to produce advanced energy products."

Chapter 67 Section 36 Laws 2024

SECTION 36. A new section of the Corporate Income and Franchise Tax Act is enacted to read:

"ADVANCED ENERGY EQUIPMENT CORPORATE INCOME TAX CREDIT.--

A. The tax credit provided by this section may be referred to as the "advanced energy equipment corporate income tax credit". A taxpayer that makes qualified expenditures for a qualified manufacturing facility located in New Mexico and that files a corporate income tax return for a taxable year beginning on or after January 1, 2025, and prior to January 1, 2033, may claim the tax credit in the amount provided in Subsection B of this section.

B. The amount of the tax credit shall be in an amount equal to the lesser of twenty percent of the amount of the qualified expenditures made by the taxpayer for a qualified manufacturing facility or twenty-five million dollars (\$25,000,000).

C. Prior to incurring a qualified expenditure, a taxpayer shall apply for preliminary certification of eligibility for the tax credit from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. Such preliminary certification shall be made in consultation with the economic development department and shall be limited to confirming that the qualified expenditures proposed to be made by the taxpayer will in whole or in part be used to produce advanced energy products and providing an estimate of the amount of tax credit for which the taxpayer may be eligible. Only one certificate of eligibility shall be issued for all activities performed at a qualified manufacturing facility, regardless of ownership of the facility.

D. Within twelve months of commencement of production of any advanced energy product, the taxpayer shall seek final certification from the energy, minerals and natural resources department. The total annual aggregate amount of advanced energy equipment corporate income tax credits and advanced energy equipment income tax credits that may be certified in a calendar year shall not exceed twenty-five million dollars (\$25,000,000). An application for final certification shall include information required by the energy, minerals and natural resources department to determine eligibility for the tax credit, including information substantiating qualified expenditures. If, after consultation with the economic development department, the energy, minerals and natural resources department determines that the taxpayer meets the requirements of this section, the energy, minerals and natural resources department shall issue a dated certificate of eligibility to the taxpayer providing the amount of tax credit for which the taxpayer is eligible and the taxable years in which the credit may be claimed. The energy, minerals and natural resources department shall provide the department with the certificates of eligibility issued pursuant to this subsection in an electronic format at regularly agreed-upon intervals. A certificate of eligibility for the tax credit may be sold, exchanged or otherwise transferred to another taxpayer in increments of not less than

one million dollars (\$1,000,000); provided that if the total amount certified is less than one million dollars (\$1,000,000), a certificate of the entire amount of the credit may be transferred. The parties to such a transaction shall notify the department of the sale, exchange or transfer within ten days of the sale, exchange or transfer in an electronic format prescribed by the department.

E. A taxpayer allowed to claim the tax credit shall claim the credit in a manner required by the department. The tax credit shall be claimed within one year of receiving final certification from the energy, minerals and natural resources department. The taxpayer shall claim the amount certified and approved against the taxpayer's corporate income tax liabilities. Any amount of credit that exceeds the taxpayer's corporate income tax liabilities may be carried forward for five consecutive taxable years. A taxpayer that claims the tax credit shall report to the department and the energy, minerals and natural resources department on the continued operations of the qualified manufacturing facility.

F. If the taxpayer or a successor in the business of the taxpayer ceases operations at the qualifying manufacturing facility or ceases to produce advanced energy products for at least one hundred eighty days within a two-year period after the taxpayer has claimed the tax credit, any amount of credit that received final certification with respect to that facility that is not claimed against a taxpayer's tax liability shall be extinguished, and within thirty days after the one hundred eightieth day of cessation of operations, the taxpayer that received final certification pursuant to Subsection D of this section shall pay to the department the tax liability against which the certified credit was claimed. For the purposes of this section, a taxpayer shall not be deemed to have ceased operations during reasonable periods for maintenance or retooling, for the repair or replacement of facilities damaged or destroyed or during labor disputes.

G. As used in this section:

(1) "advanced energy product" means a technology, product, system or component eligible for a federal tax credit under Section 45X of the Internal Revenue Code;

(2) "essential" means directly necessary to the production of an advanced energy products;

(3) "manufacturing equipment" means an essential machine, mechanism or tool or a component of an essential machine, mechanism or tool used directly and exclusively in a taxpayer's qualified manufacturing facility and that is subject to depreciation pursuant to the Internal Revenue Code by the taxpayer carrying on the manufacturing. "Manufacturing equipment" does not include a vehicle that leaves the site of a manufacturing operation for the purpose of transporting persons or property, including property for which the taxpayer claims a credit pursuant to Section 7-9-79 NMSA 1978;

(4) "qualified expenditure" means an expenditure made on or after January 1, 2025 and prior to January 1, 2033 for the purchase of that portion of the costs of manufacturing equipment dedicated to manufacturing advanced energy products; and

(5) "qualified manufacturing facility" means a facility located in New Mexico, including any connected, associated or subsidiary facilities, that employs personnel to perform production tasks with manufacturing equipment not previously existing at the facility to produce advanced energy products."

Chapter 67 Section 37 Laws 2024

SECTION 37. Section 7-2A-2 NMSA 1978 (being Laws 1986, Chapter 20, Section 33, as amended) is amended to read:

"7-2A-2. DEFINITIONS.--For the purpose of the Corporate Income and Franchise Tax Act and unless the context requires otherwise:

A. "bank" means any national bank, national banking association, state bank or bank holding company;

B. "apportioned net income" or "apportioned net loss" means net income allocated and apportioned to New Mexico pursuant to the provisions of the Corporate Income and Franchise Tax Act or the Uniform Division of Income for Tax Purposes Act, but excluding from the sales factor any sales that represent intercompany transactions between members of the filing group;

C. "base income" means the federal taxable income or the federal net operating loss of a corporation for the taxable year calculated pursuant to the Internal Revenue Code, after special deductions provided in Sections 241 through 249 of the Internal Revenue Code but without any deduction for net operating losses, as if the corporation filed a federal tax return as a separate domestic entity, modified as follows:

(1) adding to that income:

(a) interest received on a state or local bond exempt under the Internal Revenue Code;

(b) the amount of any deduction claimed in calculating taxable income for all expenses and costs directly or indirectly paid, accrued or incurred to a captive real estate investment trust;

(c) the amount of any deduction, other than for premiums, for amounts paid directly or indirectly to a commonly controlled entity that is exempt from corporate income tax pursuant to Section 7-2A-4 NMSA 1978; and

(d) for taxable years beginning on or after January 1, 2023, an amount equal to the amount of credit claimed and allowed for that year pursuant to Section 7-3A-10 NMSA 1978 with respect to the distributed net income of a pass-through entity;

(2) subtracting from that income:

(a) income from obligations of the United States net of expenses incurred to earn that income;

(b) other amounts that the state is prohibited from taxing because of the laws or constitution of this state or the United States net of any related expenses; and

(c) an amount equal to one hundred percent of the income of the corporation under Section 951A of the Internal Revenue Code, less the amount deducted pursuant to Section 250 of the Internal Revenue Code;

(3) making other adjustments deemed necessary to properly reflect income of the unitary group, including attribution of income or expense related to unitary assets held by related corporations that are not part of the filing group; and

(4) for a taxpayer that conducts a lawful business pursuant to the laws of this state, excludes an amount equal to any expenditure that is eligible to be claimed as a federal income tax deduction but is disallowed pursuant to Section 280E of the Internal Revenue Code, as that section may be amended or renumbered;

D. "captive real estate investment trust" means a corporation, trust or association taxed as a real estate investment trust pursuant to Section 857 of the Internal Revenue Code, the shares or beneficial interests of which are not regularly traded on an established securities market; provided that more than fifty percent of any class of beneficial interests or shares of the real estate investment trust are owned directly, indirectly or constructively by the taxpayer during all or a part of the taxpayer's taxable year;

E. "common ownership" means the direct or indirect control or ownership of more than fifty percent of the outstanding voting stock, ownership of which is determined pursuant to Section 1563 of the Internal Revenue Code, as that section may be amended or renumbered, of:

(1) a parent-subsidiary controlled group as defined in Section 1563 of the Internal Revenue Code, except that fifty percent shall be substituted for eighty percent;

(2) a brother-sister controlled group as defined in Section 1563 of the Internal Revenue Code; or

(3) three or more corporations each of which is a member of a group of corporations described in Paragraph (1) or (2) of this subsection, and one of which is:

(a) a common parent corporation included in a group of corporations described in Paragraph (1) of this subsection; and

(b) included in a group of corporations described in Paragraph (2) of this subsection;

F. "consolidated group" means the group of entities properly filing a federal consolidated return under the Internal Revenue Code for the taxable year;

G. "corporation" means corporations, joint stock companies, real estate trusts organized and operated under the Real Estate Trust Act, financial corporations and banks, other business associations and, for corporate income tax purposes, partnerships and limited liability companies taxed as corporations under the Internal Revenue Code;

H. "department" means the taxation and revenue department, the secretary of taxation and revenue or any employee of the department exercising authority lawfully delegated to that employee by the secretary;

I. "filing group" means a group of corporations properly included in a return pursuant to Section 7-2A-8.3 NMSA 1978 for a particular taxable year;

J. "fiscal year" means any accounting period of twelve months ending on the last day of any month other than December;

K. "grandfathered net operating loss carryover" means:

(1) the amount of net loss properly reported to New Mexico for taxable years beginning January 1, 2013 and prior to January 1, 2020 as part of a timely filed original return, or an amended return for those taxable years filed prior to January 1, 2020, to the extent such loss can be attributed to one or more corporations that are properly included in the taxpayer's return for the first taxable year beginning on or after January 1, 2020;

(2) reduced by:

(a) adding back deductions that were taken by the corporation or corporations for royalties or interest paid to one or more related corporations, but only to the extent that such adjustment would not create a net loss for such related corporations; and

(b) the amount of net operating loss deductions taken prior to January 1, 2020 that would be charged against those losses consistent with the Internal

Revenue Code and provisions of the Corporate Income and Franchise Tax Act applicable to the year of the deduction; and

(3) apportioned to New Mexico using the apportionment factors that can properly be attributed to the corporation or corporations for the year of the net loss;

L. "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended;

M. "net income" means:

(1) the base income of a corporation properly filing a tax return as a separate entity; or

(2) the combined base income and losses of corporations that are part of a filing group that is computed after eliminating intercompany income and expense in a manner consistent with the consolidated filing requirements of the Internal Revenue Code and the Corporate Income and Franchise Tax Act;

N. "net operating loss carryover" means the apportioned net loss properly reported on an original or amended tax return for taxable years beginning on or after January 1, 2020 by the taxpayer:

(1) plus:

(a) the portion of an apportioned net loss properly reported to New Mexico for a taxable year beginning on or after January 1, 2020, on a separate year return, to the extent the taxpayer would have been entitled to include the portion of such apportioned net loss in the taxpayer's consolidated net operating loss carryforward under the Internal Revenue Code if the taxpayer filed a consolidated federal return; and

(b) the taxpayer's grandfathered net operating loss carryover;
and

(2) minus:

(a) the amount of the net operating loss carryover attributed to an entity that has left the filing group, computed in a manner consistent with the consolidated filing requirements of the Internal Revenue Code and applicable regulations, as if the taxpayer were filing a consolidated return; and

(b) the amount of net operating loss deductions properly taken by the taxpayer;

O. "net operating loss deduction" means the portion of the net operating loss carryover that may be deducted from the taxpayer's apportioned net income under the

Internal Revenue Code as of January 1, 2018 for the taxable year in which the deduction is taken, including the eighty percent limitation of Section 172(a) of the Internal Revenue Code as of January 1, 2018 calculated on the basis of the taxpayer's apportioned net income;

P. "person" means any individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, limited liability company, joint venture, syndicate or other association; "person" also means, to the extent permitted by law, any federal, state or other governmental unit or subdivision or agency, department or instrumentality thereof;

Q. "real estate investment trust" has the meaning ascribed to the term in Section 856 of the Internal Revenue Code, as that section may be amended or renumbered;

R. "related corporation" means a corporation that is under common ownership with one or more corporations but that is not included in the same tax return;

S. "return" means any tax or information return, including a water's-edge or worldwide combined return, a consolidated return, a declaration of estimated tax or a claim for refund, including any amendments or supplements to the return, required or permitted pursuant to a law subject to administration and enforcement pursuant to the Tax Administration Act and filed with the department by or on behalf of any person;

T. "secretary" means the secretary of taxation and revenue or the secretary's delegate;

U. "separate year return" means a properly filed original or amended return for a taxable year beginning on or after January 1, 2020 by a taxpayer reporting a loss, a portion of which is claimed as part of the net operating loss carryover by another taxpayer in a subsequent return period;

V. "state" means any state of the United States, the District of Columbia, the commonwealth of Puerto Rico, any territory or possession of the United States or political subdivision thereof or any political subdivision of a foreign country;

W. "state or local bond" means a bond issued by a state other than New Mexico or by a local government other than one of New Mexico's political subdivisions, the interest from which is excluded from income for federal income tax purposes under Section 103 of the Internal Revenue Code, as that section may be amended or renumbered;

X. "taxable income" means a taxpayer's apportioned net income minus the net operating loss deduction for the taxable year;

Y. "taxable year" means the calendar year or fiscal year upon the basis of which the net income is computed under the Corporate Income and Franchise Tax Act and includes, in the case of the return made for a fractional part of a year under the provisions of that act, the period for which the return is made;

Z. "taxpayer" means any corporation or group of corporations filing a return pursuant to Section 7-2A-8.3 NMSA 1978 subject to the taxes imposed by the Corporate Income and Franchise Tax Act;

AA. "unitary group" means a group of two or more corporations, including a captive real estate investment trust, but not including an S corporation, an insurance company subject to the provisions of the New Mexico Insurance Code, an insurance company that would be subject to the New Mexico Insurance Code if the insurance company engaged in business in this state or a real estate investment trust that is not a captive real estate investment trust, that are:

- (1) related through common ownership; and
- (2) economically interdependent with one another as demonstrated by the following factors:
 - (a) centralized management;
 - (b) functional integration; and
 - (c) economies of scale;

BB. "water's-edge group" means all corporations that are part of a unitary group, except:

- (1) corporations that are exempt from corporate income tax pursuant to Section 7-2A-4 NMSA 1978; and
- (2) corporations organized or incorporated outside the United States or its possessions or territories that have less than twenty percent of their property, payroll and sales sourced to locations within the United States, following the sourcing rules of the Uniform Division of Income for Tax Purposes Act; and

CC. "worldwide combined group" means all members of a unitary group, except members that are exempt from corporate income tax pursuant to Section 7-2A-4 NMSA 1978, irrespective of the country in which the corporations are incorporated or conduct business activity."

Chapter 67 Section 38 Laws 2024

SECTION 38. Section 7-2-18.31 NMSA 1978 (being Laws 2020, Chapter 13, Section 1, as amended) is amended to read:

"7-2-18.31. NEW SOLAR MARKET DEVELOPMENT INCOME TAX CREDIT.--

A. For taxable years prior to January 1, 2032, a taxpayer who is not a dependent of another individual and who, on or after March 1, 2020, purchases and installs a solar thermal system or a photovoltaic system in a residence, business or agricultural enterprise in New Mexico owned by that taxpayer or by a federally recognized Indian nation, tribe or pueblo and held in leasehold by that taxpayer may apply for, and the department may allow, a credit against the taxpayer's tax liability imposed pursuant to the Income Tax Act in an amount provided in Subsection C of this section. The tax credit provided by this section may be referred to as the "new solar market development income tax credit".

B. The purpose of the new solar market development income tax credit is to encourage the installation of solar thermal and photovoltaic systems in residences, businesses and agricultural enterprises.

C. The department may allow a new solar market development income tax credit of ten percent of the purchase and installation costs of a solar thermal or photovoltaic system.

D. The new solar market development income tax credit shall not exceed six thousand dollars (\$6,000) per taxpayer per taxable year. The department shall allow a tax credit only for solar thermal and photovoltaic systems certified pursuant to Subsection E of this section.

E. Subject to the limitation provided in Subsection F of this section, a taxpayer shall apply for certification of eligibility for the new solar market development income tax credit from the energy, minerals and natural resources department on forms and in the manner prescribed by that department. Completed applications shall be considered in the order received. The application shall include proof of purchase and installation of a solar thermal or photovoltaic system, that the system meets technical specifications and requirements relating to safety, code and standards compliance, solar collector orientation and sun exposure, minimum system sizes, system applications and lists of eligible components and any additional information that the energy, minerals and natural resources department may require to determine eligibility for the credit. A dated certificate of eligibility shall be issued to the taxpayer providing the amount of the new solar market development income tax credit for which the taxpayer is eligible and the taxable year in which the credit may be claimed. A certificate of eligibility for a new solar market development income tax credit may be sold, exchanged or otherwise transferred to another taxpayer for the full value of the credit.

The parties to such a transaction shall notify the department of the sale, exchange or transfer within ten days of the sale, exchange or transfer.

F. The aggregate amount of credits that may be certified pursuant to Subsection E of this section is as follows, and applications for certification received after these limitations have been met shall not be approved:

(1) for calendar years 2020 through 2023, twelve million dollars (\$12,000,000) for each calendar year; provided that if this limitation has been met for any of those calendar years, an additional total of twenty million dollars (\$20,000,000) in credits may be certified for all of those calendar years; and provided further that credits certified pursuant to this paragraph shall be claimed only for taxable year 2023; and

(2) for calendar years 2024 and thereafter, thirty million dollars (\$30,000,000).

G. A taxpayer may claim a new solar market development income tax credit for the taxable year in which the taxpayer purchases and installs a solar thermal or photovoltaic system. To receive a new solar market development income tax credit, a taxpayer shall apply to the department on forms and in the manner prescribed by the department within twelve months following the calendar year in which the system was installed; provided that, for a taxpayer who receives a certificate of eligibility pursuant to Paragraph (1) of Subsection F of this section, the taxpayer shall apply to the department within twelve months following the calendar year in which the certification is made. The application shall include a certification made pursuant to Subsection E of this section.

H. That portion of a new solar market development income tax credit that exceeds a taxpayer's tax liability in the taxable year in which the credit is claimed shall be refunded to the taxpayer.

I. Married individuals filing separate returns for a taxable year for which they could have filed a joint return may each claim only one-half of the new solar market development income tax credit that would have been claimed on a joint return.

J. A taxpayer may be allocated the right to claim a new solar market development income tax credit in proportion to the taxpayer's ownership interest if the taxpayer owns an interest in a business entity that is taxed for federal income tax purposes as a partnership or limited liability company and that business entity has met all of the requirements to be eligible for the credit. The total credit claimed by all members of the partnership or limited liability company shall not exceed the allowable credit pursuant to this section.

K. A taxpayer allowed a tax credit pursuant to this section shall report the amount of the credit to the taxation and revenue department in a manner required by that department.

L. The taxation and revenue department shall compile an annual report on the new solar market development income tax credit that shall include the number of taxpayers approved by the department to receive the credit, the aggregate amount of credits approved and any other information necessary to evaluate the credit. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the tax credit.

M. As used in this section:

(1) "photovoltaic system" means an energy system that collects or absorbs sunlight for conversion into electricity; and

(2) "solar thermal system" means an energy system that collects or absorbs solar energy for conversion into heat for the purposes of space heating, space cooling or water heating."

Chapter 67 Section 39 Laws 2024

SECTION 39. A new section of the Gross Receipts and Compensating Tax Act is enacted to read:

"DEDUCTIONS--GROSS RECEIPTS TAX--COMPENSATING TAX--
GEOTHERMAL ELECTRICITY GENERATION-RELATED SALES AND USE.--

A. Prior to July 1, 2032, receipts from the following sales may be deducted from gross receipts; provided that the sale is made to a person who holds an interest in a geothermal electricity generation facility and the person delivers an appropriate nontaxable transaction certificate to the seller or lessor or provides alternative evidence pursuant to Section 7-9-43 NMSA 1978:

(1) selling tangible personal property installed as part of, or services rendered in connection with, constructing and equipping a geothermal electricity generation facility;

(2) selling tangible personal property installed as part of a system used for the distribution of electricity generated from a geothermal electricity generation facility; and

(3) selling or leasing tangible personal property or selling services that are construction plant costs.

B. Prior to July 1, 2032, the value of:

(1) tangible personal property installed as part of, or services rendered in connection with, constructing and equipping a geothermal electricity generation facility may be deducted in computing compensating tax due;

(2) tangible personal property installed as part of a system used for the distribution of electricity generated from a geothermal electricity generation facility may be deducted in computing compensating tax due; and

(3) construction plant costs purchased by a person who holds an interest in a geothermal electricity generation facility may be deducted in computing compensating tax due.

C. A taxpayer allowed a deduction pursuant to this section shall report the amount of the deduction separately in a manner required by the department.

D. The department shall compile an annual report on the deductions provided by this section that shall include the number of taxpayers that claimed the deductions, the aggregate amount of deductions claimed and any other information necessary to evaluate the effectiveness of the deductions. The department shall present the annual report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the effectiveness and cost of the deductions.

E. As used in this section:

(1) "construction plant costs" means actual expenditures for the development and construction of a geothermal electricity generation facility, including the drilling of wells to at least twelve thousand feet; permitting; site characterization and assessment; engineering; design; site and equipment acquisition; raw materials; and fuel supply development used directly and exclusively in the facility;

(2) "geothermal electricity generation facility" means a facility located in New Mexico that generates electricity from geothermal resources and:

(a) for a new facility, begins construction on or after January 1, 2025; or

(b) for an existing facility, on or after January 1, 2025, increases the amount of electricity generated from geothermal resources the facility generated prior to that date by at least one hundred percent;

(3) "geothermal resources" means the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit or the energy, in whatever form, below the surface of the earth present in, resulting from, created by or that may be extracted from this natural heat in excess of two hundred fifty degrees Fahrenheit and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, but excluding

oil, hydrocarbon gas and other hydrocarbon substances and excluding the heating and cooling capacity of the earth not resulting from the natural heat of the earth in excess of two hundred fifty degrees Fahrenheit as may be used for the heating and cooling of buildings through an on-site geexchange heat pump or similar on-site system; and

(4) "interest in a geothermal electricity generation facility" means title to a geothermal electricity generation facility; a leasehold interest in such facility; an ownership interest in a business or entity that is taxed for federal income tax purposes as a partnership that holds title to or a leasehold interest in such facility; or an ownership interest, through one or more intermediate entities that are each taxed for federal income tax purposes as a partnership, in a business that holds title to or a leasehold interest in such facility."

Chapter 67 Section 40 Laws 2024

SECTION 40. Section 7-9-93 NMSA 1978 (being Laws 2004, Chapter 116, Section 6, as amended) is amended to read:

"7-9-93. DEDUCTION--GROSS RECEIPTS--CERTAIN RECEIPTS FOR SERVICES PROVIDED BY HEALTH CARE PRACTITIONER OR ASSOCIATION OF HEALTH CARE PRACTITIONERS.--

A. Receipts of a health care practitioner or an association of health care practitioners for commercial contract services or medicare part C services paid by a managed care organization or health care insurer may be deducted from gross receipts if the services are within the scope of practice of the health care practitioner providing the service. Receipts from fee-for-service payments by a health care insurer may not be deducted from gross receipts.

B. Prior to July 1, 2028, receipts from a copayment or deductible paid by an insured or enrollee to a health care practitioner or an association of health care practitioners for commercial contract services pursuant to the terms of the insured's health insurance plan or enrollee's managed care health plan may be deducted from gross receipts if the services are within the scope of practice of the health care practitioner providing the service.

C. The deductions provided by this section shall be applied only to gross receipts remaining after all other allowable deductions available under the Gross Receipts and Compensating Tax Act have been taken.

D. A taxpayer allowed a deduction pursuant to this section shall report the amount of the deduction separately in a manner required by the department.

E. The department shall compile an annual report on the deductions provided by this section that shall include the number of taxpayers that claimed the deductions, the aggregate amount of deductions claimed and any other information necessary to

evaluate the effectiveness of the deductions. The department shall present the report to the revenue stabilization and tax policy committee and the legislative finance committee with an analysis of the cost of the deductions.

F. As used in this section:

(1) "association of health care practitioners" means a corporation, unincorporated business entity or other legal entity organized by, owned by or employing one or more health care practitioners; provided that the entity is not:

(a) an organization granted exemption from the federal income tax by the United States commissioner of internal revenue as organizations described in Section 501(c)(3) of the United States Internal Revenue Code of 1986, as that section may be amended or renumbered; or

(b) a health maintenance organization, hospital, hospice, nursing home or an entity that is solely an outpatient facility or intermediate care facility licensed pursuant to the Public Health Act;

(2) "commercial contract services" means health care services performed by a health care practitioner pursuant to a contract with a managed care organization or health care insurer other than those health care services provided for medicare patients pursuant to Title 18 of the federal Social Security Act or for medicaid patients pursuant to Title 19 or Title 21 of the federal Social Security Act;

(3) "copayment" means a fixed dollar amount that a health care insurer or managed care health plan requires an insured or enrollee to pay upon incurring an expense for receiving medical services;

(4) "deductible" means the amount of covered charges an insured or enrollee is required to pay in a plan year for commercial contract services before the insured's health insurance plan or enrollee's managed care health plan begins to pay for applicable covered charges;

(5) "fee-for-service" means payment for health care services by a health care insurer for covered charges under an indemnity insurance plan;

(6) "health care insurer" means a person that:

(a) has a valid certificate of authority in good standing pursuant to the New Mexico Insurance Code to act as an insurer, health maintenance organization or nonprofit health care plan or prepaid dental plan; and

(b) contracts to reimburse licensed health care practitioners for providing basic health services to enrollees at negotiated fee rates;

(7) "health care practitioner" means:

- (a) a chiropractic physician licensed pursuant to the provisions of the Chiropractic Physician Practice Act;
- (b) a dentist or dental hygienist licensed pursuant to the Dental Health Care Act;
- (c) a doctor of oriental medicine licensed pursuant to the provisions of the Acupuncture and Oriental Medicine Practice Act;
- (d) an optometrist licensed pursuant to the provisions of the Optometry Act;
- (e) an osteopathic physician licensed pursuant to the provisions of the Medical Practice Act;
- (f) a physical therapist licensed pursuant to the provisions of the Physical Therapy Act;
- (g) a physician or physician assistant licensed pursuant to the provisions of the Medical Practice Act;
- (h) a podiatric physician licensed pursuant to the provisions of the Podiatry Act;
- (i) a psychologist licensed pursuant to the provisions of the Professional Psychologist Act;
- (j) a registered lay midwife registered by the department of health;
- (k) a registered nurse or licensed practical nurse licensed pursuant to the provisions of the Nursing Practice Act;
- (l) a registered occupational therapist licensed pursuant to the provisions of the Occupational Therapy Act;
- (m) a respiratory care practitioner licensed pursuant to the provisions of the Respiratory Care Act;
- (n) a speech-language pathologist or audiologist licensed pursuant to the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Practices Act;

(o) a professional clinical mental health counselor, marriage and family therapist or professional art therapist licensed pursuant to the provisions of the Counseling and Therapy Practice Act who has obtained a master's degree or a doctorate;

(p) an independent social worker licensed pursuant to the provisions of the Social Work Practice Act; and

(q) a clinical laboratory that is accredited pursuant to 42 U.S.C. Section 263a but that is not a laboratory in a physician's office or in a hospital defined pursuant to 42 U.S.C. Section 1395x;

(8) "managed care health plan" means a health care plan offered by a managed care organization that provides for the delivery of comprehensive basic health care services and medically necessary services to individuals enrolled in the plan other than those services provided to medicare patients pursuant to Title 18 of the federal Social Security Act or to medicaid patients pursuant to Title 19 or Title 21 of the federal Social Security Act;

(9) "managed care organization" means a person that provides for the delivery of comprehensive basic health care services and medically necessary services to individuals enrolled in a plan through its own employed health care providers or by contracting with selected or participating health care providers. "Managed care organization" includes only those persons that provide comprehensive basic health care services to enrollees on a contract basis, including the following:

- (a) health maintenance organizations;
- (b) preferred provider organizations;
- (c) individual practice associations;
- (d) competitive medical plans;
- (e) exclusive provider organizations;
- (f) integrated delivery systems;
- (g) independent physician-provider organizations;
- (h) physician hospital-provider organizations; and
- (i) managed care services organizations; and

(10) "medicare part C services" means services performed pursuant to a contract with a managed health care provider for medicare patients pursuant to Title 18 of the federal Social Security Act."

Chapter 67 Section 41 Laws 2024

SECTION 41. DELAYED REPEAL.--

- A. Sections 27 through 30 of this act are repealed effective January 1, 2031.
- B. Sections 35 and 36 of this act are repealed effective January 1, 2034.

Chapter 67 Section 42 Laws 2024

SECTION 42. APPLICABILITY.--

- A. The provisions of Sections 7, 9 and 23 through 31 of this act apply to taxable years beginning on or after January 1, 2024.
- B. The provisions of Sections 5, 8, 10 and 32 through 37 of this act apply to taxable years beginning on or after January 1, 2025.

Chapter 67 Section 43 Laws 2024

SECTION 43. EFFECTIVE DATE.--

- A. The effective date of the provisions of Sections 1 through 4 and 11 through 22 of this act is July 1, 2024.
- B. The effective date of the provisions of Sections 5, 8, 10, 32 through 37 and 39 of this act is January 1, 2025.

LAWS 2024, CHAPTER 68

House Bill 303, aa, w/cc
Approved March 6, 2024

AN ACT

RELATING TO SOCIAL SERVICES; CREATING A PILOT PROGRAM WITHIN THE HIGHER EDUCATION DEPARTMENT TO PROVIDE ECONOMIC SUPPORT IN THE FORM OF MONETARY STIPENDS TO NEW MEXICO RESIDENTS PARTICIPATING IN THE PILOT PROGRAM; REQUIRING PARTICIPANTS TO BE ENROLLED IN CERTAIN WORKFORCE TRAINING PROGRAMS; PROVIDING FOR PARTICIPANT ELIGIBILITY CRITERIA AND PROCESSES TO APPROVE WORKFORCE TRAINING

PROGRAMS FOR SPECIFIC INDUSTRIES OR FIELDS; PROVIDING DEFINITIONS;
MAKING AN APPROPRIATION.

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

Chapter 68 Section 1 Laws 2024

SECTION 1. A new section of the Higher Education Department Act is enacted to read:

"DEFINITIONS.--As used in Sections 1 and 2 of this 2024 act:

A. "participant" means a New Mexico resident approved by the department to participate in the pilot program;

B. "pilot program" means the New Mexico workforce training economic support pilot program; and

C. "workforce training program" means a training or educational program or other work-based learning program accredited by a state institution of higher learning, that, upon successful completion by a participant, the participant will earn a certification, license or credential or will have acquired specialized qualifications or skills recognized within an industry or field as appropriate to obtain employment in that industry or field."

Chapter 68 Section 2 Laws 2024

SECTION 2. A new section of the Higher Education Department Act is enacted to read:

"NEW MEXICO WORKFORCE TRAINING ECONOMIC SUPPORT PILOT PROGRAM--CREATED--ADMINISTRATION--ELIGIBILITY--MONETARY STIPEND--RULES.--

A. The "New Mexico workforce training economic support pilot program" is created within the department as a three-year study. The department may use money appropriated to the department to pilot and evaluate the expansion of integrated basic education and skills training programs. The purpose of the pilot program is to:

(1) demonstrate that the state can measurably increase access to living wage jobs, thereby meeting the state's needs for jobs in high-demand industries and fields and reducing poverty, increasing financial stability and lowering dependence on government services for participants by providing ongoing economic support through monetary stipends during the period in which those participants are enrolled in and attending certain department-approved workforce training programs;

(2) develop and implement eligibility criteria for New Mexico residents to participate in the pilot program. Criteria for consideration should include current income, education and employment status of applicants to the pilot program, and eligibility criteria shall not restrict participants based on immigration status;

(3) develop and administer an economic support program to provide participants with ongoing monetary stipends to enable the participants to acquire training and skills necessary to obtain employment, earn a living wage and, in the process of acquiring that training, to prevent income, housing and food insecurity. The stipends provided pursuant to this paragraph should cover the costs associated with basic living needs, including housing, food and transportation, and the costs associated with enrolling in and attending a workforce training program; and

(4) identify and approve workforce training programs in the following priority industries or fields:

- (a) health care, including behavioral health;
- (b) early childhood education or care;
- (c) natural resources management;
- (d) renewable energy;
- (e) broadband expansion;
- (f) first responders;
- (g) construction industries;
- (h) aerospace;
- (i) biosciences;
- (j) cybersecurity;
- (k) film and television;
- (l) outdoor recreation;
- (m) sustainable agriculture;
- (n) intelligent manufacturing; and
- (o) global trade.

B. The department shall develop, implement and administer the pilot program created in Subsection A of this section and may receive technical assistance from the health care authority department and may collaborate with other state agencies, members of the business community, worker organizations, including trade unions, appropriate nonprofit organizations and community organizations, as deemed appropriate. In developing the pilot program, the department shall:

(1) determine eligibility requirements for applicants wishing to participate in the pilot program; provided that eligibility shall require New Mexico residency but shall not be restricted based on immigration status;

(2) determine processes, procedures and forms required for application to participate in the pilot program;

(3) determine processes and criteria for approval of workforce training programs and for ongoing reviews of those programs;

(4) no later than April 1, 2025, determine and recommend to the legislative finance committee participant eligibility requirements and appropriate dollar amounts for monetary stipends depending on factors, including a participant's selected industry or field workforce training program, income and education levels and any other relevant factors deemed appropriate by the department; provided that a monetary stipend shall not exceed one thousand dollars (\$1,000) per month for up to twelve months;

(5) no later than April 1, 2025, promulgate and adopt rules for the administration of the pilot program; and

(6) by December 1, 2025 and by December 1 of each subsequent calendar year, and in consultation with the health care authority department and any other appropriate state agency, provide a report to the legislative finance committee assessing the impact and outcomes of the pilot program and providing department recommendations."

Chapter 68 Section 3 Laws 2024

SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.

LAWS 2024, CHAPTER 69

**H AFC/House Bill 2 & 3, aa, w/cc, partial veto
Approved March 6, 2024**

AN ACT

MAKING GENERAL APPROPRIATIONS AND AUTHORIZING EXPENDITURES BY STATE AGENCIES REQUIRED BY LAW.

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

Chapter 69 Section 1 Laws 2024

Section 1. **SHORT TITLE.**--This act may be cited as the "General Appropriation Act of 2024".

Chapter 69 Section 2 Laws 2024

Section 2. **DEFINITIONS.**--As used in the General Appropriation Act of 2024:

A. "agency" means an office, department, agency, institution, board, bureau, commission, court, district attorney, council or committee of state government;

B. "efficiency" means the measure of the degree to which services are efficient and productive and is often expressed in terms of dollars or time per unit of output;

C. "explanatory" means information that can help users to understand reported performance measures and to evaluate the significance of underlying factors that may have affected the reported information;

D. "federal funds" means any payments by the United States government to state government or agencies except those payments made in accordance with the federal Mineral Leasing Act;

E. "full-time equivalent" means one or more authorized positions that alone or together receives or receive compensation for not more than two thousand eighty-eight hours worked in fiscal year 2025. The calculation of hours worked includes compensated absences but does not include overtime, compensatory time or sick leave paid pursuant to Section 10-7-10 NMSA 1978;

F. "general fund" means that fund created by Section 6-4-2 NMSA 1978 and includes federal Mineral Leasing Act receipts and those payments made in accordance with the federal block grant and the federal Workforce Investment Act but excludes the general fund operating reserve, the appropriation contingency fund, the tax stabilization reserve and any other fund, reserve or account from which general appropriations are restricted by law;

G. "interagency transfers" means revenue, other than internal service funds, legally transferred from one agency to another;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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H. "internal service funds" means:

(1) revenue transferred to an agency for the financing of goods or services to another agency on a cost-reimbursement basis; and

(2) balances in agency internal service fund accounts appropriated by the General Appropriation Act of 2024;

I. "other state funds" means:

(1) nonreverting balances in agency accounts, other than in internal service funds accounts, appropriated by the General Appropriation Act of 2024;

(2) all revenue available to agencies from sources other than the general fund, internal service funds, interagency transfers and federal funds; and

(3) all revenue, the use of which is restricted by statute or agreement;

J. "outcome" means the measure of the actual impact or public benefit of a program;

K. "output" means the measure of the volume of work completed or the level of actual services or products delivered by a program;

L. "performance measure" means a quantitative or qualitative indicator used to assess a program;

M. "quality" means the measure of the quality of a good or service produced and is often an indicator of the timeliness, reliability or safety of services or products produced by a program;

N. "revenue" means all money received by an agency from sources external to that agency, net of refunds and other correcting transactions, other than from issue of debt, liquidation of investments or as agent or trustee for other governmental entities or private persons; and

O. "target" means the expected level of performance of a program's performance measures.

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total/Target
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Chapter 69 Section 3 Laws 2024

Section 3. GENERAL PROVISIONS.--

A. Amounts set out under column headings are expressed in thousands of dollars.

B. Amounts set out under column headings are appropriated from the source indicated by the column heading. All amounts set out under the column heading "Internal Service Funds/Interagency Transfers" are intergovernmental transfers and do not represent a portion of total state government appropriations. All information designated as "Total" or "Subtotal" is provided for information and amounts are not appropriations.

C. Amounts set out in Section 4 of the General Appropriation Act of 2024, or so much as may be necessary, are appropriated from the indicated source for expenditure in fiscal year 2025 for the objects expressed.

D. Unexpended balances in agency accounts remaining at the end of fiscal year 2024 shall revert to the general fund by October 1, 2024 unless otherwise indicated in the General Appropriation Act of 2024 or otherwise provided by law.

E. Unexpended balances in agency accounts remaining at the end of fiscal year 2025 shall revert to the general fund by October 1, 2025 unless otherwise indicated in the General Appropriation Act of 2024 or otherwise provided by law.

F. The state budget division shall monitor revenue received by agencies from sources other than the general fund and shall reduce the operating budget of any agency whose revenue from such sources is not meeting projections. The state budget division shall notify the legislative finance committee of any operating budget reduced pursuant to this subsection.

G. Except as otherwise specifically stated in the General Appropriation Act of 2024, appropriations are made in this act for the expenditures of agencies and for other purposes as required by existing law for fiscal year 2025. If any other act of the second session of the fifty-sixth legislature changes existing law with regard to the name or responsibilities of an agency or the name or purpose of a fund or distribution, the appropriation made in the General Appropriation Act of 2024 shall be transferred from the agency, fund or distribution to which an appropriation has been made as required by existing law to the appropriate agency, fund or distribution provided by the new law.

H. The department of finance and administration shall regularly consult with the legislative finance committee staff to compare fiscal year 2025 revenue collections with the revenue estimate. If the analyses indicate that revenues and transfers to the general fund are not expected to meet appropriations, then the

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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department shall present a plan to the legislative finance committee that outlines the methods by which the administration proposes to address the deficit.

I. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, agencies whose revenue from state board of finance loans, from revenue appropriated by other acts of the legislature, or from gifts, grants, donations, bequests, insurance settlements, refunds or payments into revolving funds exceeds specifically appropriated amounts may request budget increases from the state budget division. If approved by the state budget division, such money is appropriated.

J. Except for gasoline credit cards used solely for operation of official vehicles, telephone credit cards used solely for official business and procurement cards used as authorized by Section 6-5-9.1 NMSA 1978, none of the appropriations contained in the General Appropriation Act of 2024 may be expended for payment of agency-issued credit card invoices.

K. For the purpose of administering the General Appropriation Act of 2024, the state of New Mexico shall follow the modified accrual basis of accounting for governmental funds in accordance with the manual of model accounting practices issued by the department of finance and administration.

Chapter 69 Section 4 Laws 2024

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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Section 4. FISCAL YEAR 2025 APPROPRIATIONS.--

A. LEGISLATIVE

LEGISLATIVE COUNCIL SERVICE:

(a) Personal services and employee benefits	4,313.9				4,313.9
(b) Contractual services	201.0				201.0
(c) Other	1,395.3				1,395.3
Subtotal					5,910.2

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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Legislature:

Appropriations:

(a) Legislative district staff	6,000.0				6,000.0
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The general fund appropriation to the legislature includes six million dollars (\$6,000,000) to provide for legislative district staff, including salaries and benefits, information technology equipment and software, furniture, supplies, office space and other necessary support, contingent on approval of the legislative council adopting staffing patterns, policies, procedures and other guidelines for the staff and adopt administrative support guidelines for legislative council service.

Subtotal					6,000.0
TOTAL LEGISLATIVE	11,910.2				11,910.2

B. JUDICIAL

NEW MEXICO COMPILATION COMMISSION:

The purpose of the New Mexico compilation commission program is to publish in print and electronic format, distribute and sell (1) laws enacted by the legislature, (2) opinions of the supreme court and court of appeals, (3) rules approved by the supreme court, (4) attorney general opinions and (5) other state and federal rules and opinions. The commission ensures the accuracy and reliability of its publications.

Appropriations:

(a) Operations	462.5	690.1	400.0		1,552.6
Subtotal					1,552.6

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
JUDICIAL STANDARDS COMMISSION:					

The purpose of the judicial standards commission program is to provide a public review process addressing complaints involving judicial misconduct to preserve the integrity and impartiality of the judicial process.

Appropriations:

(a) Operations	1,112.6				1,112.6
Subtotal					1,112.6

COURT OF APPEALS:

The purpose of the court of appeals program is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	9,140.4	1.0			9,141.4
Subtotal					9,141.4

SUPREME COURT:

The purpose of the supreme court program is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	8,906.2				8,906.2
Subtotal					8,906.2

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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ADMINISTRATIVE OFFICE OF THE COURTS:

(1) Administrative support:

The purpose of the administrative support program is to provide administrative support to the chief justice, all judicial branch units and the administrative office of the courts so that they can effectively administer the New Mexico court system.

Appropriations:

(a) Personal services and employee benefits	6,419.3	995.0		404.9	7,819.2
(b) Contractual services	1,238.5	1,286.0	313.6	1,521.8	4,359.9
(c) Other	6,730.9	1,866.7		403.9	9,001.5

(2) Statewide judiciary automation:

The purpose of the statewide judiciary automation program is to provide development, enhancement, maintenance and support for core court automation and usage skills for appellate, district, magistrate and municipal courts and ancillary judicial agencies.

Appropriations:

(a) Personal services and employee benefits	5,171.1	2,727.9			7,899.0
(b) Contractual services	250.0	907.5			1,157.5
(c) Other	1,632.5	6,458.0			8,090.5

(3) Magistrate court:

The purpose of the magistrate court program is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status in order to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits	4,535.8	593.6			5,129.4
(b) Contractual services	771.1	140.0			911.1
(c) Other	9,586.1	1,145.0			10,731.1

(4) Special court services:

The purpose of the special court services program is to provide court advocates, legal counsel and safe exchanges for children and families; to provide judges pro tem; and to adjudicate water rights disputes so the constitutional rights and safety of citizens, especially children and families, are protected.

Appropriations:

(a) Pre-trial services	3,859.5				3,859.5
(b) Court-appointed special advocate	1,408.6				1,408.6
(c) Supervised visitation	1,224.0				1,224.0
(d) Water rights		501.0	386.9		887.9
(e) Court-appointed attorneys	1,321.8				1,321.8
(f) Children's mediation	292.2				292.2
(g) Judges pro tem	27.5	41.6			69.1
(h) Court education institute	2,576.8	2,000.0			4,576.8
(i) Access to justice	302.3				302.3
(j) Statewide alternative dispute resolution	210.4				210.4
(k) Drug court	1,806.0				1,806.0
(l) Drug court fund		2,466.4	3,353.0		5,819.4
(m) Adult guardianship	360.1				360.1
Subtotal					77,237.3

DISTRICT COURTS:

(1) First judicial district:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the first judicial district court program, statutorily created in Santa Fe, Rio Arriba and Los Alamos counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	13,290.8	469.4	905.1		14,665.3
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(2) Second judicial district:

The purpose of the second judicial district court program, statutorily created in Bernalillo county, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	33,777.1	6,122.1	2,427.0		42,326.2
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(3) Third judicial district:

The purpose of the third judicial district court program, statutorily created in Dona Ana county, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	13,536.5	288.0	1,560.0		15,384.5
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(4) Fourth judicial district:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the fourth judicial district court program, statutorily created in Mora, San Miguel and Guadalupe counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	5,647.3	48.3	735.8		6,431.4
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(5) Fifth judicial district:

The purpose of the fifth judicial district court program, statutorily created in Eddy, Chaves and Lea counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	13,477.1	356.0	632.2		14,465.3
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(6) Sixth judicial district:

The purpose of the sixth judicial district court program, statutorily created in Grant, Luna and Hidalgo counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	7,557.0	75.4	260.6		7,893.0
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(7) Seventh judicial district:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the seventh judicial district court program, statutorily created in Torrance, Socorro, Catron and Sierra counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	4,894.7	35.0	499.5		5,429.2
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(8) Eighth judicial district:

The purpose of the eighth judicial district court program, statutorily created in Taos, Colfax and Union counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	6,578.8	139.7	248.2		6,966.7
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(9) Ninth judicial district:

The purpose of the ninth judicial district court program, statutorily created in Curry and Roosevelt counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	6,729.5	96.0	207.4		7,032.9
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(10) Tenth judicial district:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the tenth judicial district court program, statutorily created in Quay, De Baca and Harding counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	2,386.4	12.4			2,398.8
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(11) Eleventh judicial district:

The purpose of the eleventh judicial district court program, statutorily created in San Juan and McKinley counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	14,589.4	399.0	1,078.9		16,067.3
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(12) Twelfth judicial district:

The purpose of the twelfth judicial district court program, statutorily created in Otero and Lincoln counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	6,976.7	138.0	145.7		7,260.4
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(13) Thirteenth judicial district:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the thirteenth judicial district court program, statutorily created in Valencia, Sandoval and Cibola counties, is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	14,546.7	501.9	883.8		15,932.4
Subtotal					162,253.4

BERNALILLO COUNTY METROPOLITAN COURT:

The purpose of the Bernalillo county metropolitan court program is to provide access to justice, resolve disputes justly and timely and maintain accurate records of legal proceedings that affect rights and legal status to independently protect the rights and liberties guaranteed by the constitutions of New Mexico and the United States.

Appropriations:

(a) Operations	31,118.4	2,993.5	553.6	111.6	34,777.1
Subtotal					34,777.1

DISTRICT ATTORNEYS:

(1) First judicial district:

The purpose of the first judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Santa Fe, Rio Arriba and Los Alamos counties.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	7,874.9		152.6	120.1	8,147.6
(b) Contractual services	97.8				97.8
(c) Other	611.0				611.0

Performance measures:

- (a) Explanatory: Percent of pretrial detention motions granted
- (b) Explanatory: Number of pretrial detention motions made

(2) Second judicial district:

The purpose of the second judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Bernalillo county.

Appropriations:

(a) Personal services and employee benefits	30,571.2	585.4	657.3	422.8	32,236.7
(b) Contractual services	694.9		75.0	487.7	1,257.6
(c) Other	1,913.4	35.0	162.2	120.0	2,230.6

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
- (b) Explanatory: Percent of pretrial detention motions granted

(3) Third judicial district:

The purpose of the third judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Dona Ana county.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	6,672.7		77.6	276.5	7,026.8
(b) Contractual services	20.2				20.2
(c) Other	424.2				424.2

Performance measures:

- (a) Explanatory: Percent of pretrial detention motions granted
- (b) Explanatory: Number of pretrial detention motions made

(4) Fourth judicial district:

The purpose of the fourth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Mora, San Miguel and Guadalupe counties.

Appropriations:

(a) Personal services and employee benefits	4,414.1				4,414.1
(b) Contractual services	108.7				108.7
(c) Other	255.8				255.8

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
- (b) Explanatory: Percent of pretrial detention motions granted

(5) Fifth judicial district:

The purpose of the fifth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Eddy, Lea and Chaves counties.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	7,263.3			287.7	7,551.0
(b) Contractual services	147.5				147.5
(c) Other	354.6				354.6

Performance measures:

- (a) Explanatory: Percent of pretrial detention motions granted
(b) Explanatory: Number of pretrial detention motions made

(6) Sixth judicial district:

The purpose of the sixth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Grant, Hidalgo and Luna counties.

Appropriations:

(a) Personal services and employee benefits	3,897.7		102.3	177.1	4,177.1
(b) Contractual services	14.2				14.2
(c) Other	279.1				279.1

Performance measures:

- (a) Explanatory: Percent of pretrial detention motions granted
(b) Explanatory: Number of pretrial detention motions made

(7) Seventh judicial district:

The purpose of the seventh judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Catron, Sierra, Socorro and Torrance counties.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	3,589.6				3,589.6
(b) Contractual services	16.3				16.3
(c) Other	187.1				187.1

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
(b) Explanatory: Percent of pretrial detention motions granted

(8) Eighth judicial district:

The purpose of the eighth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Taos, Colfax and Union counties.

Appropriations:

(a) Personal services and employee benefits	4,032.3				4,032.3
(b) Contractual services	148.1				148.1
(c) Other	308.5				308.5

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
(b) Explanatory: Percent of pretrial detention motions granted

(9) Ninth judicial district:

The purpose of the ninth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Curry and Roosevelt counties.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	4,198.2				4,198.2
(b) Contractual services	258.8				258.8
(c) Other	203.5				203.5

Performance measures:

- (a) Explanatory: Percent of pretrial detention motions granted
(b) Explanatory: Number of pretrial detention motions made

(10) Tenth judicial district:

The purpose of the tenth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Quay, Harding and De Baca counties.

Appropriations:

(a) Personal services and employee benefits	1,911.4				1,911.4
(b) Contractual services	40.0				40.0
(c) Other	172.5				172.5

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
(b) Explanatory: Percent of pretrial detention motions granted

(11) Eleventh judicial district, division I:

The purpose of the eleventh judicial district attorney, division 1, program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within San Juan county.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	6,543.2			234.3	6,777.5
(b) Contractual services	239.8				239.8
(c) Other	431.5				431.5

Performance measures:

- (a) Explanatory: Percent of pretrial detention motions granted
- (b) Explanatory: Number of pretrial detention motions made

(12) Eleventh judicial district, division II:

The purpose of the eleventh judicial district attorney, division 2, program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within McKinley county.

Appropriations:

(a) Personal services and employee benefits	3,105.4				3,105.4
(b) Contractual services	155.9				155.9
(c) Other	175.5				175.5

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
- (b) Explanatory: Percent of pretrial detention motions granted

(13) Twelfth judicial district:

The purpose of the prosecution program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Lincoln and Otero counties.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	4,636.2		130.5	194.9	4,961.6
(b) Contractual services	101.3				101.3
(c) Other	319.0				319.0

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
- (b) Explanatory: Percent of pretrial detention motions granted

(14) Thirteenth judicial district:

The purpose of the thirteenth judicial district attorney program is to provide litigation, special programs and administrative support for the enforcement of state laws as they pertain to the district attorney and to improve and ensure the protection, safety, welfare and health of the citizens within Cibola, Sandoval and Valencia counties.

Appropriations:

(a) Personal services and employee benefits	8,098.2	100.0			8,198.2
(b) Contractual services	150.0	50.0			200.0
(c) Other	469.5	50.0			519.5

Performance measures:

- (a) Explanatory: Number of pretrial detention motions made
 - (b) Explanatory: Percent of pretrial detention motions granted
 - Subtotal
- 109,606.1

ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS:

(1) Administrative support:

The purpose of the administrative support program is to provide fiscal, human resource, staff development, automation, victim program services and support to all district attorneys' offices in New Mexico and to members

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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of the New Mexico children's safe house network so they may obtain and access the necessary resources to effectively and efficiently carry out their prosecutorial, investigative and programmatic functions.

Appropriations:

(a) Personal services and employee benefits	2,023.4				2,023.4
(b) Contractual services	370.4	16.9			387.3
(c) Other	995.4	68.9			1,064.3
Subtotal					3,475.0

PUBLIC DEFENDER DEPARTMENT:

(1) Criminal legal services:

The purpose of the criminal legal services program is to provide effective legal representation and advocacy for eligible clients so their liberty and constitutional rights are protected and to serve the community as a partner in assuring a fair and efficient criminal justice system that sustains New Mexico's statutory and constitutional mandate to adequately fund a statewide indigent defense system.

Appropriations:

(a) Personal services and employee benefits	49,314.5				49,314.5
(b) Contractual services	19,417.1				19,417.1
(c) Other	6,927.2	100.0			7,027.2

Performance measures:

(a) Output:	Average cases assigned to attorneys yearly				330
Subtotal					75,758.8
TOTAL JUDICIAL	428,607.7	34,500.7	15,948.8	4,763.3	483,820.5

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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C. GENERAL CONTROL

ATTORNEY GENERAL:

(1) Legal services:

The purpose of the legal services program is to deliver quality legal services, including opinions, counsel and representation to state government entities, and to enforce state law on behalf of the public so New Mexicans have an open, honest, efficient government and enjoy the protection of state law.

Appropriations:

(a) Personal services and employee benefits	12,370.1		12,233.1	734.2	25,337.4
(b) Contractual services	547.8		541.0	10.0	1,098.8
(c) Other	2,614.9		2,580.3	320.0	5,515.2

The internal service funds/interagency transfers appropriations to the legal services program of the attorney general include fifteen million three hundred fifty-four thousand four hundred dollars (\$15,354,400) from the consumer settlement fund of the office of the attorney general.

(2) Medicaid fraud:

The purpose of the medicaid fraud program is to investigate and prosecute medicaid provider fraud, recipient abuse and neglect in the medicaid program.

Appropriations:

(a) Personal services and employee benefits	928.0			2,640.9	3,568.9
(b) Contractual services	1.2			3.8	5.0
(c) Other	217.2			650.4	867.6
Subtotal					36,392.9

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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STATE AUDITOR:

The purpose of the state auditor program is to audit the financial affairs of every agency annually so they can improve accountability and performance and to assure New Mexico citizens that funds are expended properly.

Appropriations:

(a) Personal services and employee benefits	3,399.3	850.0			4,249.3
(b) Contractual services	197.8				197.8
(c) Other	563.7				563.7
Subtotal					5,010.8

TAXATION AND REVENUE DEPARTMENT:

(1) Tax administration:

The purpose of the tax administration program is to provide registration and licensure requirements for and compliance with tax programs and to ensure the administration and collection of state taxes and fees that provide funding for support services for the general public through appropriations.

Appropriations:

(a) Personal services and employee benefits	28,661.3	634.6		1,650.5	30,946.4
(b) Contractual services	1,051.9	160.5		9.3	1,221.7
(c) Other	6,645.2	348.0		201.1	7,194.3

Performance measures:

(a) Outcome:	Collections as a percent of collectible outstanding balances from the end of the prior fiscal year	20%
(b) Outcome:	Collections as a percent of collectible audit assessments generated in the previous fiscal year	60%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(2) Motor vehicle:					

The purpose of the motor vehicle program is to register, title and license vehicles, boats and motor vehicle dealers and to enforce operator compliance with the Motor Vehicle Code and federal regulations by conducting tests, investigations and audits.

Appropriations:

(a) Personal services and employee benefits	16,624.5	6,425.8		310.0	23,360.3
(b) Contractual services		8,517.9		140.0	8,657.9
(c) Other		12,654.6		239.5	12,894.1
(d) Other financing uses		9,594.5			9,594.5

The other state funds appropriations to the motor vehicle program of the taxation and revenue department include nine million five hundred thousand dollars (\$9,500,000) from the weight distance tax identification permit fund for the modal program of the department of transportation and ninety-four thousand five hundred dollars (\$94,500) from the weight distance tax identification permit fund for the law enforcement program of the department of public safety.

Performance measures:

(a) Outcome:	Percent of registered vehicles with liability insurance	95%
(b) Efficiency:	Average call center wait time to reach an agent, in minutes	8
(c) Efficiency:	Average wait time in qmatic-equipped offices, in minutes	12

(3) Property tax:

The purpose of the property tax program is to administer the Property Tax Code, to ensure the fair appraisal of property and to assess property taxes within the state.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits		3,811.1			3,811.1
(b) Contractual services		1,219.4			1,219.4
(c) Other		1,392.0			1,392.0

Performance measures:

(a) Outcome: Percent of total delinquent property taxes recovered 15%

(4) Compliance enforcement:

The purpose of the compliance enforcement program is to support the overall mission of the taxation and revenue department by enforcing criminal statutes relative to the New Mexico Tax Administration Act and other related financial crimes, as they impact New Mexico state taxes, to encourage and achieve voluntary compliance with state tax laws.

Appropriations:

(a) Personal services and employee benefits	1,747.9			1,747.9
(b) Contractual services	9.4			9.4
(c) Other	295.6			295.6

(5) Program support:

The purpose of program support is to provide information system resources, human resource services, finance and accounting services, revenue forecasting and legal services to give agency personnel the resources needed to meet departmental objectives. For the general public, the program conducts hearings for resolving taxpayer protests and provides stakeholders with reliable information regarding the state's tax programs.

Appropriations:

(a) Personal services and employee benefits	16,338.6	929.0		17,267.6
(b) Contractual services	7,473.9			7,473.9
(c) Other	2,954.9			2,954.9

<u>Item</u>	<u>General</u> <u>Fund</u>	<u>Other</u> <u>State</u> <u>Funds</u>	<u>Intrnl Svc</u> <u>Funds/Inter-</u> <u>Agency Trnsf</u>	<u>Federal</u> <u>Funds</u>	<u>Total/Target</u>
Subtotal					130,041.0

STATE INVESTMENT COUNCIL:

(1) State investment:

The purpose of the state investment program is to provide investment management of the state's permanent funds for the citizens of New Mexico to maximize distributions to the state's operating budget while preserving the real value of the funds for future generations of New Mexicans.

Appropriations:

(a) Personal services and employee benefits			6,271.0		6,271.0
(b) Contractual services			65,771.6		65,771.6
(c) Other			886.7		886.7

Performance measures:

(a) Outcome:	Five-year annualized investment returns to exceed internal benchmarks, in basis points	12.5
(b) Outcome:	Five-year annualized percentile performance ranking in endowment investment peer universe	49%
Subtotal		72,929.3

ADMINISTRATIVE HEARINGS OFFICE:

(1) Administrative hearings:

The purpose of the administrative hearings program is to adjudicate tax-, property- and motor-vehicle-related administrative hearings in a fair, efficient and impartial manner independent of the executive agency that is party to the proceedings.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	2,090.5	210.0	128.8		2,429.3
(b) Contractual services	39.7				39.7
(c) Other	361.0				361.0

The internal service funds/interagency transfers appropriation to the administrative hearings office includes one hundred thousand dollars (\$100,000) from the health care authority department for costs of conducting administrative hearings under the Medicaid Provider and Managed Care Act.

The other state funds appropriation to the administrative hearings office includes two hundred ten thousand dollars (\$210,000) from the motor vehicle suspense fund.

Performance measures:

(a) Outcome:	Percent of hearings for implied consent act cases not held within ninety days due to administrative hearings office error	0.4%
Subtotal		2,830.0

DEPARTMENT OF FINANCE AND ADMINISTRATION:

(1) Policy development, fiscal analysis, budget oversight and education accountability:

The purpose of the policy development, fiscal analysis, budget oversight and education accountability program is to provide professional and coordinated policy development and analysis and oversight to the governor, the legislature and state agencies so they can advance the state's policies and initiatives using appropriate and accurate data to make informed decisions for the prudent use of the public's tax dollars.

Appropriations:

(a) Personal services and employee benefits	4,691.6	4,691.6
(b) Contractual services	1,136.4	1,136.4
(c) Other	1,163.0	1,163.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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On certification by the state board of finance pursuant to Section 6-1-2 NMSA 1978 that a critical emergency exists that cannot be addressed by disaster declaration or other emergency or contingency funds, the secretary of the department of finance and administration is authorized to transfer from the general fund operating reserve to the state board of finance emergency fund the amount necessary to meet the emergency. Such transfers shall not exceed an aggregate amount of four million dollars (\$4,000,000) in fiscal year 2025. Repayments of emergency loans made pursuant to this paragraph shall be deposited in the board of finance emergency fund pursuant to the provisions of Section 6-1-5 NMSA 1978.

Performance measures:

(a) Outcome:	General fund reserves as a percent of recurring appropriations	30%
(b) Outcome:	Error rate for the eighteen-month general fund revenue forecast, excluding oil and gas revenue and corporate income taxes	5%
(c) Outcome:	Error rate for the eighteen-month general fund revenue forecast, including oil and gas revenue and corporate income taxes	5%

(2) Community development, local government assistance and fiscal oversight:

The purpose of the community development, local government assistance and fiscal oversight program is to help counties, municipalities and special districts maintain strong communities through sound fiscal advice and oversight, technical assistance, monitoring of project and program progress and timely processing of payments, grant agreements and contracts.

Appropriations:

(a) Personal services and employee benefits	5,582.6			5,582.6
(b) Contractual services	2,942.5	3,424.7		6,367.2
(c) Other		33,288.7	21,935.7	55,224.4
(d) Other financing uses		700.0		700.0

The other state funds appropriations to the community development, local government assistance and fiscal oversight program of the department of finance and administration include twelve million six hundred forty-eight

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
thousand two hundred dollars (\$12,648,200) from the enhanced 911 fund, twenty-three million seven hundred sixty-five thousand two hundred dollars (\$23,765,200) from the local DWI grant fund and one million dollars (\$1,000,000) from the civil legal services fund.					

(3) Fiscal management and oversight:

The purpose of the fiscal management and oversight program is to provide for and promote financial accountability for public funds throughout state government by providing state agencies and New Mexicans with timely, accurate and comprehensive information on the financial status and expenditures of the state.

Appropriations:

(a) Personal services and employee benefits	5,327.5				5,327.5
(b) Contractual services	1,878.7				1,878.7
(c) Other	437.5				437.5
(d) Other financing uses		80,103.8	30,105.8		110,209.6

The internal service funds/interagency transfers appropriation to the fiscal management and oversight program of the department of finance and administration in the other financing uses category includes twelve million nine hundred seventy-eight thousand nine hundred dollars (\$12,978,900) from the tobacco settlement program fund and seventeen million one hundred twenty-six thousand nine hundred dollars (\$17,126,900) from the opioid crisis recovery fund.

The other state funds appropriation to the fiscal management and oversight program of the department of finance and administration in the other financing uses category includes seven million one hundred three thousand eight hundred dollars (\$7,103,800) from the tobacco settlement program fund and seventy-three million dollars (\$73,000,000) from the county-supported medicaid fund.

Performance measures:

(a) Efficiency:	Percent of correctly vouchered and approved vendor payments processed within two working days	100%
(b) Outcome:	Percent of bank accounts reconciled on an annual basis	100%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(4) Program support:					

The purpose of program support is to provide other department of finance and administration programs with central direction to agency management processes to ensure consistency, legal compliance and financial integrity, to provide human resources support and to administer the executive's exempt salary plan.

Appropriations:

(a) Personal services and employee benefits	2,516.4				2,516.4
(b) Contractual services	141.1				141.1
(c) Other	278.0				278.0

(5) Dues and membership fees/special appropriations:

Appropriations:

(a) Emergency water supply fund	109.9				109.9
(b) Fiscal agent contract	1,200.0				1,200.0
(c) State planning districts	693.0				693.0
(d) Statewide teen court	17.7		120.2		137.9
(e) Law enforcement protection fund			22,000.0		22,000.0
(f) Leasehold community assistance	180.0				180.0
(g) Acequia and community ditch education program	498.2				498.2
(h) New Mexico acequia commission	88.1				88.1
(i) Land grant council	626.9				626.9
(j) County detention of prisoners	5,000.0				5,000.0
(k) National association of state budget officers	24.0				24.0
(l) Western governors' association	40.0				40.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(m) National governors' association	84.0				84.0
(n) Intertribal Indian ceremonial association	328.0				328.0

The department of finance and administration shall not distribute a general fund appropriation made to the dues and membership fees/special appropriations program to a New Mexico agency or local public body that is not current on its audit or financial reporting or otherwise not in compliance with the Audit Act.

Subtotal

226,664.0

PUBLIC SCHOOL INSURANCE AUTHORITY:

(1) Benefits:

The purpose of the benefits program is to provide an effective health insurance package to educational employees and their eligible family members so they can be protected against catastrophic financial losses due to medical problems, disability or death.

Appropriations:

(a) Contractual services	404,051.1	404,051.1
(b) Other financing uses	873.6	873.6

Performance measures:

(a) Outcome:	Percent change in per-member health claim costs	5%
(b) Outcome:	Percent change in medical premium as compared with industry average	4.5%

(2) Risk:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the risk program is to provide economical and comprehensive property, liability and workers' compensation programs to educational entities so they are protected against injury and loss.

Appropriations:

(a) Contractual services		132,130.9			132,130.9
(b) Other financing uses		873.7			873.7

Performance measures:

(a) Explanatory:	Total dollar amount of excess insurance claims for property, in thousands
(b) Explanatory:	Total dollar amount of excess insurance claims for liability, in thousands
(c) Explanatory:	Total dollar amount of excess insurance claims for workers' compensation, in thousands

(3) Program support:

The purpose of program support is to provide administrative support for the benefits and risk programs and to assist the agency in delivering services to its constituents.

Appropriations:

(a) Personal services and employee benefits	1,466.0	1,466.0
(b) Contractual services	96.0	96.0
(c) Other	185.3	185.3

Any unexpended balances in program support of the public school insurance authority remaining at the end of fiscal year 2025 shall revert in equal amounts to the benefits program and risk program.

Subtotal		539,676.6
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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RETIREE HEALTH CARE AUTHORITY:

(1) Healthcare benefits administration:

The purpose of the healthcare benefits administration program is to provide fiscally solvent core group and optional healthcare benefits and life insurance to current and future eligible retirees and their dependents so they may access covered and available core group and optional healthcare benefits and life insurance benefits when they need them.

Appropriations:

(a) Contractual services		402,026.7			402,026.7
(b) Other		45.0			45.0
(c) Other financing uses		4,047.4			4,047.4

Performance measures:

(a) Output:	Minimum number of years of positive fund balance	30
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(2) Program support:

The purpose of program support is to provide administrative support for the healthcare benefits administration program to assist the agency in delivering its services to its constituents.

Appropriations:

(a) Personal services and employee benefits		2,673.9			2,673.9
(b) Contractual services		748.3			748.3
(c) Other		625.2			625.2

Any unexpended balances in program support of the retiree health care authority remaining at the end of fiscal year 2025 from this appropriation shall revert to the healthcare benefits administration program.

Subtotal					410,166.5
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Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total/Target
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GENERAL SERVICES DEPARTMENT:

(1) Risk management:

The purpose of the risk management program is to protect the state's assets against property, public liability, workers' compensation, state unemployment compensation, local public bodies unemployment compensation and surety bond losses so agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a) Personal services and employee benefits			5,330.0		5,330.0
(b) Contractual services			190.0		190.0
(c) Other			494.7		494.7
(d) Other financing uses			4,561.0		4,561.0

Any unexpended balances in the risk management program of the general services department remaining at the end of fiscal year 2025 shall revert to the public liability fund, public property reserve fund, workers' compensation retention fund, state unemployment compensation fund, local public body unemployment compensation fund and group self-insurance fund based on the proportion of each individual fund's assessment for the risk management program.

(2) Risk management funds:

The purpose of the risk management funds program is to provide public liability, public property and workers' compensation coverage to state agencies and employees.

Appropriations:

(a) Public liability		59,976.0		59,976.0
(b) Surety bond		4,568.6		4,568.6
(c) Public property reserve		19,974.4		19,974.4

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(d) Local public body unemployment compensation reserve		2,090.0			2,090.0
(e) Workers' compensation retention		16,118.7			16,118.7
(f) State unemployment compensation		8,100.0			8,100.0

The other state funds appropriations to the risk management funds program include sufficient funding to pay costs of providing liability and workers' compensation insurance to members of the New Mexico mounted patrol.

Performance measures:

- (a) Explanatory: Projected financial position of the public property fund
- (b) Explanatory: Projected financial position of the workers' compensation fund
- (c) Explanatory: Projected financial position of the public liability fund

(3) State printing services:

The purpose of the state printing services program is to provide cost-effective printing and publishing services for governmental agencies.

Appropriations:

(a) Personal services and employee benefits	774.5	774.5
(b) Contractual services	100.0	100.0
(c) Other	2,619.5	2,619.5
(d) Other financing uses	100.0	100.0

Performance measures:

- (a) Output: Percent of state printing revenue exceeding expenditures 5%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(4) Facilities management:					

The purpose of the facilities management program is to provide employees and the public with effective property management so agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a) Personal services and employee benefits	11,388.9	500.0			11,888.9
(b) Contractual services	324.7				324.7
(c) Other	8,336.4	500.0			8,836.4

The other state funds appropriations to the facilities management program of the general services department include one million dollars (\$1,000,000) from the public buildings repair fund[~~, contingent on the secretary of general services establishing a schedule of building use fees pursuant to Section 15-3B-19 NMSA 1978.~~] *LINE ITEM VETO*

Performance measures:

(a) Outcome:	Percent of new office space leases achieving adopted space standards	90%
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(5) Transportation services:

The purpose of the transportation services program is to provide centralized and effective administration of the state's motor pool and aircraft transportation services so agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a) Personal services and employee benefits	575.6	2,283.7			2,859.3
(b) Contractual services		212.8			212.8
(c) Other	381.4	9,506.7			9,888.1
(d) Other financing uses		450.0			450.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The other state funds appropriations to the transportation services program of the general services department include two million dollars (\$2,000,000) from the state transportation pool fund balance to purchase vehicles for state agencies.

Performance measures:

(a) Outcome: Percent of leased vehicles used daily or 750 miles per month 70%

(6) Procurement services:

The purpose of the procurement services program is to provide a procurement process for tangible property for government entities to ensure compliance with the Procurement Code so agencies can perform their missions in an efficient and responsive manner.

Appropriations:

(a) Personal services and employee benefits	2,646.3	2,646.3
(b) Contractual services	19.0	19.0
(c) Other	228.4	228.4
(d) Other financing uses	819.3	819.3

Performance measures:

(a) Output: Average number of days for completion of contract review 5

(7) Program support:

The purpose of program support is to provide leadership and policy direction, establish department procedures, manage program performance, oversee department human resources and finances and provide information technology business solutions.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits			4,495.3		4,495.3
(b) Contractual services			624.5		624.5
(c) Other			810.5		810.5

Any unexpended balances in program support of the general services department remaining at the end of fiscal year 2025 shall revert to the procurement services, state printing services, risk management and transportation services programs based on the proportion of each individual program's assessment for program support.

Subtotal 169,100.9

EDUCATIONAL RETIREMENT BOARD:

(1) Educational retirement:

The purpose of the educational retirement program is to provide secure retirement benefits to active and retired members so they can have secure monthly benefits when their careers are finished.

Appropriations:

(a) Personal services and employee benefits		10,302.4		10,302.4
(b) Contractual services		20,000.0		20,000.0
(c) Other		2,197.2		2,197.2

Performance measures:

(a) Outcome:	Funding period of unfunded actuarial accrued liability, in years	30
(b) Explanatory:	Ten-year performance ranking in a national peer survey of public plans	

Subtotal

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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NEW MEXICO SENTENCING COMMISSION:

The purpose of the New Mexico sentencing commission program is to provide information, analysis, recommendations and assistance from a coordinated cross-agency perspective to the three branches of government and interested citizens so they have the resources they need to make policy decisions that benefit the criminal and juvenile justice systems.

Appropriations:

(a) Contractual services	1,178.2		52.0		1,230.2
(b) Other	336.1				336.1

The general fund appropriation to the New Mexico sentencing commission in the other category includes three hundred twenty-eight thousand five hundred dollars (\$328,500) for crime reduction grants, including grants supporting improved data integration among criminal justice partners.

Subtotal					1,566.3
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GOVERNOR:

(1) Executive management and leadership:

The purpose of the executive management and leadership program is to provide appropriate management and leadership to the executive branch of government to allow for a more efficient and effective operation of the agencies within that branch of government on behalf of the citizens of the state.

Appropriations:

(a) Personal services and employee benefits	5,666.4				5,666.4
(b) Contractual services	186.0				186.0
(c) Other	507.4				507.4
Subtotal					6,359.8

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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LIEUTENANT GOVERNOR:

(1) State ombudsman:

The purpose of the state ombudsman program is to facilitate and promote cooperation and understanding between New Mexicans and the agencies of state government, refer any complaints or special problems residents may have to the proper entities, keep records of activities and submit an annual report to the governor.

Appropriations:

(a) Personal services and employee benefits	689.4				689.4
(b) Contractual services	36.9				36.9
(c) Other	92.3				92.3
Subtotal					818.6

DEPARTMENT OF INFORMATION TECHNOLOGY:

(1) Compliance and project management:

The purpose of the compliance and project management program is to provide information technology strategic planning, oversight and consulting services to New Mexico government agencies so they can improve services provided to New Mexico citizens.

Appropriations:

(a) Personal services and employee benefits	924.9				924.9
(b) Other	76.0				76.0

Performance measures:

(a) Outcome:	Percent of information technology professional service contracts greater than one million dollars in value reviewed within seven business days	95%
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Outcome:	Percent of information technology professional service contracts less than one million dollars in value reviewed within five business days				98%

(2) Enterprise services:

The purpose of the enterprise services program is to provide reliable and secure infrastructure for voice, radio, video and data communications through the state's enterprise data center and telecommunications network.

Appropriations:

(a) Personal services and employee benefits		12,983.6			12,983.6
(b) Contractual services		5,587.4			5,587.4
(c) Other		32,749.3			32,749.3
(d) Other financing uses		9,061.6			9,061.6

Performance measures:

(a) Outcome:	Percent of service desk incidents resolved within the timeframe specified for their priority level	95%
(b) Output:	Number of independent vulnerability scans of information technology assets identifying potential cyber risks	12

(3) Equipment replacement revolving funds:

Appropriations:

(a) Other	7,717.4	9,061.6		16,779.0
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(4) Broadband access and expansion:

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	1,165.2	650.0			1,815.2
(b) Contractual services	125.0			2,375.0	2,500.0
(c) Other	419.0				419.0

The other state funds appropriations to the broadband access and expansion program of the department of information technology include six hundred fifty thousand dollars (\$650,000) from the public school capital outlay fund.

(5) Cybersecurity:

Appropriations:

(a) Personal services and employee benefits	1,605.5				1,605.5
(b) Contractual services	3,739.5				3,739.5
(c) Other	832.8				832.8
(d) Other financing uses	315.1				315.1

(6) Program support:

The purpose of program support is to provide management and ensure cost recovery and allocation services through leadership, policies, procedures and administrative support for the department.

Appropriations:

(a) Personal services and employee benefits		4,138.4	315.1		4,453.5
(b) Contractual services		46.0			46.0
(c) Other		305.7			305.7

Performance measures:

(a) Output:	Percent difference between enterprise service revenues and expenditures for cost recovery of service delivery	10%
Subtotal		94,194.1

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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PUBLIC EMPLOYEES RETIREMENT ASSOCIATION:

(1) Pension administration:

The purpose of the pension administration program is to provide information, retirement benefits and an actuarially sound fund to association members so they can receive the defined benefit they are entitled to when they retire from public service.

Appropriations:

(a) Personal services and employee benefits	55.7	10,123.2			10,178.9
(b) Contractual services		25,968.8			25,968.8
(c) Other		4,910.5			4,910.5

Performance measures:

(a) Outcome:	Funding period of unfunded actuarial accrued liability, in years	30
(b) Explanatory:	Average rate of net return over the last five years	
Subtotal		41,058.2

STATE COMMISSION OF PUBLIC RECORDS:

(1) Records, information and archival management:

The purpose of the records, information and archival management program is to develop, implement and provide tools, methodologies and services for use by, and for the benefit of, government agencies, historical record repositories and the public so the state can effectively create, preserve, protect and properly dispose of records, facilitate their use and understanding and protect the interests of the citizens of New Mexico.

Appropriations:

(a) Personal services and employee benefits	2,838.5				2,838.5
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Contractual services	75.0			40.0	115.0
(c) Other	149.9	255.1			405.0
Subtotal					3,358.5

SECRETARY OF STATE:

(1) Administration and operations:

The purpose of the administration and operations program is to provide operational services to commercial and business entities and citizens, including administration of notary public commissions, uniform commercial code filings, trademark registrations and partnerships, and to provide administrative services needed to carry out elections.

Appropriations:

(a) Personal services and employee benefits	4,146.6				4,146.6
(b) Contractual services	97.9	80.0			177.9
(c) Other	722.6				722.6

(2) Elections:

The purpose of the elections program is to provide voter education and information on election law and government ethics to citizens, public officials and candidates so they can comply with state law.

Appropriations:

(a) Personal services and employee benefits	2,019.6				2,019.6
(b) Contractual services	162.2			856.3	1,018.5
(c) Other	9,828.6				9,828.6

Performance measures:

(a) Outcome:	Percent of eligible voters registered to vote	85%
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Outcome:	Percent of reporting individuals in compliance with campaign finance reporting requirements				97%
Subtotal					17,913.8

PERSONNEL BOARD:

(1) Human resource management:

The purpose of the human resource management program is to provide a merit-based system in partnership with state agencies, appropriate compensation, human resource accountability and employee development that meets the evolving needs of the agencies, employees, applicants and the public so economy and efficiency in the management of state affairs may be provided while protecting the interest of the public.

Appropriations:

(a) Personal services and employee benefits	4,056.8		193.1		4,249.9
(b) Contractual services	76.0				76.0
(c) Other	234.4				234.4

Performance measures:

(a) Explanatory:	Average number of days to fill a position from the date of posting				
(b) Explanatory:	Classified service vacancy rate				
(c) Explanatory:	Number of in-pay-band salary increases awarded				
(d) Explanatory:	Average classified service employee total compensation				
(e) Explanatory:	Cost of overtime pay				
Subtotal					4,560.3

PUBLIC EMPLOYEES LABOR RELATIONS BOARD:

The purpose of the public employee labor relations board program is to assure all state and local public body employees have the option to organize and bargain collectively with their employer.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	203.3				203.3
(b) Contractual services	31.5				31.5
(c) Other	63.1				63.1
Subtotal					297.9

STATE TREASURER:

The purpose of the state treasurer program is to provide a financial environment that maintains maximum accountability for receipt, investment and disbursement of public funds to protect the financial interests of New Mexico citizens.

Appropriations:

(a) Personal services and employee benefits	3,371.5	390.0		2.0	3,763.5
(b) Contractual services	522.5				522.5
(c) Other	717.2				717.2

Performance measures:

(a) Outcome:	One-year annualized investment return on general fund core portfolio to exceed internal benchmarks, in basis points				10
Subtotal					5,003.2
TOTAL GENERAL CONTROL	208,395.1	1,409,487.7	150,440.8	32,118.7	1,800,442.3

D. COMMERCE AND INDUSTRY

BOARD OF EXAMINERS FOR ARCHITECTS:

(1) Architectural registration:

The purpose of the architectural registration program is to regulate, through enforcement and licensing, the professional conduct of architects to protect the health, safety and welfare of the general public of the state.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits		449.0			449.0
(b) Contractual services		46.7			46.7
(c) Other		83.3			83.3
Subtotal					579.0

STATE ETHICS COMMISSION:

The purpose of the state ethics commission program is to receive, investigate and adjudicate complaints against public officials, public employees, candidates, those subject to the Campaign Reporting Act, government contractors, lobbyists and lobbyists' employers and to ensure that public ethics laws are clear, comprehensive and effective.

Appropriations:

(a) Personal services and employee benefits	1,314.5				1,314.5
(b) Contractual services	211.9				211.9
(c) Other	150.0	5.0			155.0
Subtotal					1,681.4

BORDER AUTHORITY:

(1) Border development:

The purpose of the border development program is to encourage and foster trade development in the state by developing port facilities and infrastructure at international ports of entry to attract new industries and business to the New Mexico border and to assist industries, businesses and the traveling public in their efficient and effective use of ports and related facilities.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	452.6				452.6
(b) Contractual services	44.0				44.0
(c) Other	25.6	81.5			107.1

Performance measures:

(a) Outcome:	Annual trade share of New Mexico ports within the west Texas and New Mexico region	35%
(b) Outcome:	Number of commercial and noncommercial vehicles passing through New Mexico ports	1,250,000
Subtotal		603.7

TOURISM DEPARTMENT:

(1) Marketing and promotion:

The purpose of the marketing and promotion program is to produce and provide collateral and editorial products and special events for the consumer and trade industry so it may increase its awareness of New Mexico as a premier tourist destination.

Appropriations:

(a) Personal services and employee benefits	1,357.0		1,357.0
(b) Contractual services	1,387.2		1,387.2
(c) Other	19,126.1	30.0	19,156.1

Performance measures:

(a) Outcome:	Percent change in New Mexico leisure and hospitality employment	3%
(b) Output:	Percent change in year-over-year visitor spending	3%

(2) Tourism development:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the tourism development program is to provide constituent services for communities, regions and other entities so they may identify their needs and assistance can be provided to locate resources to fill those needs, whether internal or external to the organization.

Appropriations:

(a) Personal services and employee benefits	933.9	178.7			1,112.6
(b) Contractual services	4.0	1.4			5.4
(c) Other	460.4	1,563.4			2,023.8

Performance measures:

(a) Output:	Number of entities participating in collaborative applications for the cooperative marketing grant program	60
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(3) New Mexico magazine:

The purpose of the New Mexico magazine program is to produce a monthly magazine and ancillary products for a state and global audience so the audience can learn about New Mexico from a cultural, historical and educational perspective.

Appropriations:

(a) Personal services and employee benefits		1,072.9			1,072.9
(b) Contractual services		830.0			830.0
(c) Other		1,109.4			1,109.4

Performance measures:

(a) Output:	True adventure guide advertising revenue	\$545,000
(b) Output:	Advertising revenue per issue, in thousands	\$85

(4) Program support:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of program support is to provide administrative assistance to support the department's programs and personnel so they may be successful in implementing and reaching their strategic initiatives and maintaining full compliance with state rules and regulations.

Appropriations:

(a) Personal services and employee benefits	2,051.4				2,051.4
(b) Contractual services	32.5				32.5
(c) Other	142.5				142.5
Subtotal					30,280.8

ECONOMIC DEVELOPMENT DEPARTMENT:

(1) Economic development:

The purpose of the economic development program is to assist communities in preparing for their role in the new economy, focusing on high-quality job creation and improved infrastructure, so New Mexicans can increase their wealth and improve their quality of life.

Appropriations:

(a) Personal services and employee benefits	3,167.2		213.8		3,381.0
(b) Contractual services	1,709.0				1,709.0
(c) Other	13,502.7				13,502.7

Performance measures:

(a) Outcome:	Number of workers trained by the job training incentive program	2,000
(b) Outcome:	Number of rural jobs created	1,320
(c) Output:	Number of jobs created through the use of Local Economic Development Act funds	3,000

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(d) Outcome:	Number of jobs created through business relocations facilitated by the New Mexico economic development partnership				2,250

(2) Film:

The purpose of the film program is to maintain the core business for the film location services and stimulate growth in digital film media to maintain the economic vitality of New Mexico's film industry.

Appropriations:

(a) Personal services and employee benefits	975.7				975.7
(b) Contractual services	753.4				753.4
(c) Other	79.6				79.6

Performance measures:

(a) Outcome:	Direct spending by film industry productions, in millions	\$700
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(3) Outdoor recreation:

Appropriations:

(a) Personal services and employee benefits	358.1			358.1
(b) Contractual services	125.0			125.0
(c) Other	692.0		1,875.0	2,567.0

The internal services funds/interagency transfers appropriation to the outdoor recreation program of the economic development department in the other category includes one million eight hundred seventy-five thousand dollars (\$1,875,000) from the land of enchantment legacy fund.

(4) Creative industries:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits	276.1				276.1
(b) Other	200.0				200.0

(5) Program support:

The purpose of program support is to provide central direction to agency management processes and fiscal support to agency programs to ensure consistency, continuity and legal compliance.

Appropriations:

(a) Personal services and employee benefits	2,518.0				2,518.0
(b) Contractual services	1,025.5				1,025.5
(c) Other	684.5				684.5
Subtotal					28,155.6

REGULATION AND LICENSING DEPARTMENT:

(1) Construction industries:

The purpose of the construction industries program is to provide code compliance oversight; issue licenses, permits and citations; perform inspections; administer exams; process complaints; and enforce laws, rules and regulations relating to general construction standards to industry professionals.

Appropriations:

(a) Personal services and employee benefits	10,570.0				10,570.0
(b) Contractual services	567.0				567.0
(c) Other	1,547.2	200.0			1,747.2
(d) Other financing uses	147.2				147.2

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Percent of commercial plans reviewed within ten working days				95%
(b) Outcome:	Percent of residential plans reviewed within five working days				95%
(c) Output:	Time to final civil action, referral or dismissal of complaint, in months				7

(2) Financial institutions:

The purpose of the financial institutions program is to issue charters and licenses; perform examinations; investigate complaints; enforce laws, rules and regulations; and promote investor protection and confidence so capital formation is maximized and a secure financial infrastructure is available to support economic development.

Appropriations:

(a) Personal services and employee benefits	93.4	3,133.9	2,190.2	5,417.5
(b) Contractual services		269.1		269.1
(c) Other		737.2		737.2
(d) Other financing uses		261.5		261.5

The other state funds appropriations to the financial institutions program of the regulation and licensing department include two million eight hundred seventy-nine thousand four hundred dollars (\$2,879,400) from the mortgage regulatory fund for the general operations of the financial institutions program.

Performance measures:

(a) Outcome:	Percent of completed applications processed within ninety days by type of application	97%
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(3) Alcohol beverage control:

The purpose of the alcohol beverage control program is to issue, deny, suspend or revoke licenses allowed under the Liquor Control Act to protect the health, safety and welfare of the citizens of and visitors to New Mexico.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits	1,065.6	635.5			1,701.1
(b) Contractual services			13.3		13.3
(c) Other	76.2	425.3	0.6		502.1

Performance measures:

(a) Output:	Average number of days to resolve an administrative citation that does not require a hearing	140
(b) Outcome:	Average number of days to issue a restaurant beer and wine liquor license	100

(4) Securities:

The purpose of the securities program is to protect the integrity of the capital markets in New Mexico by setting standards for licensed professionals, investigating complaints, educating the public and enforcing the law.

Appropriations:

(a) Personal services and employee benefits	260.4	1,364.9		1,625.3
(b) Contractual services	4.0	70.0		74.0
(c) Other	54.0	312.9	77.0	443.9
(d) Other financing uses		252.2		252.2

The internal service funds/interagency transfers appropriation to the securities program of the regulation and licensing department includes fifty thousand dollars (\$50,000) from the securities enforcement and investor education fund for the general operations of the securities program.

(5) Boards and commissions:

The purpose of the boards and commissions program is to provide efficient licensing, compliance and regulatory services to protect the public by ensuring licensing professionals are qualified to practice.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits	14.9	7,695.3	9.9		7,720.1
(b) Contractual services		547.7			547.7
(c) Other	18.2	2,412.8			2,431.0
(d) Other financing uses		1,939.2	7,674.7		9,613.9

(6) Cannabis control:

The purpose of the cannabis control program is to regulate and license cannabis producers, manufacturers, retailers, couriers, testing and research laboratories operating in the medical and adult-use markets to ensure public health and safety.

Appropriations:

(a) Personal services and employee benefits	1,543.0	1,428.3			2,971.3
(b) Contractual services	1,050.0	5.2			1,055.2
(c) Other	1,000.0				1,000.0
(d) Other financing uses		2,516.5			2,516.5

The other state funds appropriation to the cannabis control division of the regulation and licensing department in the other financing uses category includes two million five hundred sixteen thousand five hundred dollars (\$2,516,500) from cannabis licensing fees for the operations of the medical cannabis program of the department of health.

(7) Manufactured housing:

The purpose of the manufactured housing program is to provide code compliance oversight; issue licenses, permits and citations; perform inspections; administer exams; process complaints; and enforce laws, rules and regulations relating to manufactured housing standards.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	141.5	1,280.5		25.0	1,447.0
(b) Contractual services	82.5				82.5
(c) Other		125.1			125.1

The other state funds appropriations to the manufactured housing program of the regulation and licensing department include one million four hundred thousand dollars (\$1,400,000) from the mortgage regulatory fund for the general operations of the manufactured housing program.

(8) Program support:

The purpose of program support is to provide leadership and centralized direction, financial management, information systems support and human resources support for all agency organizations in compliance with governing regulations, statutes and procedures so they can license qualified applicants, verify compliance with statutes and resolve or mediate consumer complaints.

Appropriations:

(a) Personal services and employee benefits	780.4		2,236.5		3,016.9
(b) Contractual services	139.4		401.3		540.7
(c) Other	189.6		544.1		733.7
Subtotal					58,130.2

PUBLIC REGULATION COMMISSION:

(1) Policy and regulation:

The purpose of the policy and regulation program is to fulfill the constitutional and legislative mandates regarding regulated industries through rulemaking, adjudications and policy initiatives to ensure the provision of adequate and reliable services at fair, just and reasonable rates so the interests of the consumers and regulated industries are balanced to promote and protect the public interest.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	7,619.0		1,026.3	1,295.5	9,940.8
(b) Contractual services	471.1		80.5		551.6
(c) Other	675.8		238.5	264.9	1,179.2

(2) Program support:

The purpose of program support is to provide administrative support and direction to ensure consistency, compliance, financial integrity and fulfillment of the agency mission.

Appropriations:

(a) Personal services and employee benefits	3,188.8		555.5		3,744.3
(b) Contractual services	105.7				105.7
(c) Other	500.6				500.6
Subtotal					16,022.2

OFFICE OF SUPERINTENDENT OF INSURANCE:

(1) Insurance policy:

The purpose of the insurance policy program is to ensure easy public access to reliable insurance products that meet consumers' needs and are underwritten by dependable, reputable, financially sound companies that charge fair rates and are represented by trustworthy, qualified agents, while promoting a positive competitive business climate.

Appropriations:

(a) Personal services and employee benefits		1,187.0	10,545.9		11,732.9
(b) Contractual services		1,774.6	2,806.4		4,581.0
(c) Other		85,186.3	1,898.2		87,084.5
(d) Other financing uses		205.6			205.6

(2) Insurance fraud and auto theft:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits		1,902.0			1,902.0
(b) Contractual services		155.1			155.1
(c) Other		650.3			650.3
(d) Other financing uses		411.0			411.0
(3) Patient's compensation fund:					
Appropriations:					
(a) Contractual services		2,292.7			2,292.7
(b) Other		28,167.7			28,167.7
(4) Special revenues:					
Appropriations:					
(a) Other financing uses		14,633.9			14,633.9
Subtotal					151,816.7

MEDICAL BOARD:

(1) Licensing and certification:

The purpose of the licensing and certification program is to provide regulation and licensure to healthcare providers regulated by the New Mexico medical board and to ensure competent and ethical medical care to consumers.

Appropriations:

(a) Personal services and employee benefits		1,803.5			1,803.5
(b) Contractual services		918.7			918.7

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(c) Other		757.8			757.8

Performance measures:

(a) Output:	Number of biennial physician assistant licenses issued or renewed	600
(b) Outcome:	Number of days to issue a physician license	21
Subtotal		3,480.0

BOARD OF NURSING:

(1) Licensing and certification:

The purpose of the licensing and certification program is to provide regulations to nurses, hemodialysis technicians, medication aides and their education and training programs so they provide competent and professional healthcare services to consumers.

Appropriations:

(a) Personal services and employee benefits	2,837.2	2,837.2
(b) Contractual services	200.0	200.0
(c) Other	1,164.0	1,164.0
(d) Other financing uses	50.0	50.0

Performance measures:

(a) Explanatory:	Number of certified registered nurse anesthetist licenses active on June 30	
(b) Output:	Number of advanced practice nurses contacted regarding high-risk prescribing and prescription monitoring program compliance, based on the pharmacy board's prescription monitoring program reports	300
Subtotal		4,251.2

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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NEW MEXICO STATE FAIR:

The purpose of the state fair program is to promote the New Mexico state fair as a year-round operation with venues, events and facilities that provide for greater use of the assets of the agency.

Appropriations:

(a) Personal services and employee benefits			7,983.2		7,983.2
(b) Contractual services	275.0		2,887.2		3,162.2
(c) Other	100.0		4,085.0		4,185.0

The general fund appropriations to the New Mexico state fair include three hundred seventy-five thousand dollars (\$375,000) for the African American performing arts center operations.

Performance measures:

(a) Output:	Number of paid attendees at annual state fair event	430,000
Subtotal		15,330.4

STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS:

(1) Regulation and licensing:

The purpose of the regulation and licensing program is to regulate the practices of engineering and surveying in the state as they relate to the welfare of the public in safeguarding life, health and property and to provide consumers with licensed professional engineers and licensed professional surveyors.

Appropriations:

(a) Personal services and employee benefits			744.6		744.6
(b) Contractual services			296.5		296.5
(c) Other			363.9		363.9
Subtotal					1,405.0

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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GAMING CONTROL BOARD:

(1) Gaming control:

The purpose of the gaming control program is to provide strictly regulated gaming activities and to promote responsible gaming to New Mexicans so they can attain a strong level of confidence in the board's administration of gambling laws and assurance the state has competitive gaming free from criminal and corruptive elements and influences.

Appropriations:

(a) Personal services and employee benefits	4,977.5				4,977.5
(b) Contractual services	802.9				802.9
(c) Other	1,061.9				1,061.9
Subtotal					6,842.3

STATE RACING COMMISSION:

(1) Horse racing regulation:

The purpose of the horse racing regulation program is to provide regulation in an equitable manner to New Mexico's pari-mutuel horse racing industry and to protect the interest of wagering patrons and the state of New Mexico in a manner that promotes a climate of economic prosperity for horsemen, horse owners and racetrack management.

Appropriations:

(a) Personal services and employee benefits	2,123.9				2,123.9
(b) Contractual services	539.9	2,500.0			3,039.9
(c) Other	323.6	1,500.0			1,823.6

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Percent of equine samples testing positive for illegal substances				1%
(b) Explanatory:	Amount collected from pari-mutuel revenues, in millions				
(c) Explanatory:	Number of horse fatalities per one thousand starts				
Subtotal					6,987.4

BOARD OF VETERINARY MEDICINE:

(1) Veterinary licensing and regulatory:

The purpose of the veterinary licensing and regulatory program is to regulate the profession of veterinary medicine in accordance with the Veterinary Practice Act and to promote continuous improvement in veterinary practices and management to protect the public.

Appropriations:

(a) Personal services and employee benefits		297.4		297.4
(b) Contractual services		128.4		128.4
(c) Other		1,056.0		1,056.0
Subtotal				1,481.8

CUMBRES AND TOLTEC SCENIC RAILROAD COMMISSION:

The purpose of the Cumbres and Toltec scenic railroad commission program is to provide railroad excursions through, into and over the scenic San Juan mountains.

Appropriations:

(a) Personal services and employee benefits	117.8			117.8
(b) Contractual services	138.6	5,459.0		5,597.6
(c) Other	123.6			123.6

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Total number of passengers				35,521
Subtotal					5,839.0

OFFICE OF MILITARY BASE PLANNING AND SUPPORT:

The purpose of the office of military base planning and support program is to provide advice to the governor and lieutenant governor on New Mexico's four military installations, to work with community support groups, to ensure state initiatives are complementary of community actions and to identify and address appropriate state-level issues that will contribute to the long-term viability of New Mexico military installations.

Appropriations:

(a) Personal services and employee benefits	194.9			194.9
(b) Contractual services	79.2			79.2
(c) Other	30.4			30.4
Subtotal				304.5

SPACEPORT AUTHORITY:

The purpose of the spaceport authority program is to finance, design, develop, construct, equip and safely operate spaceport America and thereby generate significant high technology economic development throughout the state.

Appropriations:

(a) Personal services and employee benefits	3,481.5	400.0		3,881.5
(b) Contractual services	565.2	5,299.4		5,864.6
(c) Other		3,361.3		3,361.3

Performance measures:

(a) Output:	Number of aerospace customers and tenants			32
Subtotal				13,107.4

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
TOTAL COMMERCE AND INDUSTRY	100,601.8	211,723.7	32,173.9	1,799.2	346,298.6

E. AGRICULTURE, ENERGY AND NATURAL RESOURCES

CULTURAL AFFAIRS DEPARTMENT:

(1) Museums and historic sites:

The purpose of the museums and historic sites program is to develop and enhance the quality of state museums and monuments by providing the highest standards in exhibitions, performances and programs showcasing the arts, history and science of New Mexico and cultural traditions worldwide.

Appropriations:

(a) Personal services and employee benefits	24,417.2	2,607.7		47.5	27,072.4
(b) Contractual services	562.4	625.5			1,187.9
(c) Other	5,381.0	2,587.3			7,968.3

Performance measures:

(a) Outcome:	Number of people served through programs and services offered by museums and historic sites	1,450,000
(b) Outcome:	Amount of earned revenue from admissions, rentals and other activity	\$4,000,000

(2) Preservation:

The purpose of the preservation program is to identify, study and protect New Mexico's unique cultural resources, including its archaeological sites, architectural and engineering achievements, cultural landscapes and diverse heritage.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	1,135.7	867.5	78.5	880.1	2,961.8
(b) Contractual services	40.0	123.1	50.9	480.0	694.0
(c) Other	94.3	175.6	1,004.6	262.0	1,536.5

The other state funds appropriations to the preservation program of the cultural affairs department include one million dollars (\$1,000,000) from the department of transportation for archaeological studies as needed for highway projects.

(3) Library services:

The purpose of the library services program is to empower libraries to support the educational, economic and health goals of their communities and to deliver direct library and information services to those who need them.

Appropriations:

(a) Personal services and employee benefits	2,595.2			927.2	3,522.4
(b) Contractual services	80.8			7.8	88.6
(c) Other	2,051.1	1,023.5	669.8	872.1	4,616.5

The other state funds appropriation to the library services program of the cultural affairs department in the other category includes nine hundred forty-eight thousand five hundred twenty-eight dollars (\$948,528) from the rural libraries program fund for rural library grants.

Performance measures:

(a) Output:	Number of library transactions using electronic resources funded by the New Mexico state library	2,800,000
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(4) Arts:

The purpose of the arts program is to preserve, enhance and develop the arts in New Mexico through partnerships, public awareness and education.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits	843.6			197.2	1,040.8
(b) Contractual services	100.0			50.0	150.0
(c) Other	726.2		20.0	450.0	1,196.2

(5) Music commission:

The purpose of the New Mexico Music Commission is to protect, promote, and preserve the musical traditions of New Mexico, to foster appreciation of the value of music, and to encourage the educational, creative, and professional musical activities of the residents of New Mexico.

Appropriations:

(a) Personal services and employee benefits	50.0				50.0
(b) Contractual services	100.0				100.0
(c) Other	25.0				25.0

(6) Program support:

The purpose of program support is to deliver effective, efficient, high-quality services in concert with the core agenda of the governor.

Appropriations:

(a) Personal services and employee benefits	4,411.5				4,411.5
(b) Contractual services	428.2	37.7			465.9
(c) Other	338.4				338.4
Subtotal					57,426.2

NEW MEXICO LIVESTOCK BOARD:

(1) Livestock inspection:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the livestock inspection program is to protect the livestock industry from loss of livestock by theft or straying and to help control the spread of dangerous livestock diseases.

Appropriations:

(a) Personal services and employee benefits	2,272.2	4,898.6			7,170.8
(b) Contractual services	200.0	104.8			304.8
(c) Other	1,475.2	576.8			2,052.0

(2) Meat inspection:

Appropriations:

(a) Personal services and employee benefits	795.5				795.5
(b) Contractual services	8.4				8.4
(c) Other	241.7				241.7
Subtotal					10,573.2

DEPARTMENT OF GAME AND FISH:

(1) Field operations:

The purpose of the field operations program is to promote and assist the implementation of law enforcement, habitat and public outreach programs throughout the state.

Appropriations:

(a) Personal services and employee benefits		9,101.9		331.1	9,433.0
(b) Contractual services		98.7			98.7
(c) Other		2,422.9			2,422.9

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Output:					56,000
	Number of conservation officer hours spent in the field checking for compliance				

(2) Conservation services:

The purpose of the conservation services program is to provide information and technical guidance to any person wishing to conserve and enhance wildlife habitat and recover indigenous species of threatened and endangered wildlife.

Appropriations:

(a) Personal services and employee benefits		5,858.9		8,670.9	14,529.8
(b) Contractual services		1,086.6	1,000.0	2,026.7	4,113.3
(c) Other		5,839.8	1,750.0	3,884.1	11,473.9
(d) Other financing uses		182.3			182.3

The other state funds appropriation to the conservation services program of the department of game and fish in the other financing uses category includes one hundred thousand dollars (\$100,000) from the game protection fund for Ute dam operations and eighty-two thousand three hundred dollars (\$82,300) from the game protection fund for Eagle Nest dam operations for the interstate stream compact compliance and water development program of the state engineer. Any unexpended balances remaining at the end of the fiscal year 2025 from this appropriation shall revert to the game protection fund.

Performance measures:

(a) Outcome:	Number of elk licenses offered on an annual basis in New Mexico	35,000
(b) Outcome:	Percent of public hunting licenses drawn by New Mexico resident hunters	84%
(c) Output:	Annual output of fish from the department's hatchery system, in pounds	660,000

(3) Wildlife depredation and nuisance abatement:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the wildlife depredation and nuisance abatement program is to provide complaint administration and intervention processes to private landowners, leaseholders and other New Mexicans so they may be relieved of, and precluded from, property damage and annoyances or risks to public safety caused by protected wildlife.

Appropriations:

(a) Personal services and employee benefits		402.2			402.2
(b) Contractual services		156.7			156.7
(c) Other		612.1			612.1

Performance measures:

(a) Outcome:	Percent of depredation complaints resolved within the mandated one-year timeframe	96%
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(4) Program support:

The purpose of program support is to provide an adequate and flexible system of direction, oversight, accountability and support to all divisions so they may successfully attain planned outcomes for all department programs.

Appropriations:

(a) Personal services and employee benefits		5,300.5	212.7	5,513.2
(b) Contractual services		412.0		412.0
(c) Other		3,234.6	244.9	3,479.5
Subtotal				52,829.6

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT:

(1) Energy conservation and management:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the energy conservation and management program is to develop and implement clean energy programs to decrease per capita energy consumption; use New Mexico's substantial renewable energy resources; minimize local, regional and global air emissions; lessen dependence on foreign oil and reduce in-state water demands associated with fossil-fueled electrical generation.

Appropriations:

(a) Personal services and employee benefits	2,232.0			1,342.4	3,574.4
(b) Contractual services	366.0	247.9		999.2	1,613.1
(c) Other	115.5			1,069.9	1,185.4

(2) Healthy forests:

The purpose of the healthy forests program is to promote the health of New Mexico's forest lands by managing wildfires, mitigating urban-interface fire threats and providing stewardship of private and state forest lands and associated watersheds.

Appropriations:

(a) Personal services and employee benefits	7,779.4	163.0		6,689.7	14,632.1
(b) Contractual services	45.6	7,570.0	1,000.0	13,010.0	21,625.6
(c) Other	550.2	813.5	2,406.3	21,241.3	25,011.3
(d) Other financing uses		56.2			56.2

Performance measures:

(a) Output:	Number of nonfederal wildland firefighters provided professional and technical incident command system training	1,500
(b) Output:	Number of acres treated in New Mexico's forests and watersheds	14,500

(3) State parks:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the state parks program is to create the best recreational opportunities possible in state parks by preserving cultural and natural resources, continuously improving facilities and providing quality, fun activities and to do it all efficiently.

Appropriations:

(a) Personal services and employee benefits	10,374.2	5,367.9		665.2	16,407.3
(b) Contractual services	53.4	1,841.8		1,375.0	3,270.2
(c) Other	2,091.8	11,887.1	500.0	7,196.5	21,675.4
(d) Other financing uses		611.1			611.1

Performance measures:

(a) Explanatory:	Number of visitors to state parks
(b) Explanatory:	Amount of self-generated revenue per visitor, in dollars

(4) Mine reclamation:

The purpose of the mine reclamation program is to implement the state laws that regulate the operation and reclamation of hard rock and coal mining facilities and to reclaim abandoned mine sites.

Appropriations:

(a) Personal services and employee benefits	1,465.0	455.9	79.2	2,314.4	4,314.5
(b) Contractual services	81.0	31.4		8,541.8	8,654.2
(c) Other	124.2	116.1	17.9	441.2	699.4
(d) Other financing uses		48.2			48.2

(5) Oil and gas conservation:

The purpose of the oil and gas conservation program is to assure the conservation and responsible development of oil and gas resources through professional, dynamic regulation.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits	9,130.0	194.1		241.9	9,566.0
(b) Contractual services	365.4	19,149.0		25,476.5	44,990.9
(c) Other	724.7	2,525.4		201.3	3,451.4
(d) Other financing uses		299.7			299.7

Performance measures:

(a) Output:	Number of inspections of oil and gas wells and associated facilities	30,000
(b) Output:	Number of abandoned wells properly plugged	70

(6) Program leadership and support:

The purpose of the program leadership and support program is to provide leadership, set policy and provide support for every division in achieving their goals.

Appropriations:

(a) Personal services and employee benefits	4,141.2	945.8	915.8	6,002.8
(b) Contractual services	163.9	25.6	7.0	196.5
(c) Other	50.7	168.8	129.3	348.8
Subtotal				188,234.5

YOUTH CONSERVATION CORPS:

The purpose of the youth conservation corps program is to provide funding for the employment of New Mexicans between the ages of fourteen and twenty-five to work on projects that will improve New Mexico's natural, cultural, historical and agricultural resources.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits		232.4			232.4
(b) Contractual services		5,545.0			5,545.0
(c) Other		97.6			97.6
(d) Other financing uses		125.0			125.0

Performance measures:

(a) Output:	Number of youth employed annually	840
Subtotal		6,000.0

COMMISSIONER OF PUBLIC LANDS:

(1) Land trust stewardship:

The purpose of the land trust stewardship program is to generate sustainable revenue from state trust lands to support public education and other beneficiary institutions and to build partnerships with all New Mexicans to conserve, protect and maintain the highest level of stewardship for these lands so that they may be a significant legacy for generations to come.

Appropriations:

(a) Personal services and employee benefits	20,008.5	20,008.5
(b) Contractual services	3,017.7	3,017.7
(c) Other	3,294.3	3,294.3

The commissioner of public lands is authorized to hold in suspense amounts eligible, because of the sale of state royalty interests, for tax credits under Section 29 of the Internal Revenue Code above those amounts required by law to be transferred to the land grant permanent fund. The commissioner of public lands may expend as much of the money so held in suspense, as well as additional money held in escrow accounts resulting from the sales and money held in fund balances, as is necessary to repurchase the royalty interests pursuant to the agreements.

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Dollars generated through oil and natural gas audit activities, in millions				4.0
(b) Output:	Average income per acre from oil, natural gas and mining activities, in dollars				\$750
(c) Output:	Number of acres treated to achieve desired conditions for future sustainability				26,000
Subtotal					26,320.5

STATE ENGINEER:

(1) Water resource allocation:

The purpose of the water resource allocation program is to provide for efficient use of the available surface and underground waters of the state so any person can maintain their quality of life and to provide safety inspections of all nonfederal dams within the state so owners and operators of such dams can operate the dams safely.

Appropriations:

(a) Personal services and employee benefits	17,304.4	803.2			18,107.6
(b) Contractual services	220.5		406.0		626.5
(c) Other	1,168.8	126.2	317.9		1,612.9

The internal service funds/interagency transfers appropriations to the water resource allocation program of the state engineer include seven hundred twenty-three thousand nine hundred dollars (\$723,900) from the improvement of the Rio Grande income fund.

Performance measures:

(a) Output:	Average number of unprotested new and pending applications processed per month	35
(b) Outcome:	Number of transactions abstracted annually into the water administration technical engineering resource system database	21,000

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(2) Interstate stream compact compliance and water development:					

The purpose of the interstate stream compact compliance and water development program is to provide resolution of federal and interstate water issues and to develop water resources and stream systems for the people of New Mexico so they can have maximum sustained beneficial use of available water resources.

Appropriations:

(a) Personal services and employee benefits	4,121.1	100.0	3,137.3		7,358.4
(b) Contractual services		35.0	4,728.7		4,763.7
(c) Other	797.1	763.8	1,215.7		2,776.6

The interstate stream commission's authority to make loans for irrigation improvements includes five hundred thousand dollars (\$500,000) for loans to irrigation districts, conservancy districts and soil and water conservation districts for reloan to farmers for implementation of water conservation improvements.

The internal service funds/interagency transfer appropriations to the interstate stream compact compliance and water development program of the state engineer include six hundred fifty-two thousand two hundred dollars (\$652,200) from the New Mexico unit fund, seven million five hundred thirty-four thousand dollars (\$7,534,000) from the New Mexico irrigation works construction fund, seven hundred thirteen thousand two hundred dollars (\$713,200) from the improvement of the Rio Grande income fund, one hundred thousand dollars (\$100,000) from the game protection fund for Ute dam operations, and eighty-two thousand three hundred dollars (\$82,300) from the game protection fund for Eagle Nest dam operations. Any unexpended balances remaining at the end of fiscal year 2025 from these appropriations shall revert to the appropriate fund.

Revenue from the sale of water to United States government agencies by New Mexico for the emergency drought water agreement and from contractual reimbursements associated with the interstate stream compact compliance and water development program is appropriated to the interstate stream compact compliance and water development program to be used per the agreement with the United States bureau of reclamation.

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Cumulative state-line delivery credit per the Pecos river compact and amended decree at the end of the calendar year, in acre-feet				161,600
(b) Outcome:	Cumulative state-line delivery credit per the Rio Grande compact at the end of the calendar year, in acre-feet				-150,000

(3) Litigation and adjudication:

The purpose of the litigation and adjudication program is to obtain a judicial determination and definition of water rights within each stream system and underground basin to effectively perform water rights administration and meet interstate stream obligations.

Appropriations:

(a) Personal services and employee benefits	2,916.2	2,396.4	1,501.8	6,814.4
(b) Contractual services	568.3		1,067.5	1,635.8
(c) Other	436.1			436.1
(d) Other financing uses		80.0		80.0

The internal service funds/interagency transfers appropriations to the litigation and adjudication program include one million five hundred one thousand eight hundred dollars (\$1,501,800) from the irrigation works construction fund and one million sixty-seven thousand five hundred dollars (\$1,067,500) from the improvement of the Rio Grande income fund.

The other state funds appropriations to the litigation and adjudication program of the state engineer include two million four hundred seventy-six thousand four hundred dollars (\$2,476,400) from the water project fund pursuant to Section 72-4A-9 NMSA 1978.

Performance measures:

(a) Outcome:	Number of offers to defendants in adjudications	300
(b) Outcome:	Percent of all water rights claims with judicial determinations	76%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(4) Program support:					

The purpose of program support is to provide necessary administrative support to the agency programs so they may be successful in reaching their goals and objectives.

Appropriations:

(a) Personal services and employee benefits	4,812.7				4,812.7
(b) Contractual services	219.7				219.7
(c) Other	817.4				817.4
Subtotal					50,061.8
TOTAL AGRICULTURE, ENERGY AND NATURAL RESOURCES	121,610.1	136,340.7	22,092.3	111,402.7	391,445.8

F. HEALTH, HOSPITALS AND HUMAN SERVICES

COMMISSION ON STATUS OF WOMEN:

(1) Status of women:

The purpose of the status of women program is to provide information, public events, leadership, support services and career development to individuals, agencies and women's organizations so they can improve the economic, health and social status of women in New Mexico.

Appropriations:

(a) Personal services and employee benefits	231.9				231.9
(b) Contractual services	81.5				81.5
(c) Other	100.4				100.4
Subtotal					413.8

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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OFFICE OF AFRICAN AMERICAN AFFAIRS:

(1) Public awareness:

The purpose of the public awareness program is to provide information and advocacy services to all New Mexicans and to empower African Americans of New Mexico to improve their quality of life.

Appropriations:

(a) Personal services and employee benefits	882.6				882.6
(b) Contractual services	268.6				268.6
(c) Other	121.4				121.4
Subtotal					1,272.6

COMMISSION FOR DEAF AND HARD-OF-HEARING PERSONS:

(1) Deaf and hard-of-hearing:

The purpose of the deaf and hard-of-hearing program is to serve as a dynamic resource that will enhance the quality of life for deaf and hard-of-hearing citizens of New Mexico by being the recognized advocate on important issues impacting the deaf and hard-of-hearing community, the proactive provider of innovative programs and services and the statewide umbrella and information clearinghouse for interested individuals, organizations, agencies and institutions.

Appropriations:

(a) Personal services and employee benefits	790.7		624.7		1,415.4
(b) Contractual services	661.0	402.0	364.3		1,427.3
(c) Other	200.0		82.1		282.1
(d) Other financing uses			116.5		116.5

The internal service funds/interagency transfers appropriation to the deaf and hard-of-hearing program of the commission for deaf and hard-of-hearing persons in the other financing uses category includes ninety-one thousand

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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five hundred dollars (\$91,500) to transfer to the rehabilitation services program of the vocational rehabilitation division to match with federal funds to provide deaf and hard-of-hearing rehabilitation services and twenty-five thousand dollars (\$25,000) to transfer to the signed language interpreting practices board of the regulation and licensing department for interpreter licensure services.

The general fund appropriation to the deaf and hard-of-hearing program of the commission for deaf and hard-of-hearing persons in the contractual services category includes four hundred fifty-six thousand four hundred dollars (\$456,400) for deaf and deaf-blind support service provider programs.

Performance measures:

(a) Output:	Number of accessible technology equipment distributions	1,240
Subtotal		3,241.3

MARTIN LUTHER KING, JR. COMMISSION:

The purpose of the Martin Luther King, Jr. commission program is to promote Martin Luther King, Jr.'s nonviolent principles and philosophy to the people of New Mexico through remembrance, celebration and action so that everyone gets involved in making a difference toward the improvement of interracial cooperation and reduction of youth violence in our communities.

Appropriations:

(a) Personal services and employee benefits	223.6	223.6
(b) Contractual services	46.2	46.2
(c) Other	116.9	116.9
Subtotal		386.7

COMMISSION FOR THE BLIND:

(1) Blind services:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the blind services program is to assist blind or visually impaired New Mexicans to achieve economic and social equality so they can have independence based on their personal interests and abilities.

Appropriations:

(a) Personal services and employee benefits	2,049.5	223.9	265.0	3,678.7	6,217.1
(b) Contractual services	61.1			147.1	208.2
(c) Other	525.0	8,228.4		2,583.9	11,337.3
(d) Other financing uses	107.5				107.5

The general fund appropriation to the blind services program of the commission for the blind in the other financing uses category includes up to one hundred seven thousand five hundred dollars (\$107,500) to transfer to the rehabilitation services program of the vocational rehabilitation division to match with federal funds to provide rehabilitation services for blind or visually impaired New Mexicans.

The internal service funds/interagency transfers appropriation to the blind services program of the commission for the blind includes two hundred sixty-five thousand dollars (\$265,000) from the vocational rehabilitation division to provide services to blind or visually impaired New Mexicans.

Any unexpended balances in the commission for the blind remaining at the end of fiscal year 2025 from appropriations made from the general fund shall not revert.

Performance measures:

(a) Outcome:	Average hourly wage for the blind or visually impaired person	\$21.12
(b) Outcome:	Number of people who avoided or delayed moving into a nursing home or assisted living facility as a result of receiving independent living services	133
Subtotal		17,870.1

INDIAN AFFAIRS DEPARTMENT:

(1) Indian affairs:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the Indian affairs program is to coordinate intergovernmental and interagency programs concerning tribal governments and the state.

Appropriations:

(a) Personal services and employee benefits	2,840.8				2,840.8
(b) Contractual services	630.1				630.1
(c) Other	1,247.7		249.3		1,497.0

The internal service funds/interagency transfers appropriation to the Indian affairs program of the Indian affairs department includes two hundred forty-nine thousand three hundred dollars (\$249,300) from the tobacco settlement program fund for tobacco cessation and prevention programs for Native American communities throughout the state.

Subtotal					4,967.9
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EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT:

(1) Family support and early intervention:

The purpose of the family support and early intervention program is to provide culturally sensitive early childhood comprehensive system of supports for families and young children, including home visiting, early intervention services and perinatal case management services.

Appropriations:

(a) Personal services and employee benefits	2,324.1	953.8	1,745.6	1,075.3	6,098.8
(b) Contractual services	26,327.9	20.0	4,500.0	6,584.7	37,432.6
(c) Other	20,028.1	1,543.3	1,197.5	814.6	23,583.5
(d) Other financing uses	10,901.6				10,901.6

The internal service funds/interagency transfers appropriations to the family support and early intervention program of the early childhood education and care department include ninety-five thousand dollars (\$95,000) from

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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the early childhood education and care fund for home visiting program personnel contingent on enactment of Senate Bill 153 or similar legislation of the second session of the fifty-sixth legislature increasing the distribution of the fund in fiscal year 2025.

The general fund appropriations to the family support and early intervention program of the early childhood education and care department shall be reduced by eight million dollars (\$8,000,000) and an equal amount transferred from the permanent school fund to the common school current fund authorized by the 2022 amendment in Paragraph (2) of Subsection H of Article 12, Section 7 of the constitution of New Mexico for early childhood education is appropriated in lieu thereof for home visiting services.

Any unexpended balances from the early childhood education and care program fund remaining at the end of fiscal year 2025 shall revert to the early childhood education and care fund.

Performance measures:

(a) Output:	Average annual number of home visits per family	20
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(2) Early care and education:

The purpose of the early care and education program is to ensure New Mexicans have access to high-quality, healthy, safe and supportive early childhood education environments for children and their families, as well as access to healthy meals.

Appropriations:

(a) Personal services and employee benefits	1,452.5		587.0	12,318.1	14,357.6
(b) Contractual services	524.4			3,455.2	3,979.6
(c) Other	38,496.9	1,100.0	210,827.5	111,434.3	361,858.7

The internal service funds/interagency transfers appropriations to the early childhood education and care program of the early childhood education and care department include thirty-one million five hundred twenty-seven thousand five hundred dollars (\$31,527,500) from the federal temporary assistance for needy families block grant for childcare.

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The internal service funds/interagency transfers appropriations to the early childhood education and care program of the early childhood education and care department include seventy-five million dollars (\$75,000,000) from the early childhood care and education fund for childcare assistance including forty-three million dollars (\$43,000,000) to expand infant and toddler care in the childcare assistance program and give five hundred thousand dollars (\$500,000) for personnel contingent on enactment of Senate Bill 153 or similar legislation of the second session of the fifty-sixth legislature increasing the distribution of the fund in fiscal year 2025.

Any unexpended balance from the early childhood education and care program fund remaining at the end of fiscal year 2025 shall revert to the early childhood education and care fund.

Performance measures:

(a) Outcome:	Percent of children who participated in a New Mexico prekindergarten program for at least nine months, who are proficient in literacy in kindergarten	80%
(b) Outcome:	Percent of infants and toddlers participating in the childcare assistance program enrolled in childcare programs with four or five stars	75%

(3) Policy, research and quality initiatives:

The purpose of the policy, research and quality initiatives program is to oversee the early childhood education and care department's quality initiatives, including workforce development, coaching and consultation, infant early childhood mental health consultation and data analysis and reporting and performance. The program also conducts internal audits to ensure program integrity for the childcare assistance program.

Appropriations:

(a) Personal services and employee benefits	1,462.6		1,496.5	2,959.1
(b) Contractual services	13,312.9	17,000.0	2,686.8	32,999.7
(c) Other	1,096.8		65.5	1,162.3

The general fund appropriations to the policy, research and quality initiatives program of the early childhood education and care department shall be reduced by two million dollars (\$2,000,000) and an equal amount transferred from the permanent school fund to the common school current fund authorized by the 2022 amendment in

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Paragraph (2) of Subsection H of Article 12, Section 7 of the constitution of New Mexico for early childhood education is appropriated in lieu thereof for a classroom observation tool.					

The internal service funds/interagency transfers appropriation to the policy, research and quality initiatives program of the early childhood education and care department includes eleven million dollars (\$11,000,000) from the early childhood care and education fund for prekindergarten and childcare quality supports contingent on enactment of Senate Bill 153 or similar legislation of the second session of the fifty-sixth legislature increasing the distribution of the fund in fiscal year 2025.

Any unexpended balance from the early childhood education and care program fund remaining at the end of fiscal year 2025 shall revert to the early childhood education and care fund.

The internal service funds/interagency transfers appropriation to the policy, research and quality initiatives program of the early childhood education and care department includes one million dollars (\$1,000,000) from the opioid crisis recovery fund for infant mental health.

Performance measures:

(a) Output:	Percent of early childhood professionals, including tribal educators, with degrees and/or credentials	50%
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(4) Prekindergarten:

The purpose of the prekindergarten program is to ensure New Mexicans have access to a high-quality mixed-delivery early childhood education system. The program oversees the administration, monitoring, quality supports, and technical assistance for prekindergarten in traditional public schools, charter schools, and community-based organizations. In collaboration with the public education department, the program administers prekindergarten funding and ensures all prekindergarten children with special education needs receive the services and supports they need.

Appropriations:

(a) Personal services and employee benefits	1,990.5
(b) Contractual services	22,920.2

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(c) Other	197,558.8				

The general fund appropriations to the prekindergarten program of the early childhood education and care department shall be reduced by one hundred forty-nine million six hundred forty thousand dollars (\$149,640,000) and an equal amount transferred from the permanent school fund to the common school current fund authorized by the 2022 amendment in Paragraph (2) of Subsection H of Article 12, Section 7 of the constitution of New Mexico for early childhood education is appropriated in lieu thereof for prekindergarten programs.

Any unexpended balance from the school permanent fund in the prekindergarten program remaining at the end of fiscal year 2025 shall revert to the school permanent fund.

Any unexpended balance from the early childhood education and care program fund remaining at the end of fiscal year 2025 shall revert to the early childhood education and care fund.

Performance measures:

(a) Outcome:	Percent of children enrolled for at least six months in the state-funded New Mexico prekindergarten program who score at first step for kindergarten or higher on the fall observation kindergarten observation tool	80%
(b) Outcome:	Percent of children who participated in a New Mexico prekindergarten program for at least nine months who are proficient in math in kindergarten	75%

(5) Program support:

The purpose of program support is to provide leadership and support for the early childhood education and care department through strategic planning, legal services, information and technology services, financial services and budget, human resources and background checks.

Appropriations:

(a) Personal services and employee benefits	5,951.9	1,288.4	1,115.8	1,918.6	10,274.7
(b) Contractual services	1,579.0	629.5	6,150.0	4,170.1	12,528.6
(c) Other	1,791.5	378.6	800.0	1,134.5	4,104.6

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(d) Other financing uses			24,400.0		24,400.0

The internal service funds/interagency transfers appropriation from program support of the early childhood education and care department to the medical assistance program of the health care authority department in the other financing uses category include five million dollars (\$5,000,000) from the early childhood education and care fund for provider rate increases for maternal and child health, five million eight hundred thousand dollars (\$5,800,000) from the early childhood education and care fund for birthing doulas and lactation counselor services and one million five hundred thousand dollars (\$1,500,000) from the early childhood education and care fund for medicaid home visiting contingent on enactment of Senate Bill 153 or similar legislation of the second session of the fifty-sixth legislature increasing the distribution of the fund in fiscal year 2025.

The internal service funds/interagency transfers appropriations to program support of the early childhood education and care department include one million one hundred five thousand dollars (\$1,105,000) for personnel and information technology contingent on Senate Bill 153 or similar legislation of the second session of the fifty-sixth legislature increasing the distribution of the fund in fiscal year 2025.

Any unexpended balance from the early childhood education and care program fund remaining at the end of fiscal year 2025 shall revert to the early childhood education and care fund.

Subtotal	784,815.0
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AGING AND LONG-TERM SERVICES DEPARTMENT:

(1) Consumer and elder rights:

The purpose of the consumer and elder rights program is to provide current information, assistance, counseling, education and support to older individuals and people with disabilities, residents of long-term care facilities and their families and caregivers that allow them to protect their rights and make informed choices about quality services.

Appropriations:

(a) Personal services and employee benefits	1,830.7	900.0	1,128.2	3,858.9
(b) Contractual services	10.0		111.0	121.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(c) Other	244.6			609.5	854.1

Performance measures:

(a) Quality:	Percent of calls to the aging and disability resource center answered by a live operator	90%
(b) Outcome:	Percent of residents who remained in the community six months following a nursing home care transition	98%

(2) Aging network:

The purpose of the aging network program is to provide supportive social and nutrition services for older individuals and persons with disabilities so they can remain independent and involved in their communities and to provide training, education and work experience to older individuals so they can enter or re-enter the workforce and receive appropriate income and benefits.

Appropriations:

(a) Personal services and employee benefits	1,627.6	34.5	455.3	2,117.4
(b) Contractual services	1,810.7	10.0	119.2	1,939.9
(c) Other	42,596.9	71.3	11,450.1	54,118.3

The general fund appropriation to the aging network program of the aging and long-term services department in the other category shall allow for an additional twelve and one-half percent distribution from the department of finance and administration for initial payments to aging network providers at the beginning of the fiscal year.

Any unexpended balances remaining in the aging network from the conference on aging at the end of fiscal year 2025 from appropriations made from other state funds for the conference on aging shall not revert to the general fund.

Any unexpended balances remaining in the aging network from the tax refund contribution senior fund, which provides for the provision of the supplemental senior services throughout the state, at the end of fiscal year 2025 shall not revert to the general fund.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Performance measures:					
(a) Outcome:	Number of hours of caregiver support provided				200,000
(b) Output:	Number of hours of service provided by senior volunteers, statewide				745,000

(3) Adult protective services:

The purpose of the adult protective services program is to investigate allegations of abuse, neglect and exploitation of seniors and adults with disabilities and provide in-home support services to adults at high risk of repeat neglect.

Appropriations:

(a) Personal services and employee benefits	9,136.9		2,800.0	55.7	11,992.6
(b) Contractual services	5,826.8		1,926.3	442.8	8,195.9
(c) Other	821.4		250.0	5.0	1,076.4

The appropriations for personal services and employee benefits in the adult protective services program of the aging and long-term services department shall not revert at the end of fiscal year 2025 and may be spent for personal services and employee benefits in fiscal year 2026.

Performance measures:

(a) Outcome:	Percent of emergency or priority one investigations in which a caseworker makes initial face-to-face contact with the alleged victim within prescribed timeframes	100%
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(4) Program support:

The purpose of program support is to provide clerical, record-keeping and administrative support in the areas of personnel, budget, procurement and contracting to agency staff, outside contractors and external control agencies to implement and manage programs.

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Appropriations:					
(a) Personal services and employee benefits	4,908.4			121.9	5,030.3
(b) Contractual services	290.2	2,275.6			2,565.8
(c) Other	1,848.1				1,848.1
Subtotal					93,718.7

HEALTH CARE AUTHORITY DEPARTMENT:

(1) Medical assistance:

The purpose of the medical assistance program is to provide the necessary resources and information to enable low-income individuals to obtain either free or low-cost healthcare.

Appropriations:

(a) Personal services and employee benefits	8,557.3			10,263.2	18,820.5
(b) Contractual services	28,216.9	1,727.4	759.9	100,398.3	131,102.5
(c) Other	1,333,193.5	134,829.0	425,469.8	6,839,083.2	8,732,575.5

The appropriations to the medical assistance program of the health care authority department assume the state will receive an enhanced federal medical assistance percentage rate for those enrolled in the expansion adult category through fiscal year 2025 as provided for in the federal Patient Protection and Affordable Care Act, as amended by the Health Care and Education Reconciliation Act of 2010. Should the federal government reduce or rescind the federal medical assistance percentage rates established by the federal Patient Protection and Affordable Care Act, the health care authority department shall reduce or rescind eligibility for the new adult category.

The internal service funds/interagency transfers appropriation to the medical assistance program of the health care authority department in the other category includes one million two hundred fifty-five thousand four hundred dollars (\$1,255,400) from the tobacco settlement program fund for the breast and cervical cancer treatment program and thirteen million one hundred forty-two thousand eight hundred dollars (\$13,142,800) from the tobacco settlement program fund for medicaid programs.

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The internal service funds/interagency transfers appropriations to the medical assistance program of the health care authority department include sixty-five million seven hundred twenty-nine thousand nine hundred dollars (\$65,729,900) from the county-supported medicaid fund.

The other state funds appropriations to the medical assistance program of the health care authority department include thirty-five million four hundred sixty-five thousand dollars (\$35,465,000) from the health care facility fund.

The general fund appropriation to the medical assistance program of the health care authority department in the other category includes twenty-eight million one hundred forty-four thousand eight hundred dollars (\$28,144,800) to raise rates for primary care and maternal and child health services up to one hundred fifty percent of medicare rates or equivalent levels based on the health care authority department's comprehensive rate review [~~but excludes funds for nonmedical costs.~~] *LINE ITEM VETO*

The internal service funds/interagency transfers appropriations to the medical assistance program of the health care authority department include five million dollars (\$5,000,000) from the early childhood education and care fund for provider rate increases for maternal and child health, five million eight hundred thousand dollars (\$5,800,000) from the early childhood education and care fund for birthing doulas and lactation counselor services and one million five hundred thousand dollars (\$1,500,000) from the early childhood education and care fund for medicaid home visiting contingent on enactment of Senate Bill 153 or similar legislation of the second session of the fifty-sixth legislative session increasing the distribution of the fund in fiscal year 2025.

The general fund appropriation to the medical assistance program of the health care authority department in the other category includes two million dollars (\$2,000,000) for up to a six percent or greater rate increase for rural primary care clinics and federally qualified health centers.

The general fund appropriation to the medical assistance program of the health care authority department in the other category includes twenty-six million dollars (\$26,000,000) to maintain medicaid rates at one hundred percent or more of medicare rates or equivalent rates as implemented based on the health care authority department's comprehensive rate review and appropriated in Section 4 of Chapter 210 of Laws 2023.

The general fund appropriation to the medical assistance program of the health care authority department in the other category includes nine million five hundred thousand dollars (\$9,500,000) to increase rates for phase

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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three providers to one hundred percent of medicare rates based on the health care authority department's comprehensive rate review.

The general fund appropriation to the medical assistance program of the health care authority department in the other category includes one million dollars (\$1,000,000) to provide rate differentials for rural preceptors.

The general fund appropriation to the medical assistance program of the health care authority department in the other category includes eleven million two hundred fifty thousand dollars (\$11,250,000) for directed payment rate increases to New Mexico's twenty smallest rural hospitals contingent on hospitals strengthening the rural health care workforce through student loan repayments, continuing education, increasing rural training opportunities and other evidence-based rural healthcare workforce development programs.

Medicaid managed care organization contractors may negotiate different reimbursement amounts for different specialties or for different practitioners in the same specialty but shall not negotiate less than the medicaid fee-for-service rate. The health care authority department will monitor implementation of the rate increases and share [any] reports or monitoring information [quarterly] with the legislative finance committee. ~~[The health care authority department will not expand medicaid eligibility without prior approval of the legislature.]~~ *LINE ITEM VETO*

The internal service funds/interagency transfers appropriation to the medical assistance program of the health care authority department includes up to three million four hundred thousand dollars (\$3,400,000) to provide salary adjustments to graduate medical education residents and fellows at the university of New Mexico health sciences center through medicaid directed payments to the university of New Mexico health sciences center.

Performance measures:

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|------------------|--|-----|
| (a) Outcome: | Percent of children ages two to twenty years enrolled in medicaid managed care who had at least one dental visit during the measurement year | 68% |
| (b) Explanatory: | Percent of infants and children in medicaid managed care who had six or more well-child visits in the first fifteen months of life | |
| (c) Outcome: | Percent of children and adolescents in medicaid managed care ages three to twenty-one years who had one or more well-care visits during the measurement year | 60% |

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(d) Outcome:	Percent of members eighteen to seventy-five years of age in medicaid managed care with diabetes, types 1 and 2, whose HbA1c was 9 percent during the measurement year				65%
(e) Outcome:	Percent of adults in medicaid managed care age eighteen and over readmitted to a hospital within thirty days of discharge				8%
(f) Outcome:	Percent of medicaid managed care member deliveries who received a prenatal care visit in the first trimester or within forty-two days of eligibility				80%

(2) Medicaid behavioral health:

The purpose of the medicaid behavioral health program is to provide the necessary resources and information to enable low-income individuals to obtain either free or low-cost behavioral healthcare.

Appropriations:

(a) Other	171,892.6	7,837.2	672,619.9	852,349.7
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The general fund appropriation to the medicaid behavioral health program of the health care authority department in the other category includes five million one hundred twenty thousand one hundred dollars (\$5,120,100) for behavioral health provider rate increases and five hundred thousand dollars (\$500,000) for bilingual behavioral health therapy differential rates.

The general fund appropriation to the medicaid behavioral health program of the health care authority department includes fifty thousand dollars (\$50,000) to transfer to the administrative hearings office to support medicaid hearing officers.

The internal service funds/interagency transfers appropriation to the medical assistance program of the health care authority department in the other category includes one million eight hundred thirty-nine thousand dollars (\$1,839,000) from the opioid crisis recovery fund for plans of safe care navigators as outlined in Section 32A-3A-13 NMSA 1978 and five million five hundred thousand dollars (\$5,500,000) from the opioid crisis recovery fund for the ongoing costs of the opioid epidemic.

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Percent of readmissions to same level of care or higher for children or youth discharged from residential treatment centers and inpatient care				5%
(b) Output:	Number of individuals served annually in substance use or mental health programs administered through the behavioral health collaborative and medicaid programs				210,000

(3) Income support:

The purpose of the income support program is to provide cash assistance and supportive services to eligible low-income families so they can achieve self-sufficiency. Eligibility requirements are established by state law within broad federal statutory guidelines.

Appropriations:

(a) Personal services and employee benefits	23,075.0			48,628.1	71,703.1
(b) Contractual services	9,587.4			37,155.0	46,742.4
(c) Other	44,688.1	60.8		1,193,605.3	1,238,354.2

The federal funds appropriations to the income support program of the health care authority department include eleven million five hundred seven thousand seven hundred dollars (\$11,507,700) from the federal temporary assistance for needy families block grant for administration of the New Mexico Works Act.

The appropriations to the income support program of the health care authority department include one million nine hundred seventy-two thousand two hundred dollars (\$1,972,200) from the general fund and fifty-seven million nine hundred fifty-two thousand two hundred dollars (\$57,952,200) from the federal temporary assistance for needy families block grant to provide cash assistance grants to participants as defined in the New Mexico Works Act, including wage subsidies for participants, transitions, two clothing allowances per year, diversion payments and state-funded payments to undocumented workers.

The federal funds appropriations to the income support program of the health care authority department include sixteen million six hundred forty-eight thousand three hundred dollars (\$16,648,300) from the federal temporary assistance for needy families block grant for job training and placement and job-related transportation services, employment-related costs and a transitional employment program. The funds for the transitional employment program and the wage subsidy program may be used interchangeably.

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The federal funds appropriations to the income support program of the health care authority department include thirty-one million five hundred twenty-seven thousand five hundred dollars (\$31,527,500) from the federal temporary assistance for needy families block grant for transfer to the early childhood education and care department for childcare programs.

The federal funds appropriation to the income support program of the health care authority department includes seventeen million seven hundred ninety-eight thousand six hundred dollars (\$17,798,600) from the federal temporary assistance for needy families block grant for transfer to the children, youth and families department for supportive housing, adoption services, foster care services, multilevel response system implementation as outlined in Section 32A-4-4.1 NMSA 1978, services for youth aging out of foster care, family support services, family preservation services, evidence-based prevention and intervention services and fostering connections.

The federal funds appropriations to the income support program of the health care authority department include five hundred thousand dollars (\$500,000) from the federal temporary assistance for needy families block grant for transfer to the public education department for the graduation, reality and dual-role skills program to expand services and implement mentorship programs for teenage fathers.

The federal funds appropriations to the income support program of the health care authority department include two million dollars (\$2,000,000) from the federal temporary assistance for needy families block grant for transfer to the higher education department for adult education and one million dollars (\$1,000,000) for integrated education and training programs, including integrated basic education and skills training programs.

The appropriations to the income support program of the health care authority department include seven million two hundred twenty thousand dollars (\$7,220,000) from the general fund and one million four hundred thousand dollars (\$1,400,000) from federal funds for general assistance.

Any unexpended balances remaining at the end of fiscal year 2025 from the other state funds appropriations derived from reimbursements received from the social security administration for the general assistance program shall not revert.

The general fund appropriation to the income support program of the health care authority department in the other category includes fourteen million one hundred six thousand eight hundred dollars (\$14,106,800) to raise the minimum monthly supplemental nutrition assistance program benefit for elders and people with disabilities.

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Performance measures:

(a) Outcome:	Percent of all parent participants who meet temporary assistance for needy families federal work participation requirements	45%
(b) Outcome:	Percent of temporary assistance for needy families two-parent recipients meeting federal work participation requirements	60%

(4) Behavioral health services:

The purpose of the behavioral health services program is to lead and oversee the provision of an integrated and comprehensive behavioral health prevention and treatment system so the program fosters recovery and supports the health and resilience of all New Mexicans.

Appropriations:

(a) Personal services and employee benefits	3,516.2			1,718.4	5,234.6
(b) Contractual services	54,779.5	169.5	3,287.9	31,809.9	90,046.8
(c) Other	1,684.5			995.7	2,680.2

The internal service funds/interagency transfers appropriation to the behavioral health services program of the health care authority department in the other category includes two million two hundred eighty-seven thousand nine hundred dollars (\$2,287,900) from the opioid crisis recovery fund for housing assistance for people affected by opioid use disorder and one million dollars (\$1,000,000) from the opioid crisis recovery fund for behavioral health telehealth services.

Performance measures:

(a) Outcome:	Percent of individuals discharged from inpatient facilities who receive follow-up services at thirty days	60%
(b) Outcome:	Percent of adults diagnosed with major depression who remained on an antidepressant medication for at least one hundred eighty days	42%

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(c) Outcome:	Percent of medicaid members released from inpatient psychiatric hospitalization stays of four or more days who receive seven-day follow-up visits into community-based behavioral health				51%

(5) Child support enforcement:

The purpose of the child support enforcement program is to provide location, establishment and collection services for custodial parents and their children; to ensure that all court orders for support payments are being met to maximize child support collections; and to reduce public assistance rolls.

Appropriations:

(a) Personal services and employee benefits	7,902.5	164.9		16,892.8	24,960.2
(b) Contractual services	3,481.9	71.6		8,957.8	12,511.3
(c) Other	1,491.4	30.5		3,135.1	4,657.0

Performance measures:

(a) Outcome:	Amount of child support collected, in millions	\$147
(b) Outcome:	Percent of current support owed that is collected	65%
(c) Outcome:	Percent of cases with support orders	85%
(d) Explanatory:	Percent of noncustodial parents paying support to total cases with support orders	

(6) State health benefits:

The purpose of the health benefits program is to effectively administer comprehensive health-benefit plans to state and local government employees.

Appropriations:

(a) Personal services and employee benefits		1,173.3	1,173.3
(b) Contractual services		32,825.7	32,825.7

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(c) Other			445,369.0		445,369.0

(7) Health improvement:

The purpose of the health improvement program is to provide health facility licensing and certification surveys, community-based oversight and contract compliance surveys and a statewide incident management system so that people in New Mexico have access to quality healthcare and that vulnerable populations are safe from abuse, neglect and exploitation.

Appropriations:

(a) Personal services and employee benefits	9,670.3	1,787.6		6,921.1	18,379.0
(b) Contractual services	466.1	10.4		446.0	922.5
(c) Other	1,188.2	115.0		731.0	2,034.2

(8) Developmental disabilities support:

The purpose of the developmental disabilities support program is to administer a statewide system of community-based services and support to improve the quality of life and increase the independence and interdependence of individuals with developmental disabilities and children with or at risk for developmental delay or disability and their families.

Appropriations:

(a) Personal services and employee benefits	7,145.7			8,769.2	15,914.9
(b) Contractual services	6,714.8			5,874.1	12,588.9
(c) Other	4,538.9	184.6		3,756.0	8,479.5
(d) Other financing uses	234,129.8				234,129.8

The general fund appropriation to the developmental disabilities support program of the health care authority department in the other financing uses category includes twenty million four hundred eighty-two thousand five hundred dollars (\$20,482,500) to raise rates for developmental disability providers.(9) Program support:

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The purpose of program support is to provide overall leadership, direction and administrative support to each agency program and to assist it in achieving its programmatic goals.

Appropriations:

(a) Personal services and employee benefits	19,317.7	272.2		13,901.9	33,491.8
(b) Contractual services	9,211.6	670.3	2,300.0	29,439.2	41,621.1
(c) Other	6,618.5	268.9		8,752.9	15,640.3
Subtotal					12,094,308.0

WORKFORCE SOLUTIONS DEPARTMENT:

(1) Unemployment insurance:

The purpose of the unemployment insurance program is to administer an array of demand-driven workforce development services to prepare New Mexicans to meet the needs of business.

Appropriations:

(a) Personal services and employee benefits	1,139.5		796.8	9,822.4	11,758.7
(b) Contractual services			21.4	266.5	287.9
(c) Other				1,800.0	1,800.0

Performance measures:

(a) Output:	Percent of eligible unemployment insurance claims issued a determination within twenty-one days from the date of claim	80%
(b) Output:	Average wait time to speak to a customer service agent in the unemployment insurance operation center to file a new unemployment insurance claim, in minutes	13:3
(c) Output:	Average wait time to speak to a customer service agent in the unemployment insurance operation center to file a weekly certification, in minutes	13:0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(2) Labor relations:					

The purpose of the labor relations program is to provide employment rights information and other work-site-based assistance to employers and employees.

Appropriations:

(a) Personal services and employee benefits	5,234.3		170.0	213.6	5,617.9
(b) Contractual services	68.1		60.0	76.7	204.8
(c) Other	25.0		169.5	226.4	420.9

(3) Workforce technology:

The purpose of the workforce technology program is to provide and maintain customer-focused, effective and innovative information technology services for the department and its service providers.

Appropriations:

(a) Personal services and employee benefits	899.4		67.0	4,524.3	5,490.7
(b) Contractual services	2,205.4		1,651.9	4,964.8	8,822.1
(c) Other	2,723.9		665.5	4,757.3	8,146.7

Performance measures:

(a) Outcome:	Percent of time the unemployment framework for automated claims and tax services are available during scheduled uptime	99%
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(4) Employment services:

The purpose of the employment services program is to provide standardized business solution strategies and labor market information through the New Mexico public workforce system that is responsive to the needs of New Mexico businesses.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits			12,197.8	9,285.9	21,483.7
(b) Contractual services			209.2	1,467.2	1,676.4
(c) Other	522.9		2,865.7	6,885.9	10,274.5

The internal service funds/interagency transfers appropriations to the employment services program of the workforce solutions department include one million dollars (\$1,000,000) from the workers' compensation administration fund of the workers' compensation administration.

Performance measures:

(a) Outcome:	Percent of unemployed individuals employed after receiving employment services in a connections office	60%
(b) Outcome:	Average six-month earnings of individuals entering employment after receiving employment services in a connections office	\$16,250
(c) Output:	Percent of audited apprenticeship programs deemed compliant	75%

(5) Program support:

The purpose of program support is to provide overall leadership, direction and administrative support to each agency program to achieve organizational goals and objectives.

Appropriations:

(a) Personal services and employee benefits	273.1	1,384.1	8,294.8	9,952.0
(b) Contractual services	16.9	91.4	1,100.0	1,208.3
(c) Other	20.0	84.8	33,880.9	33,985.7
Subtotal				121,130.3

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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WORKERS' COMPENSATION ADMINISTRATION:

(1) Workers' compensation administration:

The purpose of the workers' compensation administration program is to assure the quick and efficient delivery of indemnity and medical benefits to injured and disabled workers at a reasonable cost to employers.

Appropriations:

(a) Personal services and employee benefits		10,520.8			10,520.8
(b) Contractual services		323.2			323.2
(c) Other		1,471.0			1,471.0
(d) Other financing uses		1,000.0			1,000.0

The other state funds appropriation to the workers' compensation administration program in the other financing uses category includes one million dollars (\$1,000,000) from the workers' compensation administration fund for the employment services program of the workforce solutions department.

Performance measures:

(a) Outcome:	Rate of serious injuries and illnesses caused by workplace conditions per one hundred workers	0.5
(b) Outcome:	Percent of employers determined to be in compliance with insurance requirements of the Workers' Compensation Act after initial investigations	97%

(2) Uninsured employers' fund:

Appropriations:

(a) Personal services and employee benefits	432.2	432.2
(b) Contractual services	71.1	71.1
(c) Other	551.0	551.0
Subtotal		14,369.3

<u>Item</u>	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total/Target
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VOCATIONAL REHABILITATION DIVISION:

(1) Rehabilitation services:

The purpose of the rehabilitation services program is to promote opportunities for people with disabilities to become more independent and productive by empowering individuals with disabilities so they may maximize their employment, economic self-sufficiency, independence and inclusion and integration into society.

Appropriations:

(a) Personal services and employee benefits				15,044.7	15,044.7
(b) Contractual services				2,889.3	2,889.3
(c) Other	6,204.6		191.5	5,564.3	11,960.4
(d) Other financing uses				200.0	200.0

The general fund appropriation to the rehabilitation services program of the vocational rehabilitation division in the other category includes five hundred thousand dollars (\$500,000) to provide adult vocational rehabilitation services.

The internal service funds/interagency transfers appropriation to the rehabilitation services program of the vocational rehabilitation division in the other category includes one hundred thousand dollars (\$100,000) from the commission for the blind to match with federal funds to provide rehabilitation services to blind or visually impaired New Mexicans.

The internal service funds/interagency transfers appropriation to the rehabilitation services program of the vocational rehabilitation division in the other category includes ninety-one thousand five hundred dollars (\$91,500) to match with federal funds to support and enhance deaf and hard-of-hearing rehabilitation services.

The federal funds appropriation to the rehabilitation services program of the vocational rehabilitation division in the other financing uses category includes two hundred thousand dollars (\$200,000) for the independent living program of the commission for the blind to provide services to blind or visually impaired New Mexicans.

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:					750
(b) Outcome:					40%

(2) Independent living services:

The purpose of the independent living services program is to increase access for individuals with disabilities to technologies and services needed for various applications in learning, working and home management.

Appropriations:

(a) Contractual services				51.5	51.5
(b) Other	662.7		7.1	828.5	1,498.3
(c) Other financing uses				65.0	65.0

The internal service funds/interagency transfers appropriation to the independent living services program of the vocational rehabilitation division in the other category includes seven thousand one hundred dollars (\$7,100) from the commission for the blind to match with federal funds to provide independent living services to blind or visually impaired New Mexicans.

The federal funds appropriation to the independent living services program of the vocational rehabilitation division in the other financing uses category includes sixty-five thousand dollars (\$65,000) for the independent living program of the commission for the blind to provide services to blind or visually impaired New Mexicans.

Performance measures:

(a) Output:	Number of independent living plans developed	750
(b) Output:	Number of individuals served for independent living	765

(3) Disability determination:

The purpose of the disability determination program is to produce accurate and timely eligibility determinations to social security disability applicants so they may receive benefits.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits				9,452.5	9,452.5
(b) Contractual services				3,703.0	3,703.0
(c) Other				4,897.2	4,897.2

Performance measures:

(a) Efficiency:	Average number of days for completing an initial disability claim	188
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(4) Administrative services:

The purpose of the administration services program is to provide leadership, policy development, financial analysis, budgetary control, information technology services, administrative support and legal services to the vocational rehabilitation division. The administration services program function is to ensure the vocational rehabilitation division achieves a high level of accountability and excellence in services provided to the people of New Mexico.

Appropriations:

(a) Personal services and employee benefits	676.4	4,182.6	4,859.0
(b) Contractual services		235.9	235.9
(c) Other	73.9	1,025.9	1,099.8

Any unexpended balances in the vocational rehabilitation division remaining at the end of fiscal year 2025 from appropriations made from the general fund shall not revert and may be expended in fiscal year 2026.

Subtotal			55,956.6
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GOVERNOR'S COMMISSION ON DISABILITY:

(1) Governor's commission on disability:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the governor's commission on disability program is to promote policies and programs that focus on common issues faced by New Mexicans with disabilities, regardless of type of disability, age or other factors. The commission educates state administrators, legislators and the general public on the issues facing New Mexicans with disabilities, especially as they relate to federal Americans with Disabilities Act directives, building codes, disability technologies and disability culture so they can improve the quality of life of New Mexicans with disabilities.

Appropriations:

(a) Personal services and employee benefits	833.0			344.3	1,177.3
(b) Contractual services	54.5			95.5	150.0
(c) Other	390.5	250.0		82.3	722.8

Performance measures:

(a) Outcome:	Percent of requested architectural plan reviews and site inspections completed	98%
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(2) Brain injury advisory council:

The purpose of the brain injury advisory council program is to provide guidance on the use and implementation of programs provided through the health care authority department's brain injury services fund so the department may align service delivery with needs identified by the brain injury community.

Appropriations:

(a) Personal services and employee benefits	93.6				93.6
(b) Contractual services	66.9				66.9
(c) Other	74.7				74.7
Subtotal					2,285.3

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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DEVELOPMENTAL DISABILITIES COUNCIL:

(1) Developmental disabilities council:

The purpose of the developmental disabilities council program is to provide and produce opportunities for persons with disabilities so they may realize their dreams and potential and become integrated members of society.

Appropriations:

(a) Personal services and employee benefits	940.2			242.8	1,183.0
(b) Contractual services	85.7		75.0		160.7
(c) Other	353.3			333.3	686.6

(2) Office of guardianship:

The purpose of the office of guardianship program is to enter into, monitor and enforce guardianship contracts for income-eligible persons and to help file, investigate and resolve complaints about guardianship services provided by contractors to maintain the dignity, safety and security of the indigent and incapacitated adults of the state.

Appropriations:

(a) Personal services and employee benefits	1,062.5				1,062.5
(b) Contractual services	6,711.0		550.0		7,261.0
(c) Other	147.4				147.4

Performance measures:

(a) Outcome:	Average amount of time spent on wait list, in months	9:0
Subtotal		10,501.2

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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MINERS' HOSPITAL OF NEW MEXICO:

(1) Healthcare:

The purpose of the healthcare program is to provide quality acute care, long-term care and related health services to the beneficiaries of the miners' trust fund of New Mexico and the people of the region so they can maintain optimal health and quality of life.

Appropriations:

(a) Personal services and employee benefits		8,462.0	5,108.0	10,323.0	23,893.0
(b) Contractual services		4,760.0	2,338.0	2,963.0	10,061.0
(c) Other		3,592.0	1,564.0	2,160.0	7,316.0
(d) Other financing uses			550.0		550.0

The internal service funds/interagency transfers appropriations to the healthcare program of miners' hospital of New Mexico include nine million five hundred sixty thousand dollars (\$9,560,000) from the miners' trust fund.

The internal service funds/interagency transfers appropriations to the healthcare program of miners' hospital of New Mexico include five hundred fifty thousand dollars (\$550,000) from the miners' trust fund to transfer to the health care authority department to leverage additional federal medicaid revenue.

Performance measures:

(a) Outcome:	Percent of occupancy at nursing home based on licensed beds	55%
(b) Quality:	Percent of patients readmitted to the hospital within thirty days with the same or similar diagnosis	1.8%
Subtotal		41,820.0

DEPARTMENT OF HEALTH:

(1) Public health:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the public health program is to provide a coordinated system of community-based public health services focusing on disease prevention and health promotion to improve health status, reduce disparities and ensure timely access to quality, culturally competent healthcare.

Appropriations:

(a) Personal services and employee benefits	29,521.2	2,343.0	4,583.3	35,217.5	71,665.0
(b) Contractual services	31,763.2	6,785.6	18,101.4	25,815.8	82,466.0
(c) Other	15,475.7	37,443.1	7,011.1	46,986.5	106,916.4
(d) Other financing uses	462.3				462.3

The internal service funds/interagency transfers appropriations to the public health program of the department of health include five million four hundred thirty-five thousand two hundred dollars (\$5,435,200) from the tobacco settlement program fund for smoking cessation and prevention programs.

The general fund appropriations to the public health program of the department of health include one million five hundred thousand dollars (\$1,500,000) [~~for services~~] to address alcohol misuse. *LINE ITEM VETO*

The internal service funds/interagency transfers appropriation to the public health program of the department of health includes three million five hundred thousand dollars (\$3,500,000) from the opioid crisis recovery fund [~~including one million ten thousand dollars (\$1,010,000) in the personal services and employee benefits category, one million six hundred seventy thousand dollars (\$1,670,000) in the contractual services category and eight hundred twenty thousand dollars (\$820,000) in the other category~~] for medication assisted treatment [~~services~~]. *LINE ITEM VETO*

Performance measures:

(a) Quality:	Percent of female New Mexico department of health's public health office family planning clients, ages fifteen to nineteen, who were provided most or moderately effective contraceptives	88%
(b) Quality:	Percent of school-based health centers funded by the department of health that demonstrate improvement in their primary care or behavioral healthcare focus area	96%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(c) Outcome:	Percent of preschoolers ages nineteen to thirty-five months indicated as being fully immunized				68%

(2) Epidemiology and response:

The purpose of the epidemiology and response program is to monitor health, provide health information, prevent disease and injury, promote health and healthy behaviors, respond to public health events, prepare for health emergencies and provide emergency medical and vital registration services to New Mexicans.

Appropriations:

(a) Personal services and employee benefits	6,501.3	154.5	255.5	20,671.1	27,582.4
(b) Contractual services	3,576.8	185.8	478.3	17,704.3	21,945.2
(c) Other	5,402.2	185.7	27.2	2,582.4	8,197.5

Performance measures:

(a) Explanatory:	Drug overdose death rate per one hundred thousand population	
(b) Explanatory:	Alcohol-related death rate per one hundred thousand population	
(c) Outcome:	Percent of opioid patients also prescribed benzodiazepines	5%

(3) Laboratory services:

The purpose of the laboratory services program is to provide laboratory analysis and scientific expertise for policy development for tax-supported public health, environment and toxicology programs in the state of New Mexico and to provide timely identification of threats to the health of New Mexicans.

Appropriations:

(a) Personal services and employee benefits	7,575.0	1,057.1	235.6	1,823.4	10,691.1
(b) Contractual services	462.1	30.0	33.5	393.8	919.4

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(c) Other	2,209.1	473.0	624.4	3,307.3	6,613.8

(4) Facilities management:

The purpose of the facilities management program is to provide oversight for department of health facilities that provide health and behavioral healthcare services, including mental health, substance abuse, nursing home and rehabilitation programs in both facility- and community-based settings, and serve as the safety net for the citizens of New Mexico.

Appropriations:

(a) Personal services and employee benefits	66,501.6	54,467.2	4,675.4	6,081.6	131,725.8
(b) Contractual services	3,791.0	8,368.3	448.1	1,609.6	14,217.0
(c) Other	15,583.1	11,362.5	1,840.1	1,415.9	30,201.6

Performance measures:

(a) Efficiency:	Percent of eligible third-party revenue collected at all agency facilities	93%
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(5) Medical cannabis:

The purpose of the medical cannabis program is to provide qualified patients with the means to legally and beneficially consume medical cannabis in a regulated system for alleviating symptoms caused by debilitating medical conditions and their medical treatments and to regulate a system of production and distribution of medical cannabis to ensure an adequate supply.

Appropriations:

(a) Personal services and employee benefits		1,572.3	1,572.3
(b) Contractual services		570.5	570.5
(c) Other		373.7	373.7

(6) Administration:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the administration program is to provide leadership, policy development, information technology, administrative and legal support to the department of health so it achieves a high level of accountability and excellence in services provided to the people of New Mexico.

Appropriations:

(a) Personal services and employee benefits	9,004.4	750.0		7,182.1	16,936.5
(b) Contractual services	371.9		58.2	655.4	1,085.5
(c) Other	257.4	250.0	757.3	1,190.4	2,455.1
Subtotal					536,597.1

DEPARTMENT OF ENVIRONMENT:

(1) Resource protection:

The purpose of the resource protection program is to monitor and provide regulatory oversight of the generation, storage, transportation and disposal of wastes in New Mexico. The program also oversees the investigation and cleanup of environmental contamination covered by the Resource Conservation and Recovery Act.

Appropriations:

(a) Personal services and employee benefits	3,175.8		9,006.8	3,573.5	15,756.1
(b) Contractual services	300.3		1,281.4	1,707.1	3,288.8
(c) Other	41.4		933.2	621.9	1,596.5

Performance measures:

(a) Outcome:	Percent of hazardous waste facilities in compliance	90%
(b) Outcome:	Percent of solid and infectious waste management facilities in compliance	90%

(2) Water protection:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the water protection program is to protect and preserve the ground, surface and drinking water resources of the state for present and future generations. The program also helps New Mexico communities develop sustainable and secure water, wastewater and solid waste infrastructure through funding, technical assistance and project oversight.

Appropriations:

(a) Personal services and employee benefits	6,728.4	100.0	5,266.4	8,424.1	20,518.9
(b) Contractual services	1,510.9		4,332.9	23,422.6	29,266.4
(c) Other	303.9		1,741.7	4,464.2	6,509.8
(d) Other financing uses				228.9	228.9
(e) Land of Enchantment Legacy Fund			1,250.0		1,250.0

Performance measures:

(a) Output:	Number of nonpoint source impaired waterbodies restored by the department relative to the number of impaired water bodies	1/4
(b) Outcome:	Percent of groundwater permittees in compliance	92%

(3) Environmental protection:

The purpose of the environmental protection program is to ensure New Mexicans breathe healthy air, to prevent and mitigate the impacts of climate change on the state's population and industries, and to protect the public from radiation-related risks. The program implements rules and initiatives that reduce greenhouse gas emissions, protect the public from environmental contaminants, and limit exposure to radon and radioactive materials.

Appropriations:

(a) Personal services and employee benefits	2,457.4		12,452.6	1,141.9	16,051.9
(b) Contractual services	208.3		1,468.1	321.4	1,997.8
(c) Other	185.7		2,029.4	2,682.9	4,898.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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Performance measures:

(a) Outcome:	Percent of the population breathing air meeting federal health standards	95%
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(4) Resource management:

The purpose of the resource management program is to provide overall leadership, administrative, legal and information management support to all programs within the department. This support allows the department to operate in the most responsible, efficient and effective manner so the public can receive the information it needs to hold the department accountable.

Appropriations:

(a) Personal services and employee benefits	4,108.8	88.4	3,719.0	2,338.0	10,254.2
(b) Contractual services	712.5	28.5	173.8	386.7	1,301.5
(c) Other	2,833.7	83.1	846.7	256.7	4,020.2

(5) Environmental health:

The purpose of the environmental health program is to protect the public from environmental health hazards by providing regulatory oversight of food service and food processing facilities, hemp-finished products, adult use and medical edible cannabis products, public swimming pools and spas, and liquid waste systems. The program also ensures every employee has safe working conditions, enforcing occupational health and safety standards to prevent workplace illnesses, injuries and fatalities.

Appropriations:

(a) Personal services and employee benefits	8,408.9		5,632.1	1,762.7	15,803.7
(b) Contractual services	85.0		270.0	40.0	395.0
(c) Other	1,343.4		602.2	250.6	2,196.2

Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Percent of employers inspected that did not meet occupational health and safety requirements for at least one standard				55%
(6) Special revenue funds:					
Appropriations:					
(a) Contractual services		4,990.0			4,990.0
(b) Other		11,338.0		4,262.0	15,600.0
(c) Other financing uses		48,550.0			48,550.0
Subtotal					204,473.9

OFFICE OF NATURAL RESOURCES TRUSTEE:

(1) Natural resource damage assessment and restoration:

The purpose of the natural resource damage assessment and restoration program is to restore or replace natural resources injured or lost due to releases of hazardous substances or oil into the environment.

Appropriations:

(a) Personal services and employee benefits	715.0				715.0
(b) Contractual services		10,000.0			10,000.0
(c) Other	62.2				62.2
Subtotal					10,777.2

VETERANS' SERVICES DEPARTMENT:

(1) Veterans' services:

The purpose of the veterans' services program is to carry out the mandates of the New Mexico legislature and the governor to provide information and assistance to veterans and their eligible dependents to obtain the benefits to which they are entitled to improve their quality of life.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Personal services and employee benefits	6,013.9			460.1	6,474.0
(b) Contractual services	1,332.6	365.0		278.0	1,975.6
(c) Other	892.5	110.0		185.8	1,188.3
Performance measures:					
(a) Quality:	Percent of veterans surveyed who rate the services provided by the agency as satisfactory or above				95%
(b) Explanatory:	Number of veterans and families of veterans served by veterans' services department field offices				
Subtotal					9,637.9

OFFICE OF FAMILY REPRESENTATION AND ADVOCACY:

(1) Office of family representation and advocacy:

Appropriations:

(a) Personal services and employee benefits	4,645.5		1,548.5		6,194.0
(b) Contractual services	3,352.8		1,117.6		4,470.4
(c) Other	821.6		100.0		921.6
Subtotal					11,586.0

CHILDREN, YOUTH AND FAMILIES DEPARTMENT:

(1) Juvenile justice facilities:

The purpose of the juvenile justice facilities program is to provide rehabilitative services to youth committed to the department, including medical, educational, mental health and other services that will support their rehabilitation.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	52,347.0	5,375.4	963.4	403.3	59,089.1
(b) Contractual services	12,582.9	1,292.1	231.6	97.0	14,203.6
(c) Other	6,957.0	714.3	128.1	53.6	7,853.0

The general fund appropriations to the juvenile justice facilities program of the children, youth and families department include seven thousand six hundred dollars (\$7,600) for juvenile public safety advisory board operations.

(2) Protective services:

The purpose of the protective services program is to receive and investigate referrals of child abuse and neglect and provide family preservation and treatment and legal services to vulnerable children and their families to ensure their safety and well-being.

Appropriations:

(a) Personal services and employee benefits	49,483.6	132.0	7,786.6	35,074.9	92,477.1
(b) Contractual services	30,336.4	81.0	4,773.7	21,503.0	56,694.1
(c) Other	42,118.6	112.4	6,627.7	29,854.4	78,713.1

The internal service funds/interagency transfer appropriations to the protective services program of the children, youth and families department include seventeen million seven hundred ninety-eight thousand six hundred dollars (\$17,798,600) from the federal temporary assistance for needy families block grant to New Mexico for supportive housing, adoption services, foster care services, multilevel response system implementation as outlined in Section 32A-4-4.1 NMSA 1978, services for youth aging out of foster care, family support services, family preservation services, [~~evidence-based~~] prevention and intervention services and fostering connections.

LINE ITEM VETO

The general fund appropriations to the protective services program of the children, youth and families department include seven million six hundred sixty-two thousand dollars (\$7,662,000) to match with federal revenue for well-supported, supported or promising programming as included on the clearinghouse website for the Family First Prevention Services Act or on the website for the California evidence-based clearinghouse for child welfare.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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Performance measures:

(a) Output:	Turnover rate for protective service workers	25%
(b) Outcome:	Percent of children in foster care for twelve to twenty-three months at the start of a twelve-month period who achieve permanency within that twelve months	44%

(3) Behavioral health services:

The purpose of the behavioral health services program is to provide coordination and management of behavioral health policy, programs and services for children.

Appropriations:

(a) Personal services and employee benefits	10,891.3	92.3	305.6	1,277.9	12,567.1
(b) Contractual services	35,410.9	299.7	993.5	4,155.1	40,859.2
(c) Other	956.0	8.0	26.8	112.2	1,103.0

(4) Program support:

The purpose of program support is to provide the direct services divisions with functional and administrative support so they may provide client services consistent with the department's mission and also support the development and professionalism of employees.

Appropriations:

(a) Personal services and employee benefits	11,852.4		861.9	4,131.4	16,845.7
(b) Contractual services	2,093.7		160.0	767.1	3,020.8
(c) Other	2,329.4		178.1	853.4	3,360.9
Subtotal					386,786.7
TOTAL HEALTH, HOSPITALS AND HUMAN	2,957,794.0	876,689.6	880,534.5	9,691,897.5	14,406,915.6

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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G. PUBLIC SAFETY

DEPARTMENT OF MILITARY AFFAIRS:

(1) National guard support:

The purpose of the national guard support program is to provide administrative, fiscal, personnel, facility construction and maintenance support to the New Mexico national guard so it may maintain a high degree of readiness to respond to state and federal missions and to supply an experienced force to protect the public, provide direction for youth and improve the quality of life for New Mexicans.

Appropriations:

(a) Personal services and employee benefits	5,662.0			9,777.3	15,439.3
(b) Contractual services	481.7	10.9	218.0	3,360.4	4,071.0
(c) Other	3,386.3	124.3		11,054.1	14,564.7

Performance measures:

(a) Outcome:	Percent strength of the New Mexico national guard	98%
(b) Outcome:	Percent of New Mexico national guard youth challenge academy graduates who earn a high school equivalency credential	72%
Subtotal		34,075.0

PAROLE BOARD:

(1) Adult parole:

The purpose of the adult parole program is to provide and establish parole conditions and guidelines for inmates and parolees so they may reintegrate back into the community as law-abiding citizens.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	618.0				618.0
(b) Contractual services	15.7				15.7
(c) Other	150.1				150.1

Performance measures:

(a) Efficiency:	Percent of revocation hearings held within thirty days of a parolee's return to the corrections department	95%
Subtotal		783.8

CORRECTIONS DEPARTMENT:

(1) Inmate management and control:

The purpose of the inmate management and control program is to incarcerate in a humane, professionally sound manner offenders sentenced to prison and to provide safe and secure prison operations. This includes quality hiring and in-service training of correctional officers, protecting the public from escape risks and protecting prison staff, contractors and inmates from violence exposure to the extent possible within budgetary resources.

Appropriations:

(a) Personal services and employee benefits	101,175.6	2,518.1	18,896.0	17.5	122,607.2
(b) Contractual services	72,326.0				72,326.0
(c) Other	84,408.5				84,408.5

The general fund appropriation to the inmate management and control program of the corrections department in the other category includes eight hundred nine thousand five hundred dollars (\$809,500) [~~to increase per diem rates for private prisons~~]. *LINE ITEM VETO*

Performance measures:

(a) Outcome:	Average number of female inmates on in-house parole	10
(b) Outcome:	Average number of male inmates on in-house parole	65

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(c) Outcome:	Vacancy rate of correctional officers in public facilities				25%
(d) Outcome:	Vacancy rate of correctional officers in private facilities				25%
(e) Output:	Number of inmate-on-inmate assaults resulting in injury requiring off-site medical treatment				10
(f) Output:	Number of inmate-on-staff assaults resulting in injury requiring off-site medical treatment				4

(2) Corrections industries:

The purpose of the corrections industries program is to provide training and work experience opportunities for inmates to instill a quality work ethic and to prepare them to perform effectively in an employment position and to reduce idle time of inmates while in prison.

Appropriations:

(a) Personal services and employee benefits	2,096.1	2,096.1
(b) Contractual services	51.4	51.4
(c) Other	3,726.9	3,726.9

Performance measures:

(a) Output:	Percent of inmates receiving vocational or educational training assigned to corrections industries	30%
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(3) Community offender management:

The purpose of the community offender management program is to provide programming and supervision to offenders on probation and parole, with emphasis on high-risk offenders, to better ensure the probability of them becoming law-abiding citizens, to protect the public from undue risk and to provide intermediate sanctions and post-incarceration support services as a cost-effective alternative to incarceration.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits	25,862.8	2,896.4			28,759.2
(b) Contractual services	4,371.0				4,371.0
(c) Other	6,766.2				6,766.2

Performance measures:

(a) Outcome:	Percent of contacts per month made with high-risk offenders in the community	95%
(b) Quality:	Average standard caseload per probation and parole officer	88
(c) Outcome:	Vacancy rate of probation and parole officers	18%

(4) Reentry:

The purpose of the reentry program is to facilitate the rehabilitative process by providing programming options and services to promote the successful reintegration of incarcerated individuals into the community. By building educational, cognitive, life skills, vocational programs and pre- and post-release services around sound research into best correctional practices and incorporating community stakeholders throughout the effort, the reentry program removes or reduces barriers to incarcerated persons living productively in society, thereby reducing recidivism and furthering the public safety mission of the New Mexico corrections department.

Appropriations:

(a) Personal services and employee benefits	8,580.0	301.5	239.7		9,121.2
(b) Contractual services	11,904.5				11,904.5
(c) Other	606.8		128.5		735.3

Performance measures:

(a) Outcome:	Percent of prisoners reincarcerated within thirty-six months due to technical parole violations	20%
(b) Output:	Percent of eligible students who earn a high school equivalency credential	80%
(c) Explanatory:	Percent of participating students who have completed adult education	

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(d) Output:	Percent of graduates from the men's recovery center who are reincarcerated within thirty-six months				20%
(e) Outcome:	Percent of prisoners reincarcerated within thirty-six months due to new charges or pending charges				17%
(f) Output:	Percent of graduates from the women's recovery center who are reincarcerated within thirty-six months				20%
(g) Explanatory:	Percent of residential drug abuse program graduates reincarcerated within thirty-six months of release				
(h) Outcome:	Percent of sex offenders reincarcerated on a new sex offense conviction within thirty-six months of release on the previous sex offense conviction				5%
(i) Outcome:	Percent of prisoners reincarcerated within thirty-six months				40%
(j) Outcome:	Percent of eligible inmates enrolled in educational, cognitive, vocational and college programs				60%
(k) Output:	Number of students who earn a high school equivalency credential				165

(5) Program support:

The purpose of program support is to provide quality administrative support and oversight to the department operating units to ensure a clean audit, effective budget, personnel management and cost-effective management information system services.

Appropriations:

(a) Personal services and employee benefits	12,683.8	154.8	78.6		12,917.2
(b) Contractual services	468.2				468.2
(c) Other	4,052.5				4,052.5
Subtotal					364,311.4

CRIME VICTIMS REPARATION COMMISSION:

(1) Victim compensation:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the victim compensation program is to provide financial assistance and information to victims of violent crime in New Mexico so they can receive services to restore their lives.

Appropriations:

(a) Personal services and employee benefits	1,731.2			78.9	1,810.1
(b) Contractual services	63.5			3.7	67.2
(c) Other	1,444.5	656.0		1,166.2	3,266.7

Performance measures:

(a) Explanatory:	Average compensation paid to individual victims using federal funding
(b) Explanatory:	Average compensation paid to individual victims using state funding

(2) Grant administration:

The purpose of the grant administration program is to provide funding and training to nonprofit providers and public agencies so they can provide services to victims of crime.

Appropriations:

(a) Personal services and employee benefits	326.0			456.0	782.0
(b) Contractual services	10,176.8			1,570.0	11,746.8
(c) Other	179.8			10,596.4	10,776.2

Performance measures:

(a) Efficiency:	Percent of state-funded subgrantees that received site visits	40%
(b) Explanatory:	Number of sexual assault survivors who received services through state-funded victim services provider programs statewide	

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Subtotal					28,449.0

DEPARTMENT OF PUBLIC SAFETY:

(1) Law enforcement:

The purpose of the law enforcement program is to provide the highest quality of law enforcement services to the public and ensure a safer state.

Appropriations:

(a) Personal services and employee benefits	111,853.9	1,405.2	3,067.4	6,300.2	122,626.7
(b) Contractual services	1,423.4		100.0	820.5	2,343.9
(c) Other	26,603.5	1,552.0	2,878.6	3,050.4	34,084.5

The internal service funds/interagency transfers appropriations to the law enforcement program of the department of public safety include ninety-four thousand five hundred dollars (\$94,500) from the weight distance tax identification permit fund.

Any unexpended balances in the motor transportation bureau of the law enforcement program of the department of public safety remaining at the end of fiscal year 2025 from appropriations made from the weight distance tax identification permit fund shall revert to the weight distance tax identification permit fund.

Performance measures:

(a) Explanatory:	Number of proactive special investigations unit operations to reduce driving while intoxicated and alcohol-related crime	
(b) Explanatory:	Percent of total crime scenes processed for other law enforcement agencies	
(c) Explanatory:	Graduation rate of the New Mexico state police recruit school	
(d) Output:	Number of driving-while-intoxicated saturation patrols conducted	3,000
(e) Explanatory:	Turnover rate of commissioned state police officers	

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(f) Explanatory:	Number of drug-related investigations conducted by narcotics agents				
(g) Explanatory:	Vacancy rate of commissioned state police officers				
(h) Output:	Number of commercial motor vehicle safety inspections conducted				100,000

(2) Statewide law enforcement support:

The purpose of the statewide law enforcement support program is to promote a safe and secure environment for the state of New Mexico through intelligently led policing practices, vital scientific and technical support, current and relevant training and innovative leadership for the law enforcement community.

Appropriations:

(a) Personal services and employee benefits	17,953.2	2,846.8	305.9	733.4	21,839.3
(b) Contractual services	836.4	1,002.0	320.0	535.0	2,693.4
(c) Other	5,775.6	2,509.9	346.0	693.3	9,324.8

Performance measures:

(a) Explanatory:	Number of expungements processed				
(b) Outcome:	Percent of forensic evidence cases completed				100%
(c) Outcome:	Number of sexual assault examination kits not completed within one hundred eighty days of receipt of the kits by the forensic laboratory				0

(3) Program support:

The purpose of program support is to manage the agency's financial resources, assist in attracting and retaining a quality workforce and provide sound legal advice and a clean, pleasant working environment.

Appropriations:

(a) Personal services and employee benefits	5,799.9	25.0	20.0	524.4	6,369.3
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Contractual services	224.2	50.0	5.0	150.0	429.2
(c) Other	535.7	2,925.0	5.0	2,853.6	6,319.3
Subtotal					206,030.4

HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT:

(1) Homeland security and emergency management program:

The purpose of the homeland security and emergency management program is to provide for and coordinate an integrated, statewide, comprehensive emergency management system for New Mexicans, including all agencies, branches and levels of government.

Appropriations:

(a) Personal services and employee benefits	2,572.8	5.0		4,245.2	6,823.0
(b) Contractual services	427.1			1,335.8	1,762.9
(c) Other	939.6	50.0		20,536.3	21,525.9

Performance measures:

(a) Outcome:	Number of recommendations from federal grant monitoring visits older than six months unresolved at the close of the fiscal year	2
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(2) State fire marshal's office:

The purpose of the state fire marshal's office program is to provide services and resources to the appropriate entities to enhance their ability to protect the public from fire hazards.

Appropriations:

(a) Personal services and employee benefits		6,081.0		6,081.0
(b) Contractual services		705.1		705.1
(c) Other		101,745.1		101,745.1

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The other state funds appropriations to the state fire marshal's office program of the homeland security and emergency management department include nine million five hundred fourteen thousand five hundred dollars (\$9,514,500) from the fire protection fund. Any unexpended balances from the fire protection fund in the state fire marshal's office program of the homeland security and emergency management department at the end of fiscal year 2025 shall revert to the fire protection fund.

Performance measures:

(a) Outcome:	Percent of local government recipients that receive their fire protection fund distributions on schedule	100%
(b) Outcome:	Average statewide fire district insurance service office rating	4
Subtotal		138,643.0
TOTAL PUBLIC SAFETY	532,386.8 133,438.5 26,608.7	79,858.6 772,292.6

H. TRANSPORTATION

DEPARTMENT OF TRANSPORTATION:

(1) Project design and construction:

The purpose of the project design and construction program is to provide improvements and additions to the state's highway infrastructure to serve the interest of the general public. These improvements include those activities directly related to highway planning, design and construction necessary for a complete system of highways in the state.

Appropriations:

(a) Personal services and employee benefits	30,817.0	1,873.3	32,690.3
(b) Contractual services	118,302.5	449,576.2	567,878.7
(c) Other	146,224.7	61,831.3	208,056.0

Performance measures:

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(a) Outcome:	Percent of projects in production let to bid as scheduled				>75%
(b) Quality:	Percent of final cost-over-bid amount, less gross receipts tax, on highway construction projects				>3%
(c) Outcome:	Percent of projects completed according to schedule				<88%

(2) Highway operations:

The highway operations program is responsible for maintaining and providing improvements to the state's highway infrastructure that serve the interest of the general public. The maintenance and improvements include those activities directly related to preserving roadway integrity and maintaining open highway access throughout the state system. Some examples include bridge maintenance and inspection, snow removal, chip sealing, erosion repair, right-of-way mowing and litter pick up, among numerous other activities.

Appropriations:

(a) Personal services and employee benefits		133,425.9		3,000.0	136,425.9
(b) Contractual services		69,809.2			69,809.2
(c) Other		110,375.4			110,375.4

Performance measures:

(a) Output:	Number of statewide pavement lane miles preserved	>3,500
(b) Outcome:	Percent of interstate lane miles rated fair or better	>91%
(c) Outcome:	Number of combined systemwide lane miles in poor condition	<6,925
(d) Outcome:	Percent of bridges in fair, or better, condition based on deck area	>95%

(3) Program support:

The purpose of program support is to provide management and administration of financial and human resources, custody and maintenance of information and property and the management of construction and maintenance projects.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Personal services and employee benefits		30,934.2			30,934.2
(b) Contractual services		4,528.2			4,528.2
(c) Other		17,835.0			17,835.0

Performance measures:

(a) Explanatory: Vacancy rate of all programs

(4) Modal:

The purpose of the modal program is to provide federal grants management and oversight of programs with dedicated revenues, including transit and rail, traffic safety and aviation.

Appropriations:

(a) Personal services and employee benefits	8,464.2	5,880.0	1,752.3	16,096.5
(b) Contractual services	21,093.4	2,030.1	12,711.3	35,834.8
(c) Other	15,982.3	1,889.9	27,616.0	45,488.2

The internal service funds/interagency transfers appropriations to the modal program of the New Mexico department of transportation include nine million five hundred thousand dollars (\$9,500,000) from the weight distance tax identification permit fund.

Performance measures:

(a) Outcome:	Number of traffic fatalities	<400
(b) Outcome:	Number of alcohol-related traffic fatalities	<140
Subtotal		1,275,952.4
TOTAL TRANSPORTATION	707,792.0 9,800.0	558,360.4 1,275,952.4

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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I. OTHER EDUCATION

PUBLIC EDUCATION DEPARTMENT:

The purpose of the public education department program is to provide a public education to all students. The secretary of public education is responsible to the governor for the operation of the department. It is the secretary's duty to manage all operations of the department and to administer and enforce the laws with which the secretary of the department is charged. To do this, the department is focusing on leadership and support, productivity, building capacity, accountability, communication and fiscal responsibility.

Appropriations:

(a) Personal services and employee benefits	18,777.5	4,094.2	45.0	10,477.6	33,394.3
(b) Contractual services	3,737.7	2,180.4		19,631.9	25,550.0
(c) Other	1,425.4	846.8		3,572.1	5,844.3

~~[Money appropriated to the public education department shall not be used to implement or enforce any rule establishing a minimum requirement of one hundred eighty instructional days per school year.] LINE ITEM VETO~~

Performance measures:

(a) Outcome:	Number of local education agencies and charter schools audited for funding formula components and program compliance annually	30
(b) Explanatory:	Number of eligible children served in state-funded prekindergarten	
Subtotal		64,788.6

REGIONAL EDUCATION COOPERATIVES:

Appropriations:

(a) Northwest	135.0	19,547.4	15.2	91,313.7	111,011.3
(b) Northeast	135.0	775.4		297.9	1,208.3

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(c) Lea county	135.0	3,502.5		6,612.5	10,250.0
(d) Pecos valley	135.0	2,860.0	115.0		3,110.0
(e) Southwest	135.0	26,000.0	38.0	350.0	26,523.0
(f) Central	135.0	7,737.5	47.3	4,514.1	12,433.9
(g) High plains	135.0	9,510.8		797.4	10,443.2
(h) Clovis	135.0	1,500.0		2,000.0	3,635.0
(i) Ruidoso	135.0	36,500.0		3,809.2	40,444.2
(j) Four corners	135.0	225.0		1,700.0	2,060.0
Subtotal					221,118.9

PUBLIC EDUCATION DEPARTMENT SPECIAL APPROPRIATIONS:

Appropriations:

(a) Early literacy and reading support	14,000.0				14,000.0
(b) School leader professional development	5,000.0				5,000.0
(c) Teacher professional development	4,000.0	1,000.0			5,000.0
(d) Graduation, reality and dual-role skills program	750.0		500.0		1,250.0
(e) National board certification assistance		500.0			500.0
(f) Advanced placement and international baccalaureate test assistance	1,250.0				1,250.0
(g) Student nutrition and wellness	41,000.0				41,000.0

The public education department shall prioritize special appropriation awards to school districts or charter schools that enroll all eligible students in k-12 plus schools.

The public education department shall not make an award to a school district or charter school that does not submit an approved educational plan pursuant to Section 22-8-6 NMSA 1978 or an approved teacher mentorship program pursuant to Section 22-10A-9 NMSA 1978.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The teacher professional development appropriation includes one million dollars (\$1,000,000) for an educator evaluation system pursuant to Section 22-10A-19 NMSA 1978 and a learning management system. The other state funds appropriation to the public education department for teacher professional development is from the educator licensure fund.

The internal service funds/interagency transfers appropriation to the graduation, reality and dual-role skills program of the public education department is from the federal temporary assistance for needy families block grant to New Mexico.

The other state funds appropriation to the public education department for national board certification assistance is from the national board certification scholarship fund.

The public education department may distribute awards from the advanced placement and international baccalaureate test assistance appropriation to public schools and secondary schools funded by the bureau of Indian education of the United States department of the interior that offer international baccalaureate programs to provide the international baccalaureate program tests free of charge to New Mexico students.

Any unexpended balances in special appropriations to the public education department remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.

Subtotal	68,000.0
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PUBLIC SCHOOL FACILITIES AUTHORITY:

The purpose of the public school facilities oversight program is to oversee public school facilities in all eighty-nine school districts, ensuring correct and prudent planning, building and maintenance using state funds and ensuring adequacy of all facilities in accordance with public education department-approved educational programs.

Appropriations:

(a) Personal services and employee benefits	5,763.3	5,763.3
(b) Contractual services	200.0	200.0
(c) Other	1,272.9	1,272.9

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Performance measures:					
(a) Explanatory:	Statewide public school facility condition index measured on December 31 of prior calendar year				
(b) Explanatory:	Statewide public school facility maintenance assessment report score measured on December 31 of prior calendar year				
Subtotal				7,236.2	
TOTAL OTHER EDUCATION	91,290.6	116,780.0	7,996.7	145,076.4	361,143.7

J. HIGHER EDUCATION

On approval of the higher education department, the state budget division of the department of finance and administration may approve increases in budgets of agencies in this subsection whose other state funds exceed amounts specified, with the exception of the policy development and institutional financial oversight program of the higher education department. In approving budget increases, the director of the state budget division shall advise the legislature through its officers and appropriate committees, in writing, of the justification for the approval.

On approval of the higher education department and in consultation with the legislative finance committee, the state budget division of the department of finance and administration may reduce general fund appropriations, up to three percent, to institutions whose lower level common courses are not completely transferrable or accepted among public colleges and universities in New Mexico.

The secretary of higher education shall work with institutions whose enrollment has declined by more than fifty percent within the past five academic years on a plan to improve enrollment, collaborate or merge with other institutions, and reduce expenditures accordingly [~~and submit an annual report to the legislative finance committee~~]. *LINE ITEM VETO*

The department of finance and administration shall, as directed by the secretary of higher education, withhold from an educational institution or program that the higher education department places under an enhanced fiscal oversight program a portion, up to ten percent, of the institution's or program's general fund allotments. On written notice by the secretary of higher education that the institution or program has made sufficient progress toward satisfying the requirements imposed by the higher education department under the enhanced fiscal oversight program, the department of finance and administration shall release the withheld allotments. Money

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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withheld in accordance with this provision and not released at the end of fiscal year 2025 shall revert to the general fund. The secretary of the department of finance and administration shall advise the legislature through its officers and appropriate committees, in writing, of the status of all withheld allotments.

Except as otherwise provided, any unexpended balances remaining at the end of fiscal year 2025 shall not revert to the general fund.

HIGHER EDUCATION DEPARTMENT:

(1) Policy development and institutional financial oversight:

The purpose of the policy development and institutional financial oversight program is to provide a continuous process of statewide planning and oversight within the department's statutory authority for the state higher education system and to ensure both the efficient use of state resources and progress in implementing a statewide agenda.

Appropriations:

(a) Personal services and employee benefits	4,828.1	444.0	43.3	1,245.0	6,560.4
(b) Contractual services	660.0	50.0		950.0	1,660.0
(c) Other	10,383.5	160.0	3,000.0	9,305.0	22,848.5

The internal service funds/interagency transfers appropriations to the policy development and institutional financial oversight program of the higher education department include two million dollars (\$2,000,000) from the temporary assistance for needy families block grant for adult education.

The internal service funds/interagency transfers appropriations to the policy development and institutional financial oversight program of the higher education department include one million dollars (\$1,000,000) from the temporary assistance for needy families block grant for adult education for integrated education and training programs, including integrated basic education and skills training programs.

The general fund appropriation to the policy development and institutional financial oversight program of the higher education department in the other category includes six million eight hundred twenty-eight thousand dollars (\$6,828,000) to provide adults with education services and materials and access to high school

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
equivalency tests, one hundred twenty-six thousand one hundred dollars (\$126,100) for workforce development programs at community colleges that primarily educate and retrain recently displaced workers, seven hundred fifty thousand dollars (\$750,000) for an adult literacy program, seven hundred sixty-one thousand one hundred dollars (\$761,100) for the high skills program, eighty-four thousand five hundred dollars (\$84,500) for English-learner teacher preparation and six hundred thousand dollars (\$600,000) to the tribal college dual-credit program fund.					

Any unexpended balances in the policy development and institutional financial oversight program of the higher education department remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.

Performance measures:

(a) Outcome:	Percent of unemployed adult education students obtaining employment two quarters after exit	23%
(b) Outcome:	Percent of adult education high school equivalency test-takers who earn a high school equivalency credential	26%
(c) Outcome:	Percent of high school equivalency graduates entering postsecondary degree or certificate programs	31%

(2) Student financial aid:

The purpose of the student financial aid program is to provide access, affordability and opportunities for success in higher education to students and their families so all New Mexicans may benefit from postsecondary education and training beyond high school.

Appropriations:

(a) Contractual services	70.0				70.0
(b) Other	24,128.8	10,000.0	43,050.0	300.0	77,478.8

The other state funds appropriation to the student financial aid program of the higher education department in the other category includes five million dollars (\$5,000,000) from the teacher preparation affordability scholarship fund and five million dollars (\$5,000,000) from the teacher loan repayment fund.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(3) The opportunity scholarship:					

The purpose of the opportunity scholarship program is to provide tuition and fee assistance for New Mexico higher education to students so New Mexicans may benefit from postsecondary education and training beyond high school.

Appropriations:

(a) Other	146,000.0	16,000.0			162,000.0
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The general fund appropriation to the opportunity scholarship program of the higher education department in the other category includes one hundred forty-six million dollars (\$146,000,000) for an opportunity scholarship program in fiscal year 2025 for students attending a public postsecondary educational institution or tribal college. The other state funds appropriation is from the higher education program fund and is contingent on enactment of Senate Bill 159 or similar legislation of the second session of the fifty-sixth legislature. ~~[The higher education department shall provide a written report summarizing the opportunity scholarship's finances, student participation and sustainability to the department of finance and administration and the legislative finance committee by November 1, 2024. Any unexpended balances remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.]~~ *LINE ITEM VETO*

Subtotal					270,617.7
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UNIVERSITY OF NEW MEXICO:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the workforce, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Other		267,557.2		150,390.7	417,947.9
(b) Instruction and general purposes	255,578.5	203,406.8		2,757.0	461,742.3
(c) Athletics	8,358.7	28,373.5		30.6	36,762.8

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(d) Educational television	1,307.9	6,498.7		2,603.5	10,410.1
(e) Tribal education initiatives	1,050.0				1,050.0
(f) Teacher pipeline initiatives	100.0				100.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	25,000
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	2,800
(c) Output:	Number of credit hours completed	544,000
(d) Output:	Number of unduplicated degree awards in the most recent academic year	5,000
(e) Outcome:	Percent of a cohort of first-time, full-time, degree-seeking freshmen who complete a baccalaureate program within one hundred fifty percent of standard graduation time	60%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	80%

(2) Gallup branch:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		1,509.0	1,891.5	3,400.5
(b) Instruction and general purposes	10,821.8	4,962.0	73.0	15,856.8
(c) Tribal education initiatives	100.0			100.0

Performance measures:

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(a) Output:	Number of students enrolled, by headcount				3,100
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount				240
(c) Output:	Number of credit hours completed				30,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year				250
(e) Outcome:	Percent of first-time, full-time freshmen retained to the third semester				60%
(f) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time				35%

(3) Los Alamos branch:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Instruction and general purposes	2,349.0	2,349.0
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Performance measures:

(a) Output:	Number of students enrolled, by headcount	2,150
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	165
(c) Output:	Number of credit hours completed	9,308
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	89
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(4) Valencia branch:					

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		427.1		2,918.4	3,345.5
(b) Instruction and general purposes	7,048.6	4,803.1		224.3	12,076.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	3,878
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	173
(c) Output:	Number of credit hours completed	24,400
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	160
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(5) Taos branch:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		1,429.8		3,310.9	4,740.7
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Instruction and general purposes	4,821.6	4,251.3		33.7	9,106.6

Performance measures:

(a) Output:	Number of students enrolled, by headcount	2,100
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	100
(c) Output:	Number of credit hours completed	14,422
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	165
(e) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%
(f) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%

(6) Research and public service projects:

Appropriations:

(a) Judicial selection	52.3	52.3
(b) Southwest research center	811.5	811.5
(c) Resource geographic information system	66.1	66.1
(d) Southwest Indian law clinic	205.2	205.2
(e) Geospatial and population studies/bureau of business and economic research	390.1	390.1
(f) Manufacturing engineering program	538.0	538.0
(g) Wildlife law education	95.3	95.3
(h) Community-based education	547.8	547.8
(i) Corrine Wolfe children's law center	165.1	165.1

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(j) Mock trial program and high school forensics	411.6				411.6
(k) Utton transboundary resources center	429.2				429.2
(l) Gallup branch - nurse expansion	803.5				803.5
(m) Valencia branch - nurse expansion	427.2				427.2
(n) Taos branch - nurse expansion	884.6				884.6
(o) University of New Mexico press	456.3				456.3
(p) New Mexico bioscience authority	316.5				316.5
(q) Natural heritage New Mexico database	51.6				51.6
(r) Border justice initiative	180.0				180.0
(s) Wild friends program	75.0				75.0
(t) School of public administration	100.0				100.0
(u) Teacher education at branch colleges	60.0				60.0

(7) Health sciences center:

The purpose of the institution and general program of the university of New Mexico health sciences center is to provide educational, clinical and research support for the advancement of the health of all New Mexicans.

Appropriations:

(a) Other		534,881.6		175,149.4	710,031.0
(b) Instruction and general purposes	86,245.2	73,649.1		7,178.3	167,072.6

Performance measures:

(a) Outcome:	Percent of nursing graduates passing the requisite licensure exam on first attempt	80%
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Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(b) Output:	Percent of university of New Mexico-trained primary care residents practicing in New Mexico three years after completing residency				39%
(c) Output:	American nurses credentialing center family nurse practitioner certification exam first attempt pass rate				85%
(d) Output:	First-time pass rate on the North American pharmacist licensure examination by doctor of pharmacy graduates				80%

(8) Health sciences center research and public service projects:

Appropriations:

(a) ENLACE	972.2				972.2
(b) Graduate medical education/residencies	2,368.7				2,368.7
(c) Office of medical investigator	10,305.4	6,893.6			17,199.0
(d) Native American suicide prevention	93.6				93.6
(e) Children's psychiatric hospital	10,444.0	11,900.0	1,000.0		23,344.0
(f) Carrie Tingley hospital	8,313.9	16,501.4			24,815.3
(g) Newborn intensive care	3,408.7	200.9		230.0	3,839.6
(h) Pediatric oncology	1,579.1				1,579.1
(i) Poison and drug information center	2,610.5			842.8	3,453.3
(j) Cancer center	7,932.2	6,267.0		13,900.0	28,099.2
(k) Genomics, biocomputing and environmental health research	937.4	433.6		16,784.9	18,155.9
(l) Trauma specialty education	250.0				250.0
(m) Pediatrics specialty education	250.0				250.0
(n) Native American health center	324.4				324.4

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(o) Nurse expansion	951.6				951.6
(p) Graduate nurse education	4,824.2				4,824.2
(q) Child abuse evaluation center	155.2				155.2
(r) Hepatitis community health outcomes	9,764.4		800.0		10,564.4
(s) Comprehensive movement disorders clinic	416.5				416.5
(t) Office of the medical investigator grief services	322.6				322.6
(u) Physician assistant program	653.0				653.0
(v) Special needs dental clinic	500.0				500.0
(w) Undergraduate nursing education	1,500.0				1,500.0

The internal service funds/interagency transfers appropriations to the health sciences center research and public service projects of the university of New Mexico include one million eight hundred thousand dollars (\$1,800,000) from the opioid crisis recovery fund from monies from settlements, judgments, verdicts and other court orders relating to claims regarding the manufacturing, marketing, distribution or sale of opioids.

Subtotal

2,007,790.5

NEW MEXICO STATE UNIVERSITY:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the workforce, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Other		116,000.0		110,000.0	226,000.0
(b) Instruction and general purposes	158,646.6	145,400.0		15,000.0	319,046.6

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(c) Athletics	7,675.0	15,700.0		100.0	23,475.0
(d) Educational television	1,442.8	1,500.0			2,942.8
(e) Tribal education initiatives	300.0				300.0
(f) Teacher pipeline initiatives	250.0				250.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	16,350
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	1,500
(c) Output:	Number of credit hours completed	360,000
(d) Output:	Number of unduplicated degree awards in the most recent academic year	3,500
(e) Outcome:	Percent of a cohort of first-time, full-time, degree-seeking freshmen who complete a baccalaureate program within one hundred fifty percent of standard graduation time	60%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	80%

(2) Alamogordo branch:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		1,000.0	3,000.0	4,000.0
(b) Instruction and general purposes	8,708.3	3,000.0	300.0	12,008.3

Performance measures:

(a) Output:	Number of students enrolled, by headcount	1,650
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount				90
(c) Output:	Number of credit hours completed				14,700
(d) Output:	Number of unduplicated awards conferred in the most recent academic year				85
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time				35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester				60%

(3) Dona Ana branch:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		10,100.0	19,700.0	29,800.0
(b) Instruction and general purposes	29,165.4	22,200.0	3,900.0	55,265.4

Performance measures:

(a) Output:	Number of students enrolled, by headcount			8,960
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount			1,250
(c) Output:	Number of credit hours completed			112,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year			1,150
(e) Outcome:	Percent of a cohort of first-time, part-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time			35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester			60%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(4) Grants branch:					

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		800.0		2,100.0	2,900.0
(b) Instruction and general purposes	4,304.9	1,900.0		900.0	7,104.9
(c) Tribal education initiatives	100.0				100.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	1,200
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	125
(c) Output:	Number of credit hours completed	9,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	75
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate- seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(5) Department of agriculture:

Appropriations:

(a) Department of agriculture	17,156.5	6,700.0		4,800.0	28,656.5
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The other state funds appropriation to the New Mexico department of agriculture of the New Mexico state university includes two million eight hundred twelve thousand five hundred dollars (\$2,812,500) from the land of

enchancement legacy fund. The New Mexico department of agriculture is responsible for administering this funding and determining awardees.

(6) Agricultural experiment station:

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Agricultural experiment station	19,970.6	8,000.0		22,900.0	50,870.6

(7) Cooperative extension service:

Appropriations:

(a) Cooperative extension service	16,861.5	5,300.0		9,700.0	31,861.5
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(8) Research and public service projects:

Appropriations:

(a) Nurse expansion	2,081.2				2,081.2
(b) Autism program	1,115.3				1,115.3
(c) Sunspot solar observatory consortium	389.5			400.0	789.5
(d) STEM alliance for minority participation	373.9			1,500.0	1,873.9
(e) Mental health nurse practitioner	1,315.0				1,315.0
(f) Water resource research institute	1,224.8	700.0		900.0	2,824.8
(g) Indian resources development	277.9	25.0		100.0	402.9
(h) Manufacturing sector development program	672.7				672.7
(i) Arrowhead center for business development	378.4	1,400.0		1,900.0	3,678.4

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(j) Alliance teaching and learning advancement	217.8				217.8
(k) College assistance migrant program	302.1			600.0	902.1
(l) Dona Ana branch - dental hygiene program	557.5				557.5
(m) Dona Ana branch - nurse expansion	928.9				928.9
(n) Sustainable agriculture center of excellence	507.9				507.9
(o) Anna age eight institute	2,106.8				2,106.8
(p) New Mexico produced water consortium	1,200.0				1,200.0
(q) Nurse anesthesiology	500.0				500.0
Subtotal					816,256.3

NEW MEXICO HIGHLANDS UNIVERSITY:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the workforce, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Other		13,500.0		9,500.0	23,000.0
(b) Instruction and general purposes	37,478.0	12,216.7		172.5	49,867.2
(c) Athletics	3,177.4	500.0			3,677.4
(d) Tribal education initiatives	200.0				200.0
(e) Teacher pipeline initiatives	250.0				250.0

Performance measures:

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(a) Output:	Number of students enrolled, by headcount				6,550
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount				200
(c) Output:	Number of credit hours completed				61,000
(d) Output:	Number of unduplicated degree awards in the most recent academic year				820
(e) Output:	Percent of a cohort of first-time, full-time, degree-seeking freshmen who complete a baccalaureate program within one hundred fifty percent of standard graduation time				50%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester				70%

(2) Research and public service projects:

Appropriations:

(a) Advanced placement and international baccalaureate test assistance	202.4				202.4
(b) Nurse expansion	295.1				295.1
(c) Native American social work institute	235.0				235.0
(d) Forest and watershed institute	533.4				533.4
(e) Acequia and land grant education	46.9				46.9
(f) Doctor of nurse practitioner expansion	155.9				155.9
(g) Center for excellence in social work	500.0				500.0
Subtotal					78,963.3

WESTERN NEW MEXICO UNIVERSITY:

(1) Main campus:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the workforce, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Other		5,800.0		6,300.0	12,100.0
(b) Instruction and general purposes	26,674.7	14,200.0		200.0	41,074.7
(c) Athletics	3,112.6	1,500.0			4,612.6
(d) Teacher pipeline initiatives	250.0				250.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	4,200
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	200
(c) Output:	Number of credit hours completed	63,000
(d) Output:	Number of unduplicated degree awards in the most recent academic year	800
(e) Output:	Percent of a cohort of first-time, full-time, degree-seeking freshmen who complete a baccalaureate program within one hundred fifty percent of standard graduation time	50%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	70%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	1,550.3	1,550.3
(b) Truth or Consequences and Deming nurse expansion	282.0	282.0
(c) Web-based teacher licensure	117.8	117.8

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(d) Early childhood center	700.0				700.0
(e) Early childhood center of excellence	500.0				500.0
Subtotal					61,187.4

EASTERN NEW MEXICO UNIVERSITY:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the workforce, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Other		13,000.0		25,000.0	38,000.0
(b) Instruction and general purposes	42,063.4	21,500.0		5,000.0	68,563.4
(c) Athletics	3,375.8	3,000.0		23.0	6,398.8
(d) Educational television	1,256.5	500.0		850.0	2,606.5
(e) Teacher pipeline initiatives	250.0				250.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	7,100
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	385
(c) Output:	Number of credit hours completed	100,500
(d) Output:	Number of unduplicated degree awards in the most recent academic year	1,350
(e) Output:	Percent of a cohort of first-time, full-time, degree-seeking freshmen who complete a baccalaureate program within one hundred fifty percent of standard graduation time	50%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	70%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(2) Roswell branch:					

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		1,643.0		4,500.0	6,143.0
(b) Instruction and general purposes	14,978.8	5,000.0		5,500.0	25,478.8

Performance measures:

(a) Output:	Number of students enrolled, by headcount	2,700
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	500
(c) Output:	Number of credit hours completed	35,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	450
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(3) Ruidoso branch:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		300.0		200.0	500.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Instruction and general purposes	2,459.7	2,000.0		3,500.0	7,959.7

Performance measures:

(a) Output:	Number of students enrolled, by headcount	1,000
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	90
(c) Output:	Number of credit hours completed	9,500
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	100
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(4) Research and public service projects:

Appropriations:

(a) Nurse expansion	323.7		323.7
(b) Blackwater draw site and museum	91.0	61.0	152.0
(c) Roswell branch - nurse expansion	350.0		350.0
(d) Teacher education preparation program	182.4		182.4
(e) Greyhound promise	91.2		91.2
(f) Nursing program	178.6		178.6
Subtotal			157,178.1

NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY:

(1) Main campus:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the workforce, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Other		10,000.0		18,000.0	28,000.0
(b) Instruction and general purposes	36,939.3	5,000.0			41,939.3
(c) Teacher pipeline initiatives	50.0				50.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	1,700
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	225
(c) Output:	Number of credit hours completed	44,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	360
(e) Output:	Percent of a cohort of first-time, full-time, degree-seeking freshmen who complete a baccalaureate program within one hundred fifty percent of standard graduation time	60%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	80%

(2) Bureau of mine safety:

Appropriations:

(a) Bureau of mine safety	375.8		300.0	675.8
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(3) Bureau of geology and mineral resources:

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>	
(a) Bureau of geology and mineral resources	5,874.8		1,000.0		3,000.0	9,874.8
(4) Petroleum recovery research center:						
Appropriations:						
(a) Petroleum recovery research center	2,154.2		1,100.0		15,000.0	18,254.2
(5) Geophysical research center:						
Appropriations:						
(a) Geophysical research center	1,472.4		500.0		7,500.0	9,472.4
(6) Research and public service projects:						
Appropriations:						
(a) Energetic materials research center	1,026.6		10,000.0		38,000.0	49,026.6
(b) Science and engineering fair	205.8					205.8
(c) Institute for complex additive systems analysis	1,205.6		1,000.0		13,000.0	15,205.6
(d) Cave and karst research	409.1		62.0		584.0	1,055.1
(e) Homeland security center	631.5				3,300.0	3,931.5
(f) Cybersecurity center of excellence	521.3		310.0		600.0	1,431.3
(g) Rural economic development	32.8					32.8
(h) Chemical engineering student assistanceships	199.3					199.3

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(i) New Mexico mathematics, engineering and science achievement	1,130.8				1,130.8
Subtotal					180,485.3

NORTHERN NEW MEXICO COLLEGE:

(1) Main campus:

The purpose of the instruction and general program is to provide education services designed to meet the intellectual, educational and quality of life goals associated with the ability to enter the workforce, compete and advance in the new economy and contribute to social advancement through informed citizenship.

Appropriations:

(a) Other		5,500.0		3,300.0	8,800.0
(b) Instruction and general purposes	13,013.4	7,200.0		7,300.0	27,513.4
(c) Athletics	560.8	250.0			810.8
(d) Teacher pipeline initiatives	250.0				250.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	1,600
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	156
(c) Output:	Number of credit hours completed	19,960
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	213
(e) Output:	Percent of a cohort of first-time, full-time, degree-seeking freshmen who complete a baccalaureate program within one hundred fifty percent of standard graduation time	50%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	70%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(2) Research and public service projects:					
Appropriations:					
(a) Science, technology, engineering, arts and math initiative	125.2				125.2
(b) Nurse expansion	947.0				947.0
(c) Demonstration farm	50.0				50.0
(d) Arts, cultural engagement and sustainable agriculture	50.0				50.0
Subtotal					38,546.4

SANTA FE COMMUNITY COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		1,374.0		15,477.0	16,851.0
(b) Instruction and general purposes	13,600.2	26,473.0		3,300.0	43,373.2

Performance measures:

(a) Output:	Number of students enrolled, by headcount	5,800
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	169
(c) Output:	Number of credit hours completed	53,400
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	574

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time				35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester				60%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	439.4				439.4
(b) First born, home visiting and technical assistance	443.6				443.6
(c) Teacher education expansion	136.8				136.8
(d) Small business development centers	4,491.8			1,646.0	6,137.8
(e) EMS mental health resiliency pilot	91.2				91.2
Subtotal					67,473.0

CENTRAL NEW MEXICO COMMUNITY COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		10,200.0		18,600.0	28,800.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(b) Instruction and general purposes	77,253.0	94,000.0		4,135.0	175,388.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	32,500
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	2,100
(c) Output:	Number of credit hours completed	340,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	7,500
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	1,400.0	1,400.0
(b) Workforce development	70.0	70.0
Subtotal		205,658.0

LUNA COMMUNITY COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(a) Other		898.2		2,092.0	2,990.2
(b) Instruction and general purposes	8,863.8	2,366.2		724.5	11,954.5
(c) Athletics	500.6				500.6

Performance measures:

(a) Output:	Number of students enrolled, by headcount	1,536
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	120
(c) Output:	Number of credit hours completed	14,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	160
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	509.0	509.0
Subtotal		15,954.3

MESALANDS COMMUNITY COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Other		242.2		842.9	1,085.1
(b) Instruction and general purposes	4,984.6	116.4		87.9	5,188.9
(c) Athletics	215.8				215.8

Performance measures:

(a) Output:	Number of students enrolled, by headcount	1,250
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	160
(c) Output:	Number of credit hours completed	11,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	300
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(2) Research and public service projects:

Appropriations:

(a) Wind training center	116.2	116.2
Subtotal		6,606.0

NEW MEXICO JUNIOR COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(a) Other		3,600.0		3,000.0	6,600.0
(b) Instruction and general purposes	7,534.7	24,000.0		450.0	31,984.7
(c) Athletics	586.4				586.4

Performance measures:

(a) Output:	Number of students enrolled, by headcount	3,250
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	600
(c) Output:	Number of credit hours completed	45,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	375
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	781.9	781.9
Subtotal		39,953.0

SOUTHEAST NEW MEXICO COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Other		1,000.0		1,500.0	2,500.0
(b) Instruction and general purposes	5,191.4	14,000.0		2,000.0	21,191.4

Performance measures:

(a) Output:	Number of students enrolled, by headcount	2,200
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	150
(c) Output:	Number of credit hours completed	16,750
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	160
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	398.6	398.6
Subtotal		24,090.0

SAN JUAN COLLEGE:

(1) Main campus:

The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(a) Other		14,000.0		22,000.0	36,000.0
(b) Instruction and general purposes	30,568.8	34,000.0		6,000.0	70,568.8
(c) Tribal education initiatives	100.0				100.0

Performance measures:

(a) Output:	Number of students enrolled, by headcount	8,700
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	300
(c) Output:	Number of credit hours completed	108,000
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	1,200
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	1,116.0	1,116.0
(b) Dental hygiene program	175.0	175.0
(c) Renewable energy center of excellence	750.0	750.0
(d) Health center	60.0	60.0
Subtotal		108,769.8

CLOVIS COMMUNITY COLLEGE:

(1) Main campus:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the instruction and general program at New Mexico's community colleges is to provide credit and noncredit postsecondary education and training opportunities to New Mexicans so they have the skills to be competitive in the new economy and are able to participate in lifelong learning activities.

Appropriations:

(a) Other		500.0		5,900.0	6,400.0
(b) Instruction and general purposes	12,478.2	5,500.0		1,200.0	19,178.2

Performance measures:

(a) Output:	Number of students enrolled, by headcount	3,500
(b) Output:	Number of first-time freshmen enrolled who graduated from a New Mexico high school, by headcount	130
(c) Output:	Number of credit hours completed	34,750
(d) Output:	Number of unduplicated awards conferred in the most recent academic year	450
(e) Outcome:	Percent of a cohort of first-time, full-time, degree- or certificate-seeking community college students who complete an academic program within one hundred fifty percent of standard graduation time	35%
(f) Outcome:	Percent of first-time, full-time freshmen retained to the third semester	60%

(2) Research and public service projects:

Appropriations:

(a) Nurse expansion	356.5	356.5
Subtotal		25,934.7

NEW MEXICO MILITARY INSTITUTE:

(1) Main campus:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The purpose of the New Mexico military institute program is to provide college-preparatory instruction for students in a residential, military environment culminating in a high school diploma or associates degree.

Appropriations:

(a) Other		8,369.0		840.0	9,209.0
(b) Instruction and general purposes	2,956.5	37,335.0		322.0	40,613.5
(c) Athletics		332.5	413.0		

Performance measures:

(a) Outcome:	Average American college testing composite score for graduating high school seniors	20
(b) Outcome:	Proficiency profile reading scores for graduating college sophomores	115
(c) Output:	Percent of third Friday high school seniors and junior college sophomore students graduating with a high school diploma or associate degree	75%

(2) Research and public service projects:

Appropriations:

(a) Knowles legislative scholarship program	1,353.7				1,353.7
Subtotal					51,921.7

NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED:

(1) Main campus:

The purpose of the New Mexico school for the blind and visually impaired program is to provide the training, support and resources necessary to prepare blind and visually impaired children of New Mexico to participate fully in their families, communities and workforce and to lead independent, productive lives.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Appropriations:					
(a) Instruction and general purposes	2,223.2	19,250.0		381.0	21,854.2

Performance measures:

(a) Output: Number of New Mexico teachers who complete a personnel preparation program to become a teacher of the visually impaired 10

(2) Research and public service projects:

Appropriations:

(a) Low vision clinic programs	111.1				111.1
Subtotal					21,965.3

NEW MEXICO SCHOOL FOR THE DEAF:

(1) Main campus:

The purpose of the New Mexico school for the deaf program is to provide a school-based comprehensive, fully accessible and language-rich learning environment for its students who are deaf and hard-of-hearing and to work collaboratively with families, agencies and communities throughout the state to meet the unique communication, language and learning needs of children and youth who are deaf and hard-of-hearing.

Appropriations:

(a) Instruction and general purposes	5,275.2	25,136.9			30,412.1
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Performance measures:

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) Outcome:	Rate of transition to postsecondary education, vocational-technical training school, junior colleges, work training or employment for graduates based on a three-year rolling average				100%
(b) Outcome:	Percent of first-year signers who demonstrate improvement in American sign language based on fall or spring assessments				100%
(2) Research and public service projects:					
Appropriations:					
(a) Statewide outreach services	215.7				215.7
Subtotal					30,627.8
TOTAL HIGHER EDUCATION	1,313,297.2	1,999,741.3	47,893.3	849,046.8	4,209,978.6

K. PUBLIC SCHOOL SUPPORT

Except as otherwise provided, unexpended balances of appropriations made in this subsection shall not revert at the end of fiscal year 2025.

PUBLIC SCHOOL SUPPORT:

The purpose of public school support is to carry out the mandate to establish and maintain a uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state.

(1) State equalization guarantee distribution:

Appropriations:

(a) Other	4,170,471.2	1,500.0			4,171,971.2
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The rate of distribution of the state equalization guarantee distribution shall be based on a program unit value determined by the secretary of public education. The secretary of public education shall establish a preliminary

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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unit value to establish budgets for the 2024-2025 school year and then, on verification of the number of units statewide for fiscal year 2025 but no later than January 31, 2025, the secretary of public education may adjust the program unit value. In setting the preliminary unit value and the final unit value in January, the public education department shall consult with the department of finance and administration[, ~~legislative finance committee and legislative education study committee~~]. *LINE ITEM VETO*

The general fund appropriation to the state equalization guarantee distribution includes sufficient funding to provide all affected employees an hourly salary of at least fifteen dollars (\$15.00).

The general fund appropriation to the state equalization guarantee distribution includes ninety-four million one hundred fifty-four thousand four hundred dollars (\$94,154,400) to provide a three percent salary increase to all public school personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide a three percent salary increase for all public school personnel.

For fiscal year 2025, if the program cost made available is insufficient to meet the level of state support required by the special education maintenance of effort requirements of Part B of the federal Individuals with Disabilities Education Act, the public education department shall reduce the program cost and state equalization guarantee distribution appropriation in an amount sufficient to cover the projected shortfall and distribute that amount to school districts and charter schools in proportion to each school district's and charter school's share of the total statewide program cost to meet the level of support required by Part B of the federal Individuals with Disabilities Education Act for fiscal year 2025. The public education department shall reset the final unit value and recalculate each school district's and charter school's program cost for fiscal year 2025.

The general fund appropriation to the state equalization guarantee distribution includes fifty-five million dollars (\$55,000,000) for school districts and charter schools to purchase culturally and linguistically appropriate instructional materials for eligible students, including dual-credit instructional materials and educational technology.

The general fund appropriation to the state equalization guarantee distribution includes fifty-nine million dollars (\$59,000,000) for school districts and charter schools to meet teacher mentorship requirements pursuant to Section 22-10A-9 NMSA 1978, create an educational plan pursuant to Section 22-8-6 NMSA 1978, provide scientifically based literacy programs pursuant to Section 22-13-29 NMSA 1978 and Section 22-13-32 NMSA 1978, provide career technical education programs pursuant to Section 22-1-12 NMSA 1978 and implement the community school framework pursuant to Section 22-32-6 NMSA 1978.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The public education department shall not approve the operating budget of any school district or charter school that provides fewer instructional hours to students in the 2024-2025 school year than instructional hours provided to students in the 2022-2023 school year.

~~[The public education department shall not approve the operating budget of any school district or charter school to operate a four day school week during the 2024-2025 school year that did not provide a four day school week during the 2021-2022 school year.]~~ *LINE ITEM VETO*

The public education department shall monitor and review the operating budgets of school districts and charter schools to ensure the school district or charter school is prioritizing available funds to those functions most likely to improve student outcomes. If a school district or charter school submits a fiscal year 2025 operating budget that, in the opinion of the secretary of public education, fails to prioritize funds as described in this paragraph, the secretary of public education shall, prior to approving the school district's or charter school's fiscal year 2025 budget, direct the school district or charter school to revise its submitted budget or shall make such revisions as required to meet the requirements of this paragraph.

The general fund appropriation to the public school fund shall be reduced by the amounts transferred to the public school fund from the current school fund and from federal Mineral Leasing Act receipts otherwise unappropriated.

The other state funds appropriation to the state equalization guarantee distribution includes balances received by the public education department pursuant to Section 66-5-44 NMSA 1978.

Any unexpended balances in the authorized distributions remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.

Performance measures:

- (a) Outcome: Fourth-grade reading achievement gap between economically disadvantaged students and all other students, in percentage points 5%
- (b) Outcome: Eighth-grade math achievement gap between economically disadvantaged students and all other students, in percentage points 5%

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(c) Outcome:					39%
(d) Outcome:					39%
(e) Outcome:					39%
(f) Outcome:					39%
(g) Quality:					81%
(h) Explanatory:					
(i) Explanatory:					
(j) Explanatory:					
(k) Outcome:					39%
(l) Outcome:					39%
(m) Outcome:					39%
(n) Outcome:					39%
(o) Outcome:					29%
(p) Explanatory:					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(q) Outcome:	Chronic absenteeism rate among students in middle school				10%
(r) Outcome:	Chronic absenteeism rate among students in high school				10%
(s) Outcome:	Chronic absenteeism rate among students in elementary school				10%

(2) Transportation distribution:

Appropriations:

(a) Other	133,793.3	133,793.3
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The general fund appropriation to the transportation distribution includes one million four hundred eighty-eight thousand six hundred dollars (\$1,488,600) to provide a three percent salary increase to all public school transportation personnel. The secretary of public education shall not approve the operating budget of a school district or charter school that does not provide a three percent salary increase for all public school transportation personnel.

The general fund appropriation to the transportation distribution includes three million nine hundred twenty-nine thousand five hundred dollars (\$3,929,500) contingent on the replacement of any variables within the calculation of the transportation distribution that reduce the allocation to each school district and state-chartered charter school based on district population densities with new variables that adjust allocations based on geographic rurality.

(3) Supplemental distribution:

Appropriations:

(a) Out-of-state tuition	393.0	393.0
(b) Emergency supplemental	1,000.0	1,000.0

The secretary of public education shall not distribute any emergency supplemental funds to a school district or charter school that is not in compliance with the Audit Act or that has cash and invested reserves, other resources or any combination thereof equaling five percent or more of their operating budget.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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Any unexpended balances in the supplemental distribution of the public education department remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.

(4) Federal flow through:

Appropriations:

(a) Other				579,500.0	579,500.0
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(5) Indian education fund:

Appropriations:

(a) Other	20,000.0				20,000.0
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The public education department shall begin distribution of awards from the Indian education fund no later than September 1, 2024.

(6) Standards-based assessments:

Appropriations:

(a) Other	10,000.0				10,000.0
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Any unexpended balances in the standards-based assessments appropriation remaining at the end of fiscal year 2025 from appropriations made from the general fund shall revert to the general fund.

Subtotal					4,916,657.5
TOTAL PUBLIC SCHOOL SUPPORT	4,335,657.5	1,500.0		579,500.0	4,916,657.5
GRAND TOTAL FISCAL YEAR 2025					
APPROPRIATIONS	10,101,551.0	5,627,994.2	1,193,489.0	12,053,823.6	28,976,857.8

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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Chapter 69 Section 5 Laws 2024

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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Section 5. **SPECIAL APPROPRIATIONS.**--The following amounts are appropriated from the general fund or other funds as indicated for the purposes specified. Unless otherwise indicated, the appropriation may be expended in fiscal years 2024 and 2025. Unless otherwise indicated, any unexpended balances of the appropriations remaining at the end of fiscal year 2025 shall revert to the appropriate fund.

(1)	LEGISLATIVE COUNCIL SERVICE	6,000.0	5,000.0		11,000.0
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For equipment, furniture, upgrades and repairs for the state capitol complex. The other state funds appropriation includes five million dollars (\$5,000,000) from legislative cash balances. Any unexpended balances remaining at the end of fiscal year 2025 from this appropriation shall not revert and may be expended through fiscal year 2027.

(2)	ADMINISTRATIVE OFFICE OF THE COURTS		300.0		300.0
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To develop and update research and training materials for the judicial system. The other state funds appropriation is from the consumer settlement fund. Any unexpended balances remaining at the end of fiscal year 2025 from this appropriation shall not revert and may be expended in fiscal year 2026.

(3)	ADMINISTRATIVE OFFICE OF THE COURTS		2,000.0		2,000.0
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For technology projects at the court of appeals, the supreme court and district courts subject to review by the judicial technology council. The other state funds appropriation is from the consumer settlement fund.

(4)	ADMINISTRATIVE OFFICE OF THE COURTS				
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the five hundred thousand dollars (\$500,000) appropriated from the general fund in Paragraph C of Section 2 of Chapter 1 of Laws 2021 (1st S.S.) to address expungement of arrest and conviction records for certain cannabis-related offenses is extended through fiscal year 2027.

(5)	ADMINISTRATIVE OFFICE OF THE COURTS		1,500.0		1,500.0
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For fiscal year 2025 operations to replace discontinued court fee revenue. The other state funds appropriation is from the consumer settlement fund.

(6)	ADMINISTRATIVE OFFICE OF THE COURTS				
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The period of time for expending the five hundred thousand dollars (\$500,000) appropriated from the general fund in Subparagraph 2 of Paragraph C of Section 2 of Chapter 208 of Laws 2023 for the judicial information division to improve online access to court records statewide is extended through fiscal year 2025.

(7)	ADMINISTRATIVE OFFICE OF THE COURTS				
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The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund in Subsection 13 of Section 5 of Chapter 210 of Laws 2023 for judicial district court and magistrate court security, technology and connectivity upgrades is extended through fiscal year 2025.

(8)	ADMINISTRATIVE OFFICE OF THE COURTS				
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The period of time for expending the two million dollars (\$2,000,000) appropriated in Subsection 16 of Section 5 of Chapter 210 of Laws 2023 for a two-year pilot program to create judicial clerkships for district court judges in rural areas is extended through fiscal year 2027 and may be used for a pilot program to create legal clerkships for recent law school graduates in rural areas.

(9)	ADMINISTRATIVE OFFICE OF THE COURTS		400.0		400.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For the substitute care advisory council, contingent on enactment of legislation of the second session of the fifty-sixth legislature transferring the substitute care advisory council to the administrative office of the courts.] LINE ITEM VETO					

(10) ADMINISTRATIVE OFFICE OF THE COURTS

The period of time for expending the one million sixty thousand dollars (\$1,060,000) appropriated from the general fund in Subsection 8 of Section 5 of Chapter 210 of Laws 2023 for technology projects subject to review by the judicial technology council is extended through fiscal year 2025.

(11) ADMINISTRATIVE OFFICE OF THE COURTS

The period of time for expending the sixteen million dollars (\$16,000,000) appropriated from the general fund in Subsection 10 of Section 5 of Chapter 210 of Laws 2023 to purchase hardware, software, equipment and project management services to upgrade remote and hybrid judicial proceedings across the state is extended through fiscal year 2025.

(12)	SECOND JUDICIAL DISTRICT COURT		800.0		800.0
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For the foreclosure settlement facilitation program. The internal services fund/interagency transfers appropriation is from the consumer settlement fund.

(13)	BERNALILLO COUNTY METROPOLITAN COURT	170.0			170.0
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For facilities improvements.

(14)	BERNALILLO COUNTY METROPOLITAN COURT	531.4			531.4
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For technology and connectivity upgrades.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(15)	ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS	125.0				125.0

To the district attorney fund.

(16)	ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS					
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Any unexpended balances remaining at the end of fiscal year 2024 from revenues received in fiscal year 2024 and prior years by a district attorney from any Native American tribe, pueblo or political subdivision pursuant to a contract, memorandum of understanding, joint powers agreement or grant shall not revert and shall remain with the recipient district attorney's office for expenditure in fiscal year 2025. Prior to November 1, 2024, the administrative office of the district attorneys shall provide the department of finance and administration and the legislative finance committee a detailed report documenting the amount of all funds received from Native American tribes, pueblos and political subdivisions pursuant to a contract, memorandum of understanding, joint powers agreement or grant that do not revert at the end of fiscal year 2024 for each of the district attorneys and the administrative office of the district attorneys.

(17)	ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS					
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Any unexpended balances remaining at the end of fiscal year 2024 from revenues received in fiscal year 2024 and prior years by a district attorney or the administrative office of the district attorneys from the United States department of justice pursuant to the southwest border prosecution initiative shall not revert and shall remain with the recipient district attorney's office for expenditure in fiscal year 2025. Prior to November 1, 2024, the administrative office of the district attorneys shall provide to the department of finance and administration and the legislative finance committee a detailed report documenting the amount of all southwest border prosecution initiative funds that do not revert at the end of fiscal year 2024 for each of the district attorneys and the administrative office of the district attorneys.

(18)	PUBLIC DEFENDER DEPARTMENT	110.0				110.0
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For rural staffing and discovery technology.

(19)	ATTORNEY GENERAL		1,500.0			1,500.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For a crime gun intelligence center pilot program. The other state funds appropriation is from the consumer settlement fund.					

(20) ATTORNEY GENERAL

The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund and the two million dollars (\$2,000,000) appropriated from the consumer settlement fund in Subsection 27 of Section 5 of Chapter 54 of Laws 2022 as extended in Subsection 29 of Section 5 of Chapter 210 of Laws 2023 for litigation of the Rio Grande compact is extended through fiscal year 2025.

(21) ATTORNEY GENERAL

The period of time for expending the one hundred fifty thousand dollars (\$150,000) appropriated from the general fund in Subsection B of Section 12 of Chapter 3 of Laws 2022 (3rd S.S.) for salary and benefits for a missing indigenous persons specialist is extended through fiscal year 2025.

(22)	ATTORNEY GENERAL		400.0		400.0
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For forensic genetic genealogy testing. The other state funds appropriation is from the consumer settlement fund.

(23) ATTORNEY GENERAL

The period of time for expending the six million four hundred thousand dollars (\$6,400,000) appropriated from the consumer settlement fund in Subsection 23 of Section 5 of Chapter 137 of Laws 2021 as extended in Subsection 31 of Section 5 of Chapter 210 of Laws 2023 for interstate water litigation costs is extended through fiscal year 2025.

(24) ATTORNEY GENERAL

The period of time for expending the eight million dollars (\$8,000,000) appropriated from the consumer settlement fund in Subsection 28 of Section 5 of Chapter 210 of Laws 2023 to address the harms to the state and its communities resulting from the Gold King mine release is extended through fiscal year 2025.

(25) ATTORNEY GENERAL

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the one million dollars (\$1,000,000) appropriated from the consumer settlement fund in Section 5 of Chapter 2 of Laws 2022 to create the partnership in Native American communities network grant is extended through fiscal year 2026.

(26)	ATTORNEY GENERAL	600.0			600.0
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For litigation of the tobacco master settlement agreement.

(27)	STATE AUDITOR	1,000.0			1,000.0
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To assist small local public bodies in attaining financial compliance.

(28)	TAXATION AND REVENUE DEPARTMENT				
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~~[Subject to approval of an expenditure plan by the state board of finance,]~~ the taxation and revenue department may request up to two million dollars (\$2,000,000) from the appropriation contingency fund to implement tax and motor vehicle code changes. *LINE ITEM VETO*

(29)	TAXATION AND REVENUE DEPARTMENT	3,966.9			3,966.9
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To develop, enhance and maintain the systems of record.

(30)	DEPARTMENT OF FINANCE AND ADMINISTRATION				
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Of the federal funds received in the state treasury in the coronavirus state fiscal recovery fund pursuant to the federal American Rescue Plan Act of 2021, Sec. 9901, Public Law 117-2, 135 Stat 223, two million five hundred sixty thousand nine hundred ninety-seven dollars and ninety-two cents (\$2,560,997.92) is transferred to the appropriation contingency fund of the general fund to replace lost revenue due to the ongoing coronavirus disease 2019 public health emergency.

(31)	DEPARTMENT OF FINANCE AND ADMINISTRATION				
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the state fiscal recovery fund award appropriations from the one billion sixty-nine million one hundred seventy-five thousand dollars (\$1,069,175,000) transferred to the appropriation contingency fund of the general fund pursuant to Section 1 of Chapter 4 of Laws 2021 and the appropriations from the capital projects fund pursuant to the federal American Rescue Plan Act of 2021, appropriated in Section 2 of Chapter 210 of Laws 2023, is extended through fiscal year 2027.

~~[-(32) DEPARTMENT OF FINANCE AND ADMINISTRATION~~

~~Any unexpended balance remaining at the end of fiscal year 2024 from the eight million dollars (\$8,000,000) appropriated from the general fund in Subsection 40 of Section 5 of Chapter 210 of Laws 2023, the ten million dollars (\$10,000,000) appropriated from the general fund in Subsection 50 of Section 5 of Chapter 210 of Laws 2023 and the twenty million dollars (\$20,000,000) appropriated from the general fund in Subsection 43 of Section 5 of Chapter 210 of Laws 2023 shall not revert to the general fund and one million dollars (\$1,000,000) is appropriated to the department of finance and administration for Black Range fire recovery efforts and the remaining balances are appropriated to the Indian affairs department to prioritize completion of projects within tribal communities.] LINE ITEM VETO~~

(33)	DEPARTMENT OF FINANCE AND ADMINISTRATION	1,000.0			1,000.0
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For capacity building grants to councils of government[, ~~technical assistance providers~~] and local governments.
LINE ITEM VETO

(34) DEPARTMENT OF FINANCE AND ADMINISTRATION

The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund in Subsection 38 of Section 5 of Chapter 210 of Laws 2023 for capacity building grants to councils of government and local governments is extended through fiscal year 2025.

(35) DEPARTMENT OF FINANCE AND ADMINISTRATION

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the three million six hundred sixty-five thousand dollars (\$3,665,000) appropriated from the general fund in Subsection 41 of Section 5 of Chapter 210 of Laws 2023 for community fund, local agriculture and supply chain programs to improve food security in New Mexico is extended through fiscal year 2025.

(36)	DEPARTMENT OF FINANCE AND ADMINISTRATION	25,000.0			25,000.0
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For statewide and local fire departments, including volunteer departments, for recruitment grants for state and local fire departments for recruitment of firefighters and emergency medical technicians.

(37)	DEPARTMENT OF FINANCE AND ADMINISTRATION	5,000.0			5,000.0
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For sewer and water treatment in Grants.

(38)	DEPARTMENT OF FINANCE AND ADMINISTRATION	750.0			750.0
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For costs associated with the creation of a new infrastructure division, contingent on enactment of House Bill 232 or similar legislation of the second session of the fifty-sixth legislature creating a new infrastructure division within the department of finance and administration.

(39)	DEPARTMENT OF FINANCE AND ADMINISTRATION	600.0			600.0
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For information technology upgrades.

(40)	DEPARTMENT OF FINANCE AND ADMINISTRATION				
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The period of time for expending the three hundred thousand dollars (\$300,000) appropriated from the general fund contained in Subsection 52 of Section 5 of Chapter 210 of Laws 2023 for information technology infrastructure upgrades is extended through fiscal year 2025.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(41) DEPARTMENT OF FINANCE AND ADMINISTRATION					

The period of time for expending the two million five hundred thousand dollars (\$2,500,00) appropriated from the general fund and the mortgage regulatory fund in Subsection 47 of Section 5 of Chapter 210 of Laws 2023 for a comprehensive landlord support program is extended through fiscal year 2025.

(42) DEPARTMENT OF FINANCE AND ADMINISTRATION	25,000.0				25,000.0
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For statewide and local law enforcement, correctional and detention agencies for recruitment grants for law enforcement, probation, correctional and detention officers. Local law enforcement agencies shall submit monthly crime incident and ballistic information to the department of public safety as prescribed by the secretary of the department of public safety.

(43) DEPARTMENT OF FINANCE AND ADMINISTRATION	1,000.0				1,000.0
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For the law enforcement retention fund.

(44) DEPARTMENT OF FINANCE AND ADMINISTRATION	75,000.0				75,000.0
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For fiscal year 2025 to provide matching assistance to local entities for matching local and federal funds contingent on enactment of House Bill 177 or similar legislation of the second session of the fifty-sixth legislature creating the New Mexico match fund.

(45) DEPARTMENT OF FINANCE AND ADMINISTRATION	5,000.0				5,000.0
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To the local government division of the department of finance and administration for a wastewater treatment system in Dona Ana county.

(46) DEPARTMENT OF FINANCE AND ADMINISTRATION					
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the five million dollars (\$5,000,000) appropriated from the general fund in Subsection 51 of Section 5 of Chapter 210 of Laws 2023 for infrastructure upgrades in response to the McBride fire in Ruidoso and Lincoln county is extended through fiscal year 2025.

(47)	DEPARTMENT OF FINANCE AND ADMINISTRATION	12,000.0			12,000.0
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To McKinley county for shortfalls at a nonfederal hospital in McKinley county.

(48)	DEPARTMENT OF FINANCE AND ADMINISTRATION	7,000.0			7,000.0
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For a pump station in Milan, New Mexico.

(49)	DEPARTMENT OF FINANCE AND ADMINISTRATION	175,000.0			175,000.0
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For the opportunity enterprise revolving fund of the New Mexico finance authority, with fifty million dollars (\$50,000,000) for commercial enterprise development projects and one hundred twenty-five million dollars (\$125,000,000) for housing development projects, contingent on enactment of House Bill 195 or similar legislation of the second session of the fifty-sixth legislature expanding the permissible uses of the opportunity enterprise revolving fund.

(50)	DEPARTMENT OF FINANCE AND ADMINISTRATION				
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The four million dollars (\$4,000,000) appropriated to the department of finance and administration in Subsection 7 of Section 10 of Chapter 54 of Laws 2022 to support police training shall not be expended for the original purpose but is appropriated to the general services department through fiscal year 2028 to design, construct, furnish and equip a reality-based law enforcement training facility.

(51)	DEPARTMENT OF FINANCE AND ADMINISTRATION	2,000.0			2,000.0
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For an audit of the statewide human resources, accounting and management reporting system.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(52)	DEPARTMENT OF FINANCE AND ADMINISTRATION	10,000.0				10,000.0

For transitional housing and shelter facilities for victims of domestic violence, including up to five million dollars (\$5,000,000) for facilities in northwest New Mexico.

(53)	DEPARTMENT OF FINANCE AND ADMINISTRATION	50,000.0				50,000.0
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For the water projects fund for projects authorized by the legislature in 2024.

(54)	GENERAL SERVICES DEPARTMENT	54,506.0				54,506.0
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For healthcare costs, including costs related to the testing and treatment of coronavirus disease. The general fund appropriation is from amounts transferred to the appropriation contingency fund of the general fund in Section 1 of Chapter 4 of Laws 2021 (2nd. S.S.).

(55)	GENERAL SERVICES DEPARTMENT					
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The period of time for expending the one million two hundred thousand dollars (\$1,200,000) appropriated from the general fund in Subsection 60 of Section 5 of Chapter 210 of Laws 2023 for overhauling or replacing both engines of the state-owned aircraft is extended through fiscal year 2025.

(56)	GENERAL SERVICES DEPARTMENT	1,500.0	500.0			2,000.0
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To purchase vehicles. The other state funds appropriation is from the state transportation pool fund balance.

(57)	NEW MEXICO SENTENCING COMMISSION		2,500.0			2,500.0
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For grants awarded under the Crime Reduction Grant Act. The other state funds appropriation is from the consumer settlement fund.

(58)	NEW MEXICO SENTENCING COMMISSION					
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the five hundred thousand dollars (\$500,000) appropriated from the consumer settlement fund at the office of the attorney general in Subsection 38 of Section 5 of Chapter 137 of Laws 2021 to study and redraft the Criminal Code and other criminal statutes is extended through fiscal year 2025.

(59) DEPARTMENT OF INFORMATION TECHNOLOGY

The period of time for expending the ten million dollars (\$10,000,000) appropriated from the general fund in Subsection 65 of Section 5 of Chapter 210 of Laws 2023 to improve cybersecurity statewide, including up to three million dollars (\$3,000,000) for incident response at the regulation and licensing department is extended through fiscal year 2025.

(60) DEPARTMENT OF INFORMATION TECHNOLOGY

Five million dollars (\$5,000,000) of the three million dollars (\$3,000,000) appropriated from the general fund in Subsection 66 of Section 5 of Chapter 210 of Laws 2023 and the two million five hundred thousand dollars (\$2,500,000) appropriated from the general fund in Subsection 67 of Section 5 of Chapter 210 of Laws 2023 shall not be expended for the original purpose but shall be used in fiscal year 2025 for a software tool to provide cybersecurity and cyber vulnerability information for state agencies, including insights, assessment and notification management of the vendor ecosystem and supply chains, with unlimited access for state agencies, including a history of previous statewide deployments. The department shall ensure any contract entered into pursuant to this appropriation shall be for a product or service that has completed the readiness assessment required by the joint authorization board for the federal risk and authorization management program of the general services administration and that the product or service maintains that certification throughout the life of the contract.

(61)	DEPARTMENT OF INFORMATION TECHNOLOGY	5,500.0			5,500.0
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For cybersecurity initiatives including public education and higher education.

(62)	DEPARTMENT OF INFORMATION TECHNOLOGY	25,000.0			25,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To support implementation of the statewide broadband plan.					
(63) DEPARTMENT OF INFORMATION TECHNOLOGY	2,800.0				2,800.0
For digital trunk radio system subscriptions for emergency responders statewide.					
(64) DEPARTMENT OF INFORMATION TECHNOLOGY	500.0				500.0
For the equipment replacement fund to replace network switches statewide.					
(65) SECRETARY OF STATE	500.0				500.0
For an automated voter registration system.					
(66) PUBLIC EMPLOYEE LABOR RELATIONS BOARD					
The period of time for expending the twenty-five thousand dollars (\$25,000) appropriated from the general fund in Subsection 46 of Section 5 of Chapter 54 of Laws 2022 and reauthorized in Subsection 71 of Section 5 of Chapter 210 of Laws 2023 for website, telecommunications costs, furniture, information technology needs and personal services and employee benefits is extended through fiscal year 2025.					
(67) TOURISM DEPARTMENT	1,000.0				1,000.0
For air shows in New Mexico.					
(68) TOURISM DEPARTMENT	1,900.0				1,900.0
For grants to tribal and local governments for tourism-related infrastructure projects through the destination forward grant program through fiscal year 2026.					
(69) TOURISM DEPARTMENT	2,000.0				2,000.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To the marketing and promotion program of the tourism department.					
(70) TOURISM DEPARTMENT	16,000.0				16,000.0
For national marketing and advertising. The tourism department may expend up to one hundred thousand dollars (\$100,000) for outreach related to the one hundredth anniversary of Zozobra, one hundred fifty thousand dollars (\$150,000) to purchase advertisements, commercials and publicity for the Connie Mack world series and up to two million five hundred thousand dollars (\$2,500,000) to enhance and increase route 66 related tourism and to match federal grant opportunities.					
(71) TOURISM DEPARTMENT	200.0				200.0
For the New Mexico sports authority to use for the New Mexico bowl.					
(72) TOURISM DEPARTMENT	300.0				300.0
To contract for services for an athletic competition for people with disabilities.					
(73) ECONOMIC DEVELOPMENT DEPARTMENT	500.0				500.0
For Local Economic Development Act site readiness studies.					
(74) ECONOMIC DEVELOPMENT DEPARTMENT	10,000.0				10,000.0
To the local economic development act fund for economic development projects pursuant to the Local Economic Development Act. Any unexpended balances remaining at the end of fiscal year 2025 from this appropriation shall not revert and may be expended in future fiscal years.					
(75) ECONOMIC DEVELOPMENT DEPARTMENT	10,000.0				10,000.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For trail and outdoor infrastructure grants. At least two million dollars (\$2,000,000) of the appropriation shall be used for trail funds for projects along the Rio Grande trail with up to two hundred thousand dollars (\$200,000) for contract assistance processing grant management.					
(76)	REGULATION AND LICENSING DEPARTMENT	150.0			150.0
For construction industries division and manufactured housing division licensing platform enhancements and for startup costs, development and implementation of digital applications for the Elevator Safety Act.					
(77)	PUBLIC REGULATION COMMISSION	1,500.0			1,500.0
For information technology purchases.					
(78)	PUBLIC REGULATION COMMISSION		160.0	240.0	400.0
To purchase vehicles for the pipeline safety division.					
(79)	PUBLIC REGULATION COMMISSION	408.0			408.0
To cover court award related to the DeAgüero v. PRC case No. D-101-CV-2018-02725.					
(80)	PUBLIC REGULATION COMMISSION	190.0			190.0
For costs related to transition the commission to a new building.					
(81)	OFFICE OF SUPERINTENDENT OF INSURANCE	2,000.0			2,000.0
For cybersecurity response and enhancement.					
(82)	OFFICE OF SUPERINTENDENT OF INSURANCE	35,900.0			35,900.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For the elimination of the patient's compensation fund deficit, as currently estimated, that is attributable to independent doctors and facilities.					
(83)	OFFICE OF SUPERINTENDENT OF INSURANCE		2,100.0		2,100.0
For risk-focused financial analysis services through fiscal year 2026.					
(84)	OFFICE OF SUPERINTENDENT OF INSURANCE	100.0			100.0
For prescription drug price transparency activities contingent on enactment of House Bill 33 or similar legislation of the second session of the fifty-sixth legislature.					
(85)	OFFICE OF SUPERINTENDENT OF INSURANCE	8,100.0			8,100.0
For the reduction of the patient's compensation fund surcharges for rural hospitals to promote availability of health care in rural areas.					
(86)	OFFICE OF SUPERINTENDENT OF INSURANCE		1,312.0		1,312.0
For salary adjustment increases to improve staff retention.					
(87)	STATE RACING COMMISSION	75.0			75.0
For a task force to study and analyze New Mexico racetracks.					
(88)	CULTURAL AFFAIRS DEPARTMENT				
The period of time for expending the six million dollars (\$6,000,000) appropriated from the general fund in Subsection 93 of Section 5 of Chapter 210 of Laws 2023 for exhibit development is extended through fiscal year 2025. No more than one million dollars (\$1,000,000) may be used for department personnel costs related to exhibit development and installation.					

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(89)	CULTURAL AFFAIRS DEPARTMENT	300.0				300.0

To fund economic development activities centered at Los Luceros historic site. The cultural affairs department shall report metrics and use of the funds[~~, including attendance numbers,~~] to the legislative finance committee by September 1, 2024. *LINE ITEM VETO*

(90)	CULTURAL AFFAIRS DEPARTMENT	2,500.0				2,500.0
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For the rural libraries endowment fund.

(91)	CULTURAL AFFAIRS DEPARTMENT	250.0				250.0
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For expenditure in fiscal year 2024 through fiscal year 2027 for the expenses of the semiquincentennial commission contingent on enactment of Senate Bill 106 or similar legislation of the second session of the fifty-sixth legislature. Any unexpended balances remaining at the end of fiscal year 2027 shall revert to the general fund.

(92)	CULTURAL AFFAIRS DEPARTMENT	500.0				500.0
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For the historic women marker program for expenditure in fiscal year 2025 through fiscal year 2027.

(93)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	250.0				250.0
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To retain outside legal counsel for litigation defense.

(94)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT					(94)
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The period of time for expending the one million eight hundred thirteen thousand four hundred dollars (\$1,813,400) appropriated from the general fund in Subsection 98 of Section 5 of Chapter 210 of Laws 2023 to support federal matching requirements at the energy conservation management division is extended through fiscal year 2025.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(95)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	2,500.0				2,500.0

To the geothermal projects development fund contingent on enactment of House Bill 91 or similar legislation of the second session of the fifty-sixth legislature.

(96)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	2,500.0				2,500.0
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To the geothermal projects revolving loan fund contingent on enactment of House Bill 91 or similar legislation of the second session of the fifty-sixth legislature.

(97)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	1,705.0				1,705.0
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To match federal funds for grants programs under the Infrastructure Investment and Jobs Act.

(98)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	2,525.0				2,525.0
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To address inspection and compliance backlogs in the oil conservation division.

(99)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT					(99)
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The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund in Subsection 97 of Section 5 of Chapter 210 of Laws 2023 for response and restoration to the Black Range fire is extended through fiscal year 2025.

(100)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT					(100)
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The period of time for expending the seven million five hundred thousand dollars (\$7,500,000) appropriated from the general fund in Subsection 99 of Section 5 of Chapter 210 of Laws 2023 for the state forestry division to replace fire engines, crew carriers, high mileage fleet vehicles, trails and other equipment used for wildland

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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fire suppression and to purchase property to relocate the wildfire response program base camp is extended through fiscal year 2025.

(101)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	225.0			225.0
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To develop the Rio Grande trail commission office.

(102)	ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	10,000.0			10,000.0
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To contract for the purpose of providing services relating to the administration and operation of programs making low interest loans, primarily in underserved and low-income communities to facilitate the adoption of technologies such as wind, solar, weatherization and geothermal energy that are intended to reduce carbon emissions.

(103)	STATE ENGINEER				
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The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund for the acequia and community ditch infrastructure fund in Subsection 101 of Section 5 in Chapter 210 of Laws 2023 for the planning, engineering design or construction of irrigation works of acequias or community ditches is extended through fiscal year 2025.

(104)	STATE ENGINEER				
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The period of time for expending the six million dollars (\$6,000,000) appropriated from the general fund in Subsection 74 of Section 5 of Chapter 54 of Laws 2022 for litigation, mediation or settlement of interstate compact litigation is extended through fiscal year 2027.

(105)	STATE ENGINEER				
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The period of time for expending the thirty-five million dollars (\$35,000,000) appropriated from the general fund in Subsection 105 of Section 5 in Chapter 210 of Laws 2023 to augment the water supply on the lower Rio Grande, including through possible brackish water treatment and aquifer recharge projects and for continued support of

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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the attorney general in interstate water litigation and settlement under the Colorado river and Rio Grande compacts is extended through fiscal year 2028.

(106) STATE ENGINEER

The period of time for expending the ten million dollars (\$10,000,000) appropriated from the general fund in Subsection 106 of Section 5 in Chapter 210 of Laws 2023 for river channel maintenance to improve flows into Elephant Butte and for habitat restoration, low flow conveyance channel maintenance and flood control projects related to the San Acacia reach of the Rio Grande is extended through fiscal year 2028.

(107)	STATE ENGINEER		5,000.0		5,000.0
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For water right adjudication work, including hydrographic surveying, for expenditure in fiscal years 2025 through 2027.

(108)	STATE ENGINEER	20,000.0			20,000.0
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To support and fund Indian water rights settlements, for expenditure in fiscal years 2025 through 2027.

(109)	STATE ENGINEER	500.0			500.0
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For operation and maintenance of water measurement and metering stations statewide.

(110) STATE ENGINEER

The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund in Subsection 107 of Section 5 in Chapter 210 of Laws 2023 for compliance with the 2003 Pecos settlement agreement including required augmentation pumping and to support other drought relief activities on the lower Pecos river is extended through fiscal year 2025.

(111) STATE ENGINEER

The period of time for expending the seven million five hundred thousand dollars (\$7,500,000) appropriated from the general fund in Subsection 110 of Section 5 in Chapter 210 of Laws 2023 for the strategic water reserve to

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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lease San Juan river water rights from the Jicarilla Apache nation and to obtain other water rights is extended through fiscal year 2028.

(112) INDIAN AFFAIRS DEPARTMENT

The period of time for expending the twenty-five million dollars (\$25,000,000) appropriated from the general fund in Subsection 113 of Section 5 of Chapter 210 of Laws of 2023 for tribal projects, including twelve million five hundred thousand dollars (\$12,500,000) for matching funds for federal infrastructure grants, two million five hundred thousand dollars (\$2,500,000) for Native American teaching statewide, and ten million dollars (\$10,000,000) to expand tribal-serving healthcare and behavioral health services, including three million dollars (\$3,000,000) for transition costs to create a critical access hospital in a tribal-serving community and one million dollars (\$1,000,000) for expanding a tribal-serving behavioral health clinic in Zuni is extended through fiscal year 2025.

(113) INDIAN AFFAIRS DEPARTMENT

The period of time for expending the two million five hundred thousand dollars (\$2,500,000) appropriated from the energy transition Indian affairs fund in Subsection 112 of Section 5 of Chapter 210 of Laws 2023 to assist tribal and native people in the affected communities pursuant to Section 62-18-16 NMSA 1978 is extended through fiscal year 2025.

(114)	EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT	1,750.0			1,750.0
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For low-interest loans, in partnership with New Mexico finance authority, to increase infant and toddler care in the state's childcare deserts.

(115)	EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT	1,750.0			1,750.0
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For consumer education software to provide families with awareness of where to find early childhood services across the state.

(116)	EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT	2,000.0			2,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To continue to develop a coordinated intake and referral system accessible to internal and external parties linking and connecting New Mexico families to home visiting services.					

(117)	AGING AND LONG-TERM SERVICES DEPARTMENT	1,000.0			1,000.0
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For an appropriate marketing strategy and educational outreach to connect the aging population and their caregivers to available resources.

(118)	AGING AND LONG-TERM SERVICES DEPARTMENT	600.0			600.0
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For emergencies, disaster preparedness, urgent supplemental programmatic needs and planning to serve seniors.

(119)	AGING AND LONG-TERM SERVICES DEPARTMENT	5,000.0			5,000.0
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To the Kiki Saavedra senior dignity fund for expenditure in fiscal year 2025 and subsequent fiscal years to address high-priority services for senior citizens in New Mexico, including transportation, food insecurity, physical and behavioral health, case management and caregiving.

(120)	HEALTH CARE AUTHORITY DEPARTMENT	5,921.5			5,921.5
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For costs associated with operating the New Mexico 988 crisis and access line.

(121)	HEALTH CARE AUTHORITY DEPARTMENT	561.0		1,139.0	1,700.0
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For needed enhancements to the aspen eligibility and enrollment application system.

(122)	HEALTH CARE AUTHORITY DEPARTMENT		1,000.0		1,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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For behavioral healthcare services for low income individuals who do not qualify for other federal behavioral health assistance. The other state funds appropriation is from the health care affordability fund. Any unexpended balance remaining at the end of fiscal year 2025 shall not revert and may be expended in fiscal year 2026.

(123) HEALTH CARE
AUTHORITYDEPARTMENT

The twenty million dollar (\$20,000,000) appropriation to the [~~human services~~] department contained in Subsection 34 of Section 10 of Chapter 54 of Laws 2022 to develop providers, including startup costs, to implement evidence-based behavioral health services and evidence-based community child welfare services that will be eligible for medicaid or federal Title IV-E of the Social Security Act families first reimbursement is reappropriated with ten million dollars (\$10,000,000) to the [~~human services~~] department to provide grants to behavioral health providers for startup costs for new evidence-based behavioral health services eligible for medicaid billing and ten million dollars (\$10,000,000) to the children, youth and families department to provide grants to behavioral health providers for startup costs for new evidence-based children's behavioral health services eligible for medicaid billing or federal Title IV-E of the Social Security Act families first reimbursement. *LINE ITEM VETO*

(124)	HEALTH CARE AUTHORITY DEPARTMENT	5,000.0			5,000.0
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To provide continued emergency assistance to food banks throughout New Mexico. The general fund appropriation includes two million five hundred sixty thousand nine hundred ninety-seven dollars and ninety-two cents (\$2,560,997.92) from amounts transferred to the appropriation contingency fund of the general fund in Subsection 30 of this section.

(125)	HEALTH CARE AUTHORITY DEPARTMENT	4,000.0			4,000.0
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For the Epi Duran regional recovery center with up to one million five hundred thousand dollars (\$1,500,000) for construction costs and two million five hundred thousand dollars (\$2,500,000) for programmatic costs.

(126)	HEALTH CARE AUTHORITY DEPARTMENT	6,710.3			6,710.3
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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For continued costs associated with the supplemental nutrition assistance program's settlement agreement and reinvestment plan with the United States department of agriculture food and nutrition services to improve the administrative efficiency of New Mexico's supplemental nutrition assistance program.

(127) HEALTH CARE AUTHORITY
DEPARTMENT

The period of time for expending the four million one hundred thousand one hundred dollars (\$4,100,100) appropriated from the general fund in Subsection 117 of Section 5 of Chapter 210 of Laws 2023 is extended through fiscal year 2025.

(128)	HEALTH CARE AUTHORITY DEPARTMENT	15,000.0			15,000.0
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For a nonfederal hospital in McKinley county.

(129)	HEALTH CARE AUTHORITY DEPARTMENT	2,787.0		3,205.3	5,992.3
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For transition costs to become the health care authority department.

(130)	HEALTH CARE AUTHORITY DEPARTMENT	15,000.0			15,000.0
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For [~~the construction of~~] a building for primary care in Taos county. *LINE ITEM VETO*

(131)	HEALTH CARE AUTHORITY DEPARTMENT	10,000.0			10,000.0
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For [~~the construction of~~] a hospital in Tucumcari- Quay county. *LINE ITEM VETO*

(132)	HEALTH CARE AUTHORITY DEPARTMENT	16,000.0	30,000.0		46,000.0
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To defray operating losses for rural regional hospitals, health clinics, providers and federally qualified health centers that are increasing access to primary care, maternal and child health and behavioral health services

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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through new and expanded services in medically underserved areas. The contracted entities must be enrolled as medicaid providers and propose to deliver services that are eligible for medicaid or medicare reimbursement. The health care authority department shall ensure the contracted amounts for new or expanded healthcare services do not duplicate existing services, are sufficient to cover start-up costs except for land and construction costs, require coordination of care, are reconciled and audited and meet performance standards and metrics established by the department. The other state funds appropriation is from the healthcare affordability fund. Any unexpended balances remaining at the end of fiscal year 2025 from this appropriation shall not revert and may be expended through fiscal year 2027.

(133)	HEALTH CARE AUTHORITY DEPARTMENT	50,000.0			50,000.0
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For subsidies to certain eligible healthcare facilities contingent on enactment of Senate Bill 161 or similar legislation of the second session of the fifty-sixth legislature.

(134)	WORKFORCE SOLUTIONS DEPARTMENT				
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The period of time for expending the fourteen million five hundred thousand dollars (\$14,500,000) appropriated from other state funds in Subsection 128 of Section 5 of Chapter 210 of Laws 2023 to assist displaced workers in affected communities pursuant to Section 62-18-16 NMSA 1978, including five million dollars (\$5,000,000) for energy transition is extended through fiscal year 2025.

(135)	DEVELOPMENTAL DISABILITIES COUNCIL	200.0			200.0
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For guardianship waiting list management.

(136)	DEVELOPMENTAL DISABILITIES COUNCIL	60.0			60.0
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For a rate study for guardianship services.

(137)	MINERS' HOSPITAL OF NEW MEXICO	3,600.0			3,600.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To eliminate debt service for the miner's hospital and support operations.					
(138) DEPARTMENT OF HEALTH	3,000.0				3,000.0
For health councils.					
(139) DEPARTMENT OF HEALTH	500.0				500.0
To [contract with clinicians who can] diagnose, stage and treat syphilis to prevent congenital syphilis [among infants]. <i>LINE ITEM VETO</i>					
(140) DEPARTMENT OF HEALTH	283.8				283.8
To purchase furniture and equipment for resident care at Fort Bayard medical center.					
(141) DEPARTMENT OF HEALTH	100.0				100.0
For document destruction and to replace the obsolete security system at Los Lunas community program's secure intermediate care facility.					
(142) DEPARTMENT OF HEALTH	2,100.0				2,100.0
To support the New Mexico rehabilitation center's efforts to achieve accreditation through the adult accredited residential treatment center program for substance abuse.					
(143) DEPARTMENT OF HEALTH	2,366.2				2,366.2
For operational costs at the New Mexico veterans' home.					
(144) DEPARTMENT OF ENVIRONMENT	1,000.0				1,000.0
For enhancing compliance assurance activities to hold polluters accountable.					
(145) DEPARTMENT OF ENVIRONMENT	600.0				600.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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To develop and implement a surface water discharge permitting program.

(146)	DEPARTMENT OF ENVIRONMENT	1,000.0			1,000.0
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To develop and implement initiatives that protect the public from exposure to emerging contaminants, including per- and poly-fluorinated alkyl substances.

(147)	DEPARTMENT OF ENVIRONMENT				
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The period of time for expending the four million dollars (\$4,000,000) appropriated in Subsection 141 of Section 5 of Chapter 208 of Laws 2023 to develop and implement actions related to climate change is extended through fiscal year 2025.

(148)	DEPARTMENT OF ENVIRONMENT				
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The period of time for expending the two million five hundred thousand dollars (\$2,500,000) appropriated from Gold King mine settlement funds in Subsection 78 of Section 5 of Chapter 137 of Laws 2021 for protection and restoration of the environment is extended through fiscal year 2025.

(149)	DEPARTMENT OF ENVIRONMENT				
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The period of time for expending the one million dollars (\$1,000,000) appropriated in Subsection 149 of Section 5 of Chapter 208 of Laws 2023 for the water protection division to support the regionalization of small water systems is extended through fiscal year 2025.

(150)	DEPARTMENT OF ENVIRONMENT				
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The period of time for expending the two million eight hundred thirty-nine thousand seven hundred dollars (\$2,839,700) appropriated in Subsection 150 of Section 5 of Chapter 210 of Laws 2023 to match federal funds for cleanup of superfund hazardous waste sites in New Mexico is extended through fiscal year 2025.

(151)	DEPARTMENT OF ENVIRONMENT				
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the six hundred eighty thousand dollars (\$680,000) appropriated in Subsection 153 of Section 5 of Chapter 208 of Laws 2023 to develop a surface water discharge permitting program is extended through fiscal year 2025.

(152)	DEPARTMENT OF ENVIRONMENT	7,000.0			7,000.0
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Seven million dollars (\$7,000,000) is transferred to the water quality management fund from the general fund for the development, implementation and administration of state surface water and groundwater permitting programs.

(153)	VETERANS' SERVICES DEPARTMENT	600.0			600.0
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For [~~a mobile unit to expand~~] outreach services to veterans and their families statewide. *LINE ITEM VETO*

(154)	OFFICE OF FAMILY REPRESENTATION AND ADVOCACY				
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The period of time for expending one hundred eighty-three thousand seven hundred dollars (\$183,700) of the three hundred thousand dollars (\$300,000) appropriated from the general fund in Subsection 159 of Section 5 of Chapter 210 of Laws 2023 to purchase furniture and equipment is extended through fiscal year 2025.

(155)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT				
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The period of time for expending the three million dollars (\$3,000,000) appropriated from the general fund in Subsection 161 of Section 5 of Chapter 210 of Laws 2023 for workforce strategies is extended through fiscal year 2025 for social worker development, including technical assistance [~~to implement strategies to recruit licensed social workers~~], recruitment and retention incentives [~~for licensed social work graduates~~], caseload improvement, cross training, [~~evidence-based~~] core competency model development, [~~evidence-based social work~~] hiring practices and [~~social work~~] leadership and mentorship. *LINE ITEM VETO*

(156)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT	200.0			200.0
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For technical assistance revising and resubmitting the state's prevention program plan under Title IV-E of the federal Social Security Act and for review of children, youth and families department processes to ensure the

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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maximum draw down of federal funds for the protective services program, delivered by a vendor with experience developing a state plan that has been approved by the federal administration for children and families.

(157)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT	1,500.0			1,500.0
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For trauma informed training for staff and foster families through fiscal year 2027.

(158)	DEPARTMENT OF MILITARY AFFAIRS	250.0		750.0	1,000.0
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For the job challenge academy.

(159)	DEPARTMENT OF MILITARY AFFAIRS	500.0			500.0
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To design, install and complete the infrastructure for the prefabricated shelter at the New Mexico national guard complex.

(160)	CORRECTIONS DEPARTMENT	360.0			360.0
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To improve broadband efficiency and reliability of current services agencywide.

(161)	CORRECTIONS DEPARTMENT				
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The period of time for expending the one million dollars (\$1,000,000) appropriated from the general fund in Subsection 168 of Section 5 of Chapter 210 of Laws 2023 for converting paper offender files to electronic records is extended through fiscal year 2025.

(162)	CORRECTIONS DEPARTMENT		2,000.0		2,000.0
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To expand reentry services, treatment programs, housing opportunities and medicaid-funded services to access medication assisted treatment. The other state funds appropriation is from the penitentiary income fund.

(163)	CORRECTIONS DEPARTMENT				
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the one million dollars (\$1,000,000) appropriated from the consumer settlement fund in Subsection 11 of Section 11 of Chapter 210 of Laws 2023 for medication-assisted treatment in prisons is extended through fiscal year 2025.

(164)	CORRECTIONS DEPARTMENT	250.0			250.0
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For women's menstrual products.

(165)	CRIME VICTIMS REPARATION COMMISSION	4,000.0			4,000.0
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For [~~law enforcement based advocates for~~] victims of homicide and other violent crimes. *LINE ITEM VETO*

(166)	CRIME VICTIMS REPARATION COMMISSION	1,000.0			1,000.0
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For sexual assault victims.

(167)	CRIME VICTIMS REPARATION COMMISSION	2,000.0			2,000.0
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To supplement federal grants under the federal Victims of Crime Act.

(168)	DEPARTMENT OF PUBLIC SAFETY				
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The period of time for expending one million four hundred sixty-one thousand eight hundred dollars (\$1,461,800) to purchase equipment for the New Mexico state police, including ballistic shields and plates, tasers and ammunition, is extended through fiscal year 2025.

(169)	DEPARTMENT OF PUBLIC SAFETY				
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~~The period of time for expending the one hundred thousand dollars (\$100,000) appropriated from the general fund in Subsection 98 of Section 5 of Chapter 73 of Laws 2018 to maintain a flash roll for criminal investigations by the New Mexico state police is extended through fiscal year 2026.] *LINE ITEM VETO*~~

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(170) DEPARTMENT OF PUBLIC SAFETY	1,000.0				1,000.0

For the law enforcement program to upgrade and replace body and in-car camera systems.

(171) DEPARTMENT OF PUBLIC SAFETY

The period of time for expending five hundred thousand dollars (\$500,000) to conduct a police officer job task analysis for the New Mexico law enforcement academy board or other primary entity responsible for police officer training is extended through fiscal year 2025.

(172) DEPARTMENT OF PUBLIC SAFETY

The period of time for expending the eight hundred ninety-two thousand eight hundred dollars (\$892,800) appropriated from the general fund in Subsection 98 of Section 5 of Chapter 54 of Laws 2022 for advanced training initiatives for commissioned New Mexico state police officers is extended through fiscal year 2025.

(173) DEPARTMENT OF PUBLIC SAFETY	7,000.0				7,000.0
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To purchase and equip law enforcement vehicles.

(174) HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT	100.0				100.0
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For the state fire marshal's office to conduct a feasibility study to assess the practicality, cost-benefit and site selection process for a satellite fire training academy.

(175) DEPARTMENT OF TRANSPORTATION

Any encumbered balances in the project design and construction program, the highway operations program and the modal program of the department of transportation at the end of fiscal year 2024 from the others state funds and federal funds appropriations shall not revert and may be expended in fiscal year 2025.

(176) PUBLIC EDUCATION DEPARTMENT	5,000.0				5,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For attendance improvement interventions, including evidence-based programs to train educators on social emotional skills and self-regulation and improve school safety.					
(177)	PUBLIC EDUCATION DEPARTMENT	500.0			500.0
To implement provisions of the Black Education Act.					
(178)	PUBLIC EDUCATION DEPARTMENT	2,305.0			2,305.0
For the learning management system that delivers learning resources to students, educators and administrators outside of the classroom setting.					
(179)	PUBLIC EDUCATION DEPARTMENT		40,000.0		40,000.0
For pilot programs including career technical education, career technical student organizations, innovation zones, work-based learning initiatives and equipment, including five million dollars (\$5,000,000) for summer internships. The other state funds appropriation is from the public education reform fund.					
(180)	PUBLIC EDUCATION DEPARTMENT		8,000.0		8,000.0
For community school and family engagement initiatives. Up to four hundred thousand dollars (\$400,000) may be used by the public education department to evaluate student outcomes and implementation and accredit community schools. The other state funds appropriation includes two million dollars (\$2,000,000) from the public education reform fund and six million dollars (\$6,000,000) from the community schools fund.					
(181)	PUBLIC EDUCATION DEPARTMENT	30,000.0			30,000.0
For a summer reading intervention program for students based in the science of reading.					
(182)	PUBLIC EDUCATION DEPARTMENT	20,000.0			20,000.0
For the recruitment and retention of educator fellow positions.					
(183)	PUBLIC EDUCATION DEPARTMENT				

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the thirteen million three hundred ten thousand three hundred dollars (\$13,310,300) from the public education reform fund in Subsection 123 of Section 5 of Chapter 54 of Laws 2022 as extended in Subsection 205 of Section 5 of Chapter 54 of Laws 2023 for tribal and rural community-based extended learning programs is extended through fiscal year 2025.

(184)	PUBLIC EDUCATION DEPARTMENT		10,000.0		10,000.0
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To support schools with the highest ranked family income index pursuant to Section 22-8F-3 NMSA 1978 in providing supplemental services to at-risk students. The other state funds appropriation is from the public education reform fund.

(185)	PUBLIC EDUCATION DEPARTMENT	500.0			500.0
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To implement provisions of the Hispanic Education Act.

(186)	PUBLIC EDUCATION DEPARTMENT	500.0			500.0
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To implement provisions of the Indian Education Act.

(187)	PUBLIC EDUCATION DEPARTMENT	5,000.0			5,000.0
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For Indian education initiatives [~~including four million dollars (\$4,000,000)~~] for the Navajo nation and [~~one million dollars (\$1,000,000)~~] for Zuni pueblo. Any unexpended balances from this appropriation remaining at the end of fiscal year 2025 shall not revert. *LINE ITEM VETO*

(188)	PUBLIC EDUCATION DEPARTMENT	20,000.0			20,000.0
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For K-12 plus program units pursuant to Section 22-8-23.14 NMSA 1978.

(189)	PUBLIC EDUCATION DEPARTMENT				
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The period of time for expending the seven hundred and fifty thousand dollars (\$750,000) appropriated from the public education reform fund in Subsection 185 of Section 5 of Laws 2023 Chapter 210 to update the Prueba de Espanol para la Certificacion Bilingue Spanish language proficiency exams and other language proficiency exams for licensure endorsement is extended through fiscal year 2025.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(190)	PUBLIC EDUCATION DEPARTMENT		1,500.0			1,500.0

To renovate memorial middle school in the Las Vegas city school district. The other state funds appropriation is from the public school capital outlay fund.

(191)	PUBLIC EDUCATION DEPARTMENT	1,100.0				1,100.0
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For an educator evaluation system and educator licensure advancement process, including advancement through micro-credentials.

(192)	PUBLIC EDUCATION DEPARTMENT	1,000.0				1,000.0
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For safety and statewide deployment of mobile panic buttons at public schools.

(193)	PUBLIC EDUCATION DEPARTMENT	500.0				500.0
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For outdoor classrooms.

(194)	PUBLIC EDUCATION DEPARTMENT	15,000.0				15,000.0
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For out-of-school time learning opportunities, summer enrichment and high-dosage tutoring. The general fund appropriation includes eight million five hundred thousand dollars (\$8,500,000) for high-dosage tutoring.

(195)	PUBLIC EDUCATION DEPARTMENT	2,300.0				2,300.0
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For dormitory operational funding at the Santa Fe school for the arts through fiscal year 2026.

(196)	PUBLIC EDUCATION DEPARTMENT		200.0			200.0
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For regional and statewide school safety summits. The other state funds appropriation is from the public school capital outlay fund.

(197)	PUBLIC EDUCATION DEPARTMENT	2,500.0	2,500.0			5,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To train secondary educators in evidence-based reading instruction. The other state funds appropriation is from the public education reform fund.					
(198)	PUBLIC EDUCATION DEPARTMENT				
To maintain the fiscal year 2024 preliminary unit value of six thousand two hundred forty-one dollars and sixty-seven cents (\$6,241.67), the public education department may expend up to ten million dollars (\$10,000,000) from balances in the state support reserve fund pursuant to Section 22-8-31 NMSA 1978.					
(199)	PUBLIC EDUCATION DEPARTMENT	200.0			200.0
For security and surveillance equipment at the school of dreams academy in Los Lunas.					
(200)	PUBLIC EDUCATION DEPARTMENT	6,000.0			6,000.0
For the implementation of special education initiatives by the public education department, including providing technical assistance and implementing a statewide individualized educational program process.					
(201)	PUBLIC EDUCATION DEPARTMENT	5,000.0			5,000.0
For summer internship opportunities for working-age high school students.					
(202)	PUBLIC EDUCATION DEPARTMENT	50,000.0			50,000.0
For the tribal education trust fund, contingent on enactment of House Bill 134 or similar legislation of the second session of the fifty-sixth legislature creating the fund.] LINE ITEM VETO					
(203)	PUBLIC EDUCATION DEPARTMENT				
The period of time for expending the two million dollars (\$2,000,000) appropriated from the general fund in Subsection 124 of Section 5 of Chapter 54 of Laws 2022 for planning, design and construction of tribal libraries is extended through fiscal year 2025.					
(204)	HIGHER EDUCATION DEPARTMENT				

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the two million two hundred fifty thousand dollars (\$2,250,000) appropriated from the general fund in Subsection 216 of Section 5 of Chapter 210 of Laws 2023 for administrative operations [~~to be managed by another institution~~] is extended through fiscal year 2025. *LINE ITEM VETO*

(205)	HIGHER EDUCATION DEPARTMENT	32,500.0			32,500.0
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For distribution to the higher education institutions of New Mexico for building renewal and replacement and facility demolition. A report of building renewal and replacement transfers must be submitted to the higher education department before funding is released. In the event of a transfer of building renewal and replacement funding to cover institutional salaries, or any other ineligible purpose as defined in the New Mexico higher education department space policy, funding shall not be released to the higher education institutions. The appropriation includes up to five million dollars (\$5,000,000) for New Mexico state university Alamogordo campus.

(206)	HIGHER EDUCATION DEPARTMENT	1,000.0			1,000.0
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For distribution to public post-secondary institutions statewide to support dual credit programs for New Mexico high school students.

(207)	HIGHER EDUCATION DEPARTMENT	5,000.0			5,000.0
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For distribution to the higher education institutions of New Mexico for equipment renewal and replacement. A report of equipment renewal and replacement transfers must be submitted to the higher education department before funding is released. In the event of a transfer of equipment renewal and replacement funding to cover institutional salaries, funding shall not be released to the higher education institution.

(208)	HIGHER EDUCATION DEPARTMENT	10,000.0			10,000.0
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To provide scholarships to graduates of New Mexico high schools who are enrolled full-time in a master's or doctoral degree program at a graduate-degree-granting state university in New Mexico in a science, technology, engineering, or mathematics program provided that no student shall receive an award amount greater than seven thousand two hundred dollars (\$7,200) per academic year. Any unexpended funds remaining at the end of fiscal year 2025 from this appropriation shall not revert and may be expended through fiscal year 2027.

(209)	HIGHER EDUCATION DEPARTMENT	15,000.0			15,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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For the health professional loan repayment program.

(210)	HIGHER EDUCATION DEPARTMENT		10,600.0		10,600.0
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For shortfalls within the opportunity scholarship program in fiscal year 2024, contingent on enactment of Senate Bill 159 or similar legislation of the second session of the fifty-sixth legislature creating a higher education endowment fund. The other state funds appropriation is from the higher education endowment fund to be awarded after July 1, 2024.

(211)	HIGHER EDUCATION DEPARTMENT	1,500.0			1,500.0
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For a partnership with a college of osteopathic medicine to develop a comprehensive outreach program to increase [youth] interest in the healthcare field[. For the purpose of contracting with an accredited osteopathic medical school,] within the state of New Mexico[, to increase the number of physicians and improve access to routine healthcare]. *LINE ITEM VETO*

(212)	HIGHER EDUCATION DEPARTMENT	10,000.0			10,000.0
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For endowed faculty teaching positions and student financial aid, including scholarships and paid practicums in bachelor and master degree social worker programs at New Mexico public and tribal institutions of higher education to expand enrollment and the number of graduates able to work in the behavioral health, child welfare and school systems. The higher education department shall distribute funding based on the number of New Mexico residents enrolled in programs in fiscal year 2024 and must obtain certification from each higher education institution that the endowment revenue will supplement and not supplant spending at the institution's social worker program before making an endowment award.

(213)	HIGHER EDUCATION DEPARTMENT	10,000.0	15,000.0		25,000.0
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For distribution to eligible higher education institutions for the purposes defined in Section 21-1-27.2 NMSA 1978. [~~Funds appropriated shall be used for new research projects directly related to economic development.~~] The other state funds appropriation is from the technology enhancement fund. *LINE ITEM VETO*

(214)	UNIVERSITY OF NEW MEXICO	1,000.0			1,000.0
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For nonrecurring costs in athletics.

	<u>Item</u>	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total/Target
(215)	UNIVERSITY OF NEW MEXICO	1,725.0				1,725.0

For the health sciences center for the learning environment office for expenditure through fiscal year 2027, with no more than five hundred seventy-five thousand dollars (\$575,000) expended in each fiscal year.

(216)	UNIVERSITY OF NEW MEXICO	3,465.1				3,465.1
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To purchase and replace equipment for the office of the medical investigator.

(217)	UNIVERSITY OF NEW MEXICO	1,500.0				1,500.0
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~~For the school of public health for expenditure in fiscal year 2025.~~

(218)	UNIVERSITY OF NEW MEXICO	5,200.0				5,200.0
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~~For the school of public health for expenditure in fiscal year 2026.~~

(219)	UNIVERSITY OF NEW MEXICO	4,800.0				4,800.0
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~~For the school of public health for expenditure in fiscal year 2027.] LINE ITEM VETO~~

(220)	NEW MEXICO STATE UNIVERSITY	1,750.0				1,750.0
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For advanced manufacturing for expenditure through fiscal year 2027, with no more than five hundred eighty-three thousand three hundred thirty-three dollars (\$583,333) expended in each fiscal year.

(221)	NEW MEXICO STATE UNIVERSITY	1,000.0				1,000.0
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For chile marketing and promotion.

(222)	NEW MEXICO STATE UNIVERSITY	1,000.0				1,000.0
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For the department of agriculture for cloud seeding programs.

(223)	NEW MEXICO STATE UNIVERSITY	1,500.0				1,500.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
<p>For expenditure in fiscal years 2025 through 2027 for the New Mexico department of agriculture, to implement its existing livestock Mexican wolf compensation program contract for direct and indirect damages and conflict avoidance with the livestock loss authority established by Catron, Sierra and Socorro counties. The board of regents shall use any available federal funds prior to expending money from this appropriation. Compensation for the depredation payments shall be based on fair market value of the livestock as determined by New Mexico state university and shall only be made if a determination of a confirmed or probable livestock loss due to Mexican wolves is made by a qualified county, federal or tribal investigator. The county livestock loss authority shall maintain the application from the livestock owner, the amount of the compensation payment and the investigation report from the qualified county, federal or tribal investigation. Any unexpended investment balance remaining at the end of fiscal year 2027 shall revert to the general fund.</p>					
[-(224) NEW MEXICO STATE UNIVERSITY	4,000.0				4,000.0
<p>To plan, design and equip a creative media institute at New Mexico state university main campus.] LINE ITEM VETO</p>					
(225) NEW MEXICO STATE UNIVERSITY	6,500.0				6,500.0
<p>To expand online degrees and programs.</p>					
(226) NEW MEXICO STATE UNIVERSITY	2,500.0				2,500.0
<p>For operation and management of the New Mexico reforestation center. Any unexpended balances remaining at the end of fiscal year 2025 from this appropriation shall not revert and may be expended through fiscal year 2029.</p>					
(227) NEW MEXICO STATE UNIVERSITY	1,000.0				1,000.0
<p>For nonrecurring costs in athletics.</p>					
(228) NEW MEXICO STATE UNIVERSITY					
<p>The period of time for expending the ten million dollars (\$10,000,000) appropriated from the general fund in Subsection 232 of Section 5 of Chapter 210 of Laws 2023 for land acquisition, planning, design and construction of the New Mexico reforestation center is extended through fiscal year 2025.</p>					
(229) NEW MEXICO STATE UNIVERSITY	2,500.0				2,500.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For the department of agriculture for soil and water conservation districts to carry out their statutory responsibilities for operations and programs pursuant to Section 73-20-25 NMSA 1978 through Section 73-20-48 NMSA 1978.					
(230) NEW MEXICO STATE UNIVERSITY	250.0				250.0
For trailers at the department of agriculture.					
(231) EASTERN NEW MEXICO UNIVERSITY	100.0				100.0
For tribal education initiatives at eastern New Mexico university Ruidoso.					
(232) NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY	750.0				750.0
For the institute for complex systems analysis to establish and maintain a state healthcare workforce dashboard for expenditure through fiscal year 2027.					
(233) NORTHERN NEW MEXICO COLLEGE	100.0				100.0
For nonrecurring costs in athletics.					
(234) NORTHERN NEW MEXICO COLLEGE	3,000.0				3,000.0
For security improvements, information system upgrades and other infrastructure uses.					
(235) COMPUTER SYSTEMS ENHANCEMENT FUND	28,132.4				28,132.4
For transfer to the computer systems enhancement fund for system replacements or enhancements.					
TOTAL SPECIAL APPROPRIATIONS	1,139,464.6	140,972.0	2,900.0	5,334.3	1,288,670.9

General
Other
Intrnl Svc
Federal
Total/Target

Fund
State
Funds/Inter-
Funds
Total/Target

Fund
Funds
Agency Trnsf
Funds
Total/Target

Chapter 69 Section 6 Laws 2024

	General	Other	Intrnl Svc	Federal	
Item	Fund	State	Funds/Inter-	Funds	Total/Target
Item	Fund	Funds	Agency Trnsf	Funds	Total/Target

Section 6. **SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS.**--The following amounts are appropriated from the general fund or other funds as indicated for expenditure in fiscal year 2024 for the purposes specified. Disbursement of these amounts shall be subject to certification by the agency to the department of finance and administration and the legislative finance committee that no other funds are available in fiscal year 2024 for the purpose specified and approval by the department of finance and administration. Any unexpended balances remaining at the end of fiscal year 2024 shall revert to the appropriate fund.

(1)	ADMINISTRATIVE OFFICE OF THE COURTS		1,500.0		1,500.0
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To fund a shortfall for the jury and witness program. The other state funds appropriation is from the consumer settlement fund.

(2)	ADMINISTRATIVE OFFICE OF THE COURTS	300.0			300.0
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To fund a shortfall for the magistrate court leases.

(3)	SECOND JUDICIAL DISTRICT ATTORNEY	982.6			982.6
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For a prior-year shortfall in personal services and employee benefits.

(4)	SECOND JUDICIAL DISTRICT ATTORNEY	4,000.0			4,000.0
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For personal services and employee benefits to fully staff the office.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(5)	DEPARTMENT OF FINANCE AND ADMINISTRATION	100.0				100.0
To the federal grants management division for dashboard system improvements.						
(6)	DEPARTMENT OF FINANCE AND ADMINISTRATION	1,250.0				1,250.0
To address a projected shortfall in personal service and employee benefits.						
(7)	DEPARTMENT OF FINANCE AND ADMINISTRATION	150.0				150.0
For shortfalls in the fiscal agent contract special appropriation.						
(8)	GENERAL SERVICES DEPARTMENT	60,700.0				60,700.0
For prior-year shortfalls in employee group health benefits program.						
(9)	GENERAL SERVICES DEPARTMENT	25,400.0				25,400.0
For shortfalls in the employee group health benefits program.						
(10)	LIEUTENANT GOVERNOR	100.0				100.0
To address a projected shortfall in personal services and employee benefits.						
(11)	LIEUTENANT GOVERNOR	50.0				50.0
For staffing.						
(12)	SECRETARY OF STATE	60.0				60.0
For the purchase and implementation of electronic petition software.						

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(13)	SECRETARY OF STATE	1,000.0				1,000.0

For plaintiff's attorney's fees in the case of Republican Party of New Mexico, et al., v. King No. 1:11-cv-00900-WJ-KBM.

(14)	SECRETARY OF STATE	22.0				22.0
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To fulfill the legal settlement agreement in the case of Southwest Public Policy Institute v. New Mexico Secretary of State No. D-101-CV-202201994.

(15)	ECONOMIC DEVELOPMENT DEPARTMENT	89.7				89.7
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To correct prior accounting errors from fiscal years 2012 and 2016.

(16)	PUBLIC REGULATION COMMISSION	844.4				844.4
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To address projected shortfalls in personal services and employee benefits.

(17)	OFFICE OF SUPERINTENDENT OF INSURANCE	1,500.0				1,500.0
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For risk-focused financial analysis services.

(18)	OFFICE OF SUPERINTENDENT OF INSURANCE		377.6			377.6
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For personal services and employee benefits. The other state funds appropriation is from the insurance operations fund.

(19)	INDIAN AFFAIRS DEPARTMENT	1,800.0				1,800.0
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For capital outlay expenditures from fiscal year 2022.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(20)	AGING AND LONG-TERM SERVICES DEPARTMENT	2,000.0				2,000.0

To supplement personal services and employee benefits in fiscal year 2024.

(21)	WORKFORCE SOLUTIONS DEPARTMENT	24,000.0				24,000.0
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~~To the paid family and medical leave fund to implement the Paid Family and Medical Leave Act contingent on enactment of House Bill 6 or similar legislation of the second session of the fifty-sixth legislature creating the paid family medical leave program for expenditure in fiscal year 2024 and fiscal year 2025.] LINE ITEM VETO~~

(22)	DEVELOPMENTAL DISABILITIES COUNCIL	94.9				94.9
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For prior-year shortfalls in the office of guardianship.

(23)	MINERS' HOSPITAL OF NEW MEXICO	3,500.0				3,500.0
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For shortfalls related to hospital operations.

(24)	DEPARTMENT OF HEALTH	11,267.8				11,267.8
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For shortfalls in the facilities management program in fiscal year 2024.

(25)	DEPARTMENT OF HEALTH	3,000.0				3,000.0
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To correct a deficiency from the vaccine incentive program.

(26)	DEPARTMENT OF HEALTH	4,600.0				4,600.0
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To correct a deficiency in the facilities management program from fiscal year 2023.

(27)	DEPARTMENT OF HEALTH	150.0				150.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To provide investigations of abuse, neglect and exploitation of participants receiving services in the developmental disability waiver program.					
(28) DEPARTMENT OF HEALTH	433.7				433.7
To correct a deficiency in personal services and employee benefits from fiscal year 2022.					
(29) CHILDREN, YOUTH AND FAMILIES DEPARTMENT	5,000.0				5,000.0
To cover care and support expenses in the other costs category.					
(30) CHILDREN, YOUTH AND FAMILIES DEPARTMENT	300.0				300.0
For payout of lost earned leave.					
(31) CHILDREN, YOUTH AND FAMILIES DEPARTMENT	1,200.0				1,200.0
To correct the deficit in the child care account.					
(32) DEPARTMENT OF MILITARY AFFAIRS	75.0				75.0
For equipment upgrades and repairs for the New Mexico air national guard facilities at Kirtland air force base.					
(33) CORRECTIONS DEPARTMENT		500.0			500.0
For the continued urinalysis testing of criminal-justice-involved offenders ordered to terms of probation by the sentencing court or to terms of parole established by the New Mexico parole board. The other state funds appropriation is from the penitentiary income fund.					
(34) HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT	489.9				489.9

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For outstanding invoices for prior year purchases of telecommunications and radio services.					
(35) HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT	750.0				750.0
To resolve a negative fund balance in the department's severance tax bond capital outlay fund.					
(36) PUBLIC EDUCATION DEPARTMENT	250.0				250.0
For legal settlement agreements in Brown v. Stewart No. D-202-CV-2021-04628 and Apodaca v. Public Education Department No. 1:19-cv-00288-NF-KHR.					
(37) PUBLIC EDUCATION DEPARTMENT	19,904.8				19,904.8
For a budgetary shortfall in providing universal free school meals pursuant to the Healthy Hunger-Free Students' Bill of Rights Act.					
(38) NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED	600.0				600.0
To cover salary shortfalls.					
(39) NEW MEXICO SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED	514.4				514.4
To cover prior-year risk management insurance premium shortfalls.					
(40) NEW MEXICO SCHOOL FOR THE DEAF	250.0				250.0
To address salary shortfalls at the New Mexico school for the deaf.					
TOTAL SUPPLEMENTAL AND DEFICIENCY APPROPRIATIONS	176,729.2	2,377.6			179,106.8

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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Chapter 69 Section 7 Laws 2024

Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
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Section 7. **INFORMATION TECHNOLOGY APPROPRIATIONS.**--The following amounts are appropriated from the computer systems enhancement fund, or other funds as indicated, for the purposes specified. Unless otherwise indicated, the appropriation may be expended in fiscal years 2024, 2025 and 2026. Unless otherwise indicated, any unexpended balances remaining at the end of fiscal year 2026 shall revert to the computer systems enhancement fund or other funds as indicated. For each executive branch agency project, the state chief information officer shall certify compliance with the project certification process prior to the allocation of twenty-eight million one hundred thirty-two thousand four hundred dollars (\$28,132,400) by the department of finance and administration from the funds for the purposes specified. The judicial information systems council shall certify compliance to the department of finance and administration for judicial branch projects. For executive branch agencies, all hardware and software purchases funded through appropriations made in Sections 4, 5, 6 and 7 of this act shall be procured using consolidated purchasing led by the state chief information officer and state purchasing division to achieve economies of scale and to provide the state with the best unit price.

- (1) ADMINISTRATIVE OFFICE OF THE COURTS

The period of time for expending the one hundred twelve thousand six hundred dollars (\$112,600) appropriated from the computer systems enhancement fund in Subsection 2 of Section 7 of Chapter 83 of Laws of 2020 to implement an integrated electronic court notices solution for the court's case management system is extended through fiscal year 2025 and may be used for improvements to the case management, electronic filing or reporting systems.

- (2) ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS

The period of time for expending the two million five hundred sixty-four thousand dollars (\$2,564,000) appropriated from the computer systems enhancement fund and the one hundred seventy thousand dollars (\$170,000) appropriated from fund balances in Subsection 2 of Section 7 of Chapter 54 of Laws 2022 to purchase an enterprise comprehensive case management system through a competitive bid process is extended through fiscal year 2025.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(3) PUBLIC DEFENDER DEPARTMENT					

The period of time for expending the two million three hundred fifty thousand dollars (\$2,350,000) appropriated from the computer systems enhancement fund in Subsection 4 of Section 7 of Chapter 54 of Laws 2022 for a scanning and survivable storage project is extended through fiscal year 2025.

(4) ADMINISTRATIVE HEARINGS OFFICE			266.2		266.2
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To continue and expand development of its case management and electronic filing system and modernization project.

(5) DEPARTMENT OF FINANCE AND ADMINISTRATION			1,000.0		1,000.0
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For statewide capital outlay tracking software.

(6) DEPARTMENT OF FINANCE AND ADMINISTRATION					
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The period of time for expending the one million two hundred fifty thousand dollars (\$1,250,000) appropriated from the computer systems enhancement fund in Subsection 8 of Section 7 of Chapter 73 of Laws 2018 as extended in Subsection 8 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 5 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 9 of Section 7 of Chapter 54 of Laws 2022 and as extended in Subsection 5 of Section 7 of Chapter 210 of Laws 2023 for the implementation of an enterprise budget system is extended through fiscal year 2025.

(7) DEPARTMENT OF FINANCE AND ADMINISTRATION					
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The period of time for expending the four million dollars (\$4,000,000) appropriated from the computer systems enhancement fund in Subsection 10 of Section 7 of Chapter 271 of Laws 2019 as extended in Subsection 4 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 10 of Section 7 of Chapter 54 of Laws 2022 and as extended in Subsection 6 of Section 7 of Chapter 210 of Laws 2023 for the implementation of an enterprise budget system is extended through fiscal year 2025.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(8)	REGULATION AND LICENSING DEPARTMENT		2,750.0	750.0		3,500.0

To continue the modernization of the regulation and licensing permitting and inspection software. Two million seven hundred fifty thousand dollars (\$2,750,000) of the other state funds appropriation is from the mortgage regulatory fund.

(9)	COMMISSIONER OF PUBLIC LANDS		1,700.0			1,700.0
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To improve the functionality, efficiency and data quality for the land information management system. The other state funds appropriation is from the state lands maintenance fund.

(10)	COMMISSIONER OF PUBLIC LANDS		6,000.0			6,000.0
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To upgrade technical components and improve the functionality, efficiency and data quality for the oil and gas royalty administration and processing system. The other state funds appropriation is from the state lands maintenance fund.

(11)	COMMISSIONER OF PUBLIC LANDS					
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The period of time for expending the two million dollars (\$2,000,000) appropriated from the state lands maintenance fund in Subsection 18 of Section 7 of Chapter 54 of Laws 2022 to continue the modernization of software and for the addition of renewable energy project financial management and support capabilities is extended through fiscal year 2025.

(12)	STATE ENGINEER			225.0		225.0
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To modernize water rights adjudication tracking system web applications and database platforms.

(13)	STATE ENGINEER					
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The period of time for expending the one million eight hundred seventeen thousand four hundred dollars (\$1,817,400) appropriated from the computer systems enhancement fund in Subsection 20 of Section 7 of Chapter 54 of Laws 2022 to modernize and replace the existing water rights adjudication tracking system is extended through fiscal year 2025.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(14)	EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT		500.0			500.0

To plan, configure and implement an enterprise content management system. The other state funds appropriation is from the early childhood care and education fund.

(15) AGING AND LONG-TERM SERVICES DEPARTMENT

The period of time for expending the two hundred eighty thousand three hundred dollars (\$280,300) appropriated from the computer systems enhancement fund and the two million two hundred ninety-one thousand six hundred dollars (\$2,291,600) appropriated from federal funds in Subsection 21 of Section 7 of Chapter 83 of Laws 2020 and as extended in Subsection 21 of Section 7 of Chapter 54 of Laws 2022 to consolidate and modernize information technology systems for integration with the health care authority department's medicaid management information system replacement project is extended through fiscal year 2025.

(16)	HEALTH CARE AUTHORITY DEPARTMENT			70.0	630.0	700.0
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To continue implementing a facilities licensing system.

(17)	HEALTH CARE AUTHORITY DEPARTMENT		766.1	600.0		1,366.1
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To continue the all payer claims database project. The other state funds appropriation is from the medical assistance program of the health care authority department.

(18) HEALTH CARE AUTHORITY DEPARTMENT

The period of time for expending the one million seven hundred eighty-three thousand six hundred dollars (\$1,783,600) appropriated from the computer systems enhancement fund and the three million four hundred sixty-two thousand two hundred eighty-two dollars (\$3,462,282) appropriated from federal funds in Subsection 21 of Section 7 of Chapter 271 of Laws 2019 as extended in Subsection 13 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 24 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 18 of Section 7 of Chapter 210

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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of Laws 2023 to continue the implementation of the child support enforcement replacement project is extended through fiscal year 2025.

(19) HEALTH CARE AUTHORITY
DEPARTMENT

The period of time for expending the two million eight hundred thirty-two thousand five hundred dollars (\$2,832,500) appropriated from the computer systems enhancement fund and the five million four hundred ninety-eight thousand four hundred dollars (\$5,498,400) appropriated from federal funds in Subsection 22 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 26 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 20 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of the child support enforcement replacement project is extended through fiscal year 2025.

(20) HEALTH CARE AUTHORITY
DEPARTMENT

The period of time for expending the four million eight hundred seventy-five thousand two hundred dollars (\$4,875,200) appropriated from the computer systems enhancement fund and the nine million four hundred sixty-three thousand seven hundred dollars (\$9,463,700) appropriated from federal funds in Subsection 22 of Section 7 of Chapter 54 of Laws 2022 to continue the implementation of the child support enforcement replacement project is extended through fiscal year 2025.

(21) HEALTH CARE AUTHORITY
DEPARTMENT

The period of time for expending the one million two hundred fifty-five thousand six hundred dollars (\$1,255,600) appropriated from the computer systems enhancement fund and the eleven million three hundred thousand five hundred dollars (\$11,300,500) appropriated from federal funds in Subsection 22 of Section 7 of Chapter 271 of Laws 2019 as extended in Subsection 14 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 25 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 19 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of the medicaid management information system replacement project is extended through fiscal year 2025.

(22) HEALTH CARE AUTHORITY
DEPARTMENT

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the four million one hundred four thousand one hundred dollars (\$4,104,100) appropriated from the computer systems enhancement fund and the thirty-six million one hundred forty-six thousand three hundred dollars (\$36,146,300) appropriated from federal funds in Subsection 23 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 27 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 21 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of the medicaid management information system replacement project is extended through fiscal year 2025.

(23) HEALTH CARE AUTHORITY
DEPARTMENT

The period of time for expending the one million two hundred eight thousand nine hundred dollars (\$1,208,900) appropriated from the computer systems enhancement fund and the ten million eight hundred twelve thousand eight hundred dollars (\$10,812,800) appropriated from federal funds in Subsection 17 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 22 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of the medicaid management information system replacement project is extended through fiscal year 2025.

(24) HEALTH CARE AUTHORITY
DEPARTMENT

The period of time for expending the eight million four hundred thousand dollars (\$8,400,000) appropriated from the computer systems enhancement fund and the sixty-eight million forty-one thousand five hundred dollars (\$68,041,500) appropriated from federal funds in Subsection 23 of Section 7 of Chapter 54 of Laws 2022 to continue the implementation of the medicaid management information system replacement project is extended through fiscal year 2025.

(25)	WORKFORCE SOLUTIONS DEPARTMENT		2,300.0	8,932.7	11,232.7
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To modernize existing information technology systems and applications.

(26)	WORKERS' COMPENSATION ADMINISTRATION		1,875.0		1,875.0
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To continue to modernize information technology systems and applications. The other state funds appropriation is from the workers' compensation fund.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(27)	WORKERS' COMPENSATION ADMINISTRATION					

The period of time for expending the two million dollars (\$2,000,000) appropriated from the workers' compensation fund in Subsection 18 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 23 of Section 7 of Chapter 210 of Laws 2023 to modernize information technology systems and applications is extended through fiscal year 2025.

(28) DEPARTMENT OF HEALTH

The period of time for expending the two million dollars (\$2,000,000) appropriated from the computer systems enhancement fund in Subsection 29 of Section 7 of Chapter 54 of Laws 2022 to implement a client data management system is extended through fiscal year 2025 and is transferred to the health care authority department in fiscal year 2025.

(29) DEPARTMENT OF HEALTH

The period of time for expending the five hundred thousand dollars (\$500,000) appropriated from the computer systems enhancement fund and the four million five hundred thousand dollars (\$4,500,000) appropriated from federal funds in Subsection 29 of Section 7 of Chapter 173 of Laws 2021 as extended in Subsection 28 of Section 7 of Chapter 210 of Laws 2023 for implementing a comprehensive care management system for the development disabilities supports division is extended through fiscal year 2025 and is transferred to the health care authority department in fiscal year 2025.

(30) DEPARTMENT OF HEALTH

The period of time for expending the two million four hundred thousand dollars (\$2,400,000) appropriated from the computer systems enhancement fund in Subsection 10 of Section 7 of Chapter 135 of Laws 2017 as extended in Subsection 25 of Section 7 of Chapter 271 of Laws 2019 as extended in Subsection 33 of Chapter 83 of Laws 2020 as extended in Subsection 26 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 33 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 24 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of the developmental disabilities client management support system is extended through fiscal year 2025 and is transferred to the health care authority department in fiscal year 2025.

(31) DEPARTMENT OF HEALTH

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
The period of time for expending the four million dollars (\$4,000,000) appropriated from the computer systems enhancement fund in Subsection 24 of Section 7 of Chapter 271 of Laws 2019 as extended in Subsection 40 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 30 of Section 7 of Chapter 210 of Laws 2023 to purchase and implement an enterprise electronic healthcare records system for public health offices is extended through fiscal year 2025.					

(32) DEPARTMENT OF HEALTH

The period of time for expending the three million five hundred thousand dollars (\$3,500,000) appropriated from the computer systems enhancement fund in Subsection 28 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 37 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 33 of Section 7 of Chapter 210 of Laws 2023 to purchase and implement an enterprise electronic healthcare records system for public health offices is extended through fiscal year 2025.

(33) DEPARTMENT OF HEALTH

The period of time for expending the three million seven hundred fifty thousand dollars (\$3,750,000) appropriated from the computer systems enhancement fund in Subsection 31 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 37 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 35 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of an enterprise electronic health records system is extended through fiscal year 2025.

(34) DEPARTMENT OF HEALTH

The period of time for expending the ten million seven hundred fifty thousand dollars (\$10,750,000) appropriated from the computer systems enhancement fund in Subsection 30 of Section 7 of Chapter 54 of Laws 2022 to continue the implementation of an enterprise electronic health records system is extended through fiscal year 2025.

(35) DEPARTMENT OF HEALTH

The period of time for expending the two million one hundred thousand dollars (\$2,100,000) appropriated from the computer systems enhancement fund in Subsection 27 of Section 7 of Chapter 271 of Laws 2019 as extended in Subsection 27 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 32 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 31 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
an integrated document management system and upgrade the vital records database is extended through fiscal year 2025.					

(36) DEPARTMENT OF HEALTH

The period of time for expending the nine hundred thousand dollars (\$900,000) appropriated from the computer systems enhancement fund in Subsection 27 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 42 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 32 of Section 7 of Chapter 210 of Laws 2023 for the initiation and planning phase to implement a database for healthcare cost data is extended through fiscal year 2025.

(37) DEPARTMENT OF HEALTH

The period of time for expending the five hundred thousand dollars (\$500,000) appropriated from the computer systems enhancement fund in Subsection 19 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 34 of Section 7 of Chapter 210 of Laws 2023 for an all payer claims database is extended through fiscal year 2025.

(38) DEPARTMENT OF HEALTH

The period of time for expending the two million seven hundred fifty thousand dollars (\$2,750,000) appropriated from the computer systems enhancement fund in Subsection 26 of Section 7 of Chapter 73 of Laws 2018 as extended in Subsection 34 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 28 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 34 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 29 of Section 7 of Chapter 210 of Laws 2023 to purchase and implement an integrated document management system and upgrade the vital records database is extended through fiscal year 2025.

(39) DEPARTMENT OF HEALTH

The period of time for expending the five hundred thousand dollars (\$500,000) appropriated from the computer systems enhancement fund in Subsection 31 of Section 7 of Chapter 54 of Laws 2022 for planning and initiation of a facilities centralized reporting system is extended through fiscal year 2025.

(40) DEPARTMENT OF ENVIRONMENT			1,600.0		1,600.0
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To complete the implementation of a document digitization and management system.

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(41)	DEPARTMENT OF ENVIRONMENT			800.0		800.0

To migrate legacy applications to the cloud, implement a digital public portal and modernize applications.

(42) DEPARTMENT OF ENVIRONMENT

The period of time for expending the five hundred thousand dollars (\$500,000) appropriated in Subsection 43 of Section 7 of Chapter 54 of Laws 2022 to implement a document digitization and management system is extended through fiscal year 2025.

(43) CHILDREN, YOUTH AND FAMILIES
DEPARTMENT

The period of time for expending the seven million dollars (\$7,000,000) appropriated from the computer systems enhancement fund and the ten million nine hundred thousand dollars (\$10,900,000) appropriated from federal funds in Subsection 37 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 44 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 39 of Section 7 of Chapter 210 of Laws 2023 to continue the modernization of the comprehensive child welfare information system is extended through fiscal year 2025.

(44) CHILDREN, YOUTH AND FAMILIES
DEPARTMENT

The period of time for expending the three million five hundred twenty-three thousand seven hundred dollars (\$3,523,700) appropriated from the computer systems enhancement fund and seventeen million ninety-five thousand nine hundred dollars (\$17,095,900) appropriated from federal funds in Subsection 33 of Section 7 of Chapter 137 of Laws 2021 as extended in Subsection 40 of Section 7 of Chapter 210 of Laws 2023 to continue the modernization of the comprehensive child welfare information system is extended through fiscal year 2025.

(45)	CORRECTIONS DEPARTMENT			1,925.0		1,925.0
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To continue the implementation of an electronic health records system.

(46) CORRECTIONS DEPARTMENT

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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The period of time for expending the six million two hundred thirty-eight thousand dollars (\$6,238,000) appropriated from the computer systems enhancement fund in Subsection 45 of Section 7 of Chapter 54 of Laws 2022 for the continued implementation of an electronic health records system is extended through fiscal year 2025.

(47) DEPARTMENT OF PUBLIC SAFETY

The period of time for expending the one million nine hundred ninety thousand dollars (\$1,990,000) appropriated from the computer systems enhancement fund in Subsection 46 of Section 7 of Chapter 54 of Laws 2022 to purchase and implement enhanced cybersecurity hardware and software for the criminal justice information services network is extended through fiscal year 2025.

(48) DEPARTMENT OF PUBLIC SAFETY

The period of time for expending the three million three hundred eighty thousand dollars (\$3,380,000) appropriated from the computer systems enhancement fund in Subsection 47 of Section 7 of Chapter 54 of Laws 2022 to implement an intelligence-led policing and public safety system is extended through fiscal year 2025.

(49) DEPARTMENT OF PUBLIC SAFETY

The period of time for expending the five million four hundred sixty-five thousand dollars (\$5,465,000) appropriated from the computer systems enhancement fund in Subsection 43 of Section 7 of Chapter 83 of Laws 2020 as extended in Subsection 48 of Section 7 of Chapter 54 of Laws 2022 as extended in Subsection 47 of Section 7 of Chapter 210 of Laws 2023 to continue the implementation of a commercial off-the-shelf records management system is extended through fiscal year 2025.

(50)	DEPARTMENT OF PUBLIC SAFETY		700.0		700.0
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To continue the implementation of an asset management tracking system.

(51)	DEPARTMENT OF PUBLIC SAFETY		4,000.0		4,000.0
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To continue the modernization of the criminal justice information system and national crime information system.

(52)	PUBLIC EDUCATION DEPARTMENT		3,171.2		3,171.2
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To enhance and integrate current operating systems.					
(53)	HIGHER EDUCATION DEPARTMENT		3,725.0	864.0	4,589.0
To continue the longitudinal data system project.					
(54)	HIGHER EDUCATION DEPARTMENT		7,000.0		7,000.0
For continuation of shared services enterprise resource planning system implementation.					
TOTAL INFORMATION TECHNOLOGY APPROPRIATIONS		13,591.1	28,132.4	10,426.7	52,150.2

Chapter 69 Section 8 Laws 2024

Section 8. COMPENSATION APPROPRIATIONS.--

A. Sixty-five million seven hundred fifty-six thousand nine hundred dollars (\$65,756,900) is appropriated from the general fund to the department of finance and administration for fiscal year 2025 to pay all costs attributable to the general fund of providing an across-the-board salary increase of three percent to employees in budgeted positions who have completed their probationary period subject to satisfactory job performance. The salary increases shall be effective the first full pay period after July 1, 2024, and distributed as follows:

(1) five hundred thirty-four thousand dollars (\$534,000) for permanent legislative employees, including permanent employees of the legislative council service, legislative finance committee, legislative education study committee, legislative building services, house and senate, house and senate chief clerks' office and house and senate leadership;

(2) eight million six hundred ninety-two thousand nine hundred dollars (\$8,692,900) for judicial permanent employees, including magistrate judges, elected district attorneys, district attorney permanent employees, public defender department permanent employees, judicial hearing officers and judicial special commissioners, supreme court justices, court of appeals judges, district court judges and metropolitan court judges;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(3) eighteen million nine hundred fifty-one thousand one hundred dollars (\$18,951,100) for incumbents in positions in the classified service governed by the State Personnel Act, except for the department of the environment;

(4) two million fifty-eight thousand two hundred dollars (\$2,058,200) for incumbents in the New Mexico state police career pay system;

(5) one million five hundred seventy-five thousand eight hundred dollars (\$1,575,800) for executive exempt employees, except for the department of the environment;

(6) eight hundred ten thousand one hundred dollars (\$810,100) for costs attributable to the general fund and for costs attributable to federal funds for employees of the department of the environment;

(7) thirty-one million six hundred thirty thousand five hundred dollars (\$31,630,500) to the higher education department for nonstudent faculty and staff of two-year and four-year public postsecondary educational institutions; and

(8) one million five hundred four thousand three hundred dollars (\$1,504,300) to the higher education department for nonstudent faculty and staff of the New Mexico military institute, New Mexico school for the blind and visually impaired and New Mexico school for the deaf.

B. The department of finance and administration shall distribute a sufficient amount to each agency to provide the appropriate increase for those employees whose salaries are received as a result of the general fund appropriation in the General Appropriation Act of 2024. Any unexpended balances remaining at the end of fiscal year 2025 shall revert to the general fund.

C. Nine million three hundred seventy thousand one hundred dollars (\$9,370,100) is appropriated from the general fund to the department of finance and administration for fiscal year 2025 for the general fund share of [~~cost increases in excess of nine and two tenths percent for~~] medical insurance premiums paid by employers on behalf of state employees, two-year and four-year public postsecondary educational institutions, the New Mexico military institute, New Mexico school for the blind and visually impaired and New Mexico school for the deaf. Any unexpended balances remaining at the end of fiscal year 2025 shall revert to the appropriate fund. *LINE ITEM VETO*

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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D. Ten million two hundred thousand dollars (\$10,200,000) is appropriated from the general fund to the department of public safety for an officer pay plan. Any unexpended balance remaining at the end of fiscal year 2025 shall revert to the general fund.

E. Four million dollars (\$4,000,000) is appropriated from the general fund to the administrative office of the courts in fiscal year 2025 for judicial salaries contingent on enactment of Senate Bill 70 or similar legislation of the second session of the fifty-sixth legislature. Any unexpended balance remaining at the end of fiscal year 2025 shall revert to the general fund.

F. Except for employees supported with federal funds at the department of the environment, for those state employees whose salaries are referenced in or received as a result of nongeneral fund appropriations in the General Appropriation Act of 2024, the department of finance and administration shall transfer from the appropriate fund to the appropriate agency the amount required for the salary increases equivalent to those provided for in this section. Such amounts are appropriated for expenditure in fiscal year 2025. Any unexpended balances remaining at the end of fiscal year 2025 shall revert to the appropriate fund.

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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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Section 9. GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST.--

A. The following amounts are appropriated from the government results and opportunity program fund or other funds as indicated in fiscal year 2025 for the purposes specified, contingent on enactment of House Bill 196 or similar legislation of the second session of the fifty-sixth legislature creating the government results and opportunity expendable trust and providing for the distribution of the fund. ~~[The department of finance and administration and the legislative finance committee shall approve performance measures for agencies, including those specified in this section that shall be reported on a quarterly basis, and any independent impact evaluation plans and results of the evaluation, for the items in this section.]~~ Any unexpended balances of the appropriations remaining at the end of fiscal year 2025 shall revert to the government results and opportunity expendable trust fund or the appropriate fund. *LINE ITEM VETO*

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(1)	EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT		5,000.0			5,000.0

To pilot a wage and career ladder for infant and toddler early educators in classrooms with children whose families are enrolled in childcare assistance and to fund a [~~randomized control~~] study of the program. *LINE ITEM VETO*

(2)	AGING AND LONG-TERM SERVICES DEPARTMENT		3,125.0			3,125.0
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For the New Medicare program and to fund a [~~randomized control~~] study of the program. *LINE ITEM VETO*

(3)	HEALTH CARE AUTHORITY DEPARTMENT		5,000.0			5,000.0
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For a pilot to expand evidence-based behavioral health services, including screening brief intervention and referral to treatment and certified community behavioral health clinics, to sustainably bill medicaid once fully operational.

(4)	WORKFORCE SOLUTIONS DEPARTMENT		2,000.0			2,000.0
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For the implementation of a trades career exploration pilot program [~~targeted towards disconnected and disengaged young adults~~] and evaluation of [~~employment~~] outcomes of participants. *LINE ITEM VETO*

(5)	WORKFORCE SOLUTIONS DEPARTMENT		600.0			600.0
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To implement and evaluate youth [~~re-employment, apprenticeship and~~] pre-apprenticeship programs [~~targeted toward disengaged and disconnected young adults who are currently unemployed or at risk of being unemployed and are not currently enrolled in high school~~]. *LINE ITEM VETO*

(6)	OFFICE OF FAMILY REPRESENTATION AND ADVOCACY		1,625.0	437.5		2,062.5
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To conduct a pilot project and rigorous outcome evaluation of multidisciplinary team legal services for children, youth and adults whose children are in the custody of or are at-risk of being in the custody of the children, youth and families department in Bernalillo and Dona Ana counties. The office of family representation and advocacy shall seek federal Title IV-E reimbursement for eligible multidisciplinary services.					

(7)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		562.5		562.5
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To implement and evaluate outcomes of a pilot program to incentivize attainment of masters-level social work licensure to develop and retain caseworkers in the child protective services program. The children, youth and families department shall report [~~quarterly~~] on the number of caseworkers with a masters-level social work license in a child protective services caseworker position and of masters-level social workers retained more than twelve months in protective services caseworker roles. *LINE ITEM VETO*

(8)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		1,400.0		1,400.0
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For a pilot to expand [~~evidence-based~~] implementation of multilevel response statewide in the child protective services program, pursuant to Section 32-4-4.1 NMSA 1978. The children, youth and families department shall report [~~quarterly~~] on the number of families receiving a multilevel response, the percentage of multilevel response eligible families who engage in services, the percentage of participating families in multilevel response who have a traditional child protective services investigation within a twelve-month period and the percentage of participating families in multilevel response with a substantiated case of child maltreatment. *LINE ITEM VETO*

(9)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		1,250.0		1,250.0
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For recruitment, training and support of treatment foster care and foster care providers to support hard-to-place children. The children, youth and families department shall report [~~quarterly~~] on the number of treatment foster and foster care families recruited, trained and have a child in custody of child protective services in their care, number of treatment foster and foster care families recruited and trained that maintain their provider status and the number of youth in child protective services care placed in an office, out-of-state, congregate care or shelter setting. *LINE ITEM VETO*

	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total/Target
(10)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		3,000.0		3,000.0

For a pilot to expand [~~evidence-based~~] prevention and intervention programs, including safe care home visiting [~~published in the federal Title IV-E prevention services clearinghouse or that may be reimbursed by medicaid~~]. The children, youth and families department shall report [~~quarterly~~] on the number of families participating in [~~evidence-based~~] community based prevention and intervention programs [~~that are in the Title IV-E clearinghouse or eligible for medicaid reimbursement~~], the percentage of participating families subject to a child protective services investigation and the percentage of participating families with a substantiated case of child maltreatment. *LINE ITEM VETO*

(11)	PUBLIC EDUCATION DEPARTMENT		20,000.0		20,000.0
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For educator clinical practice programs.

(12)	PUBLIC EDUCATION DEPARTMENT		5,000.0		5,000.0
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For stipends and pay differentials to fill hard to staff special education positions.

(13)	HIGHER EDUCATION DEPARTMENT		20,000.0		20,000.0
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For New Mexico community colleges and regional universities to pay up to the full cost of student tuition and fees for workforce training courses not eligible for other [~~state~~] financial aid and that result in an industry-recognized credential or endorsement. This funding may also be used to subsidize costs of students involved in apprenticeships or internships [~~and for program development~~]. Higher education institutions shall submit an implementation plan to the higher education department prior to receipt of funding and include identification of the types of certificates or credentials offered and the employers and industries eligible for internship and apprenticeship support. [~~The higher education department shall distribute this funding to higher education institutions based on their proportional share of instruction and general funding no later than August 1st of each year.~~] *LINE ITEM VETO*

(14)	HIGHER EDUCATION DEPARTMENT		2,000.0		2,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To pilot and evaluate the expansion of integrated basic education and skills training programs to provide basic skills and workforce development training for disengaged and difficult to reach adults who are unable to access other federal funds for integrated education training.					

(15)	NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY		500.0		500.0
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For geothermal resource development.

(16)	SANTA FE COMMUNITY COLLEGE		500.0		500.0
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For a suicide prevention training program.

B. The following amounts are appropriated from the government results and opportunity program fund or other funds as indicated in fiscal year 2026 for the purposes specified, contingent on enactment of House Bill 196 or similar legislation of the second session of the fifty-sixth legislature creating the government results and opportunity expendable trust and providing for the distribution of the fund. ~~[The department of finance and administration and the legislative finance committee shall approve performance measures for agencies, including those specified in this section that shall be reported on a quarterly basis, and any independent impact evaluation plans and results of the evaluation, for the items in this section.]~~ Any unexpended balances of the appropriations remaining at the end of fiscal year 2026 shall revert to the government results and opportunity expendable trust fund or the appropriate fund. *LINE ITEM VETO*

(1)	EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT		5,000.0		5,000.0
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To pilot a wage and career ladder for infant and toddler early educators in classrooms with children whose families are enrolled in childcare assistance and to fund a ~~[randomized control]~~ study of the program. *LINE ITEM VETO*

(2)	AGING AND LONG-TERM SERVICES DEPARTMENT		3,125.0		3,125.0
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For the New Mexicare program and to fund a ~~[randomized control]~~ study of the program. *LINE ITEM VETO*

	<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(3)	HEALTH CARE AUTHORITY DEPARTMENT		5,000.0			5,000.0

For a pilot to expand evidence-based behavioral health services, including screening brief intervention and referral to treatment and certified community behavioral health clinics, to sustainably bill medicaid once fully operational.

(4)	WORKFORCE SOLUTIONS DEPARTMENT		2,000.0			2,000.0
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For the implementation of a trades career exploration pilot program [~~targeted toward disconnected and disengaged young adults~~] and evaluation of [~~employment~~] outcomes of participants. *LINE ITEM VETO*

(5)	WORKFORCE SOLUTIONS DEPARTMENT		600.0			600.0
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To implement and evaluate youth [~~re-employment, apprenticeship and~~] pre-apprenticeship programs [~~targeted towards disengaged and disconnected young adults who are currently unemployed or at-risk of being unemployed and are not currently enrolled in high school~~]. *LINE ITEM VETO*

(6)	OFFICE OF FAMILY REPRESENTATION AND ADVOCACY		1,625.0	437.5		2,062.5
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To conduct a pilot project and rigorous outcome evaluation of multidisciplinary team legal services for children, youth and adults whose children are in the custody of or are at-risk of being in the custody of the children, youth and families department in Bernalillo and Dona Ana counties. The office of family representation and advocacy shall seek federal Title IV-E reimbursement for eligible multidisciplinary services.

(7)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		562.5			562.5
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To implement and evaluate outcomes of a pilot program to incentivize attainment of masters-level social work licensure to develop and retain caseworkers in the child protective services program. The children, youth and families department shall report [~~quarterly~~] on the number of caseworkers with a masters-level social work license in a child protective services caseworker position and of masters-level social workers retained more than twelve months in protective services caseworker roles. *LINE ITEM VETO*

	General Fund	Other State Funds	Intrnl Svc Funds/Inter-Agency Trnsf	Federal Funds	Total/Target
(8)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		1,400.0		1,400.0

For a pilot to expand [~~evidence-based~~] implementation of multilevel response statewide in the child protective services program, pursuant to Section 32-4-4.1 NMSA 1978. The children, youth and families department shall report [~~quarterly~~] on the number of families receiving a multilevel response, the percentage of multilevel response eligible families who engage in services, the percentage of participating families in multilevel response who have a traditional child protective services investigation within a twelve-month period and the percentage of participating families in multilevel response with a substantiated case of child maltreatment. *LINE ITEM VETO*

(9)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		1,250.0		1,250.0
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For recruitment, training and support of treatment foster care and foster care providers to support hard-to-place children. The children, youth and families department shall report [~~quarterly~~] on the number of treatment foster and foster care families recruited, trained and have a child in custody of child protective services in their care, number of treatment foster and foster care families recruited and trained that maintain their provider status and the number of youth in child protective services care placed in an office, out-of-state, congregate care or shelter setting. *LINE ITEM VETO*

(10)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		3,000.0		3,000.0
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For a pilot to expand [~~evidence-based~~] prevention and intervention programs, including safe care home visiting, [~~published in the federal Title IV-E prevention services clearinghouse or that may be reimbursed by medicaid,~~] with funding in year two contingent upon approval of the state's federal Family First Prevention Services Act prevention plan. The children, youth and families department shall report [~~quarterly~~] on the number of families participating in [~~evidence-based~~] community based prevention and intervention programs [~~that are in the Title IV-E clearinghouse or eligible for medicaid reimbursement~~], the percentage of participating families subject to a child protective services investigation and the percentage of participating families with a substantiated case of child maltreatment. *LINE ITEM VETO*

(11)	PUBLIC EDUCATION DEPARTMENT		20,000.0		20,000.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
For educator clinical practice programs.					
(12)	PUBLIC EDUCATION DEPARTMENT		5,000.0		5,000.0

For stipends and pay differentials to fill hard to staff special education positions.

(13)	HIGHER EDUCATION DEPARTMENT		20,000.0		20,000.0
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For New Mexico community colleges and regional universities to pay up to the full cost of student tuition and fees for workforce training courses not eligible for other [state] financial aid and that result in an industry-recognized credential or endorsement. This funding may also be used to subsidize costs of students involved in apprenticeships or internships [~~and for program development~~]. Higher education institutions shall submit an implementation plan to the higher education department prior to receipt of funding and include identification of the types of certificates or credentials offered and the employers and industries eligible for internship and apprenticeship support. [~~The higher education department shall distribute this funding to higher education institutions based on their proportional share of instruction and general funding no later than August 1st of each year.~~] *LINE ITEM VETO*

(14)	HIGHER EDUCATION DEPARTMENT		2,000.0		2,000.0
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To pilot and evaluate the expansion of integrated basic education and skills training programs to provide basic skills and workforce development training for disengaged and difficult to reach adults who are unable to access other federal funds for integrated education training.

(15)	NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY		500.0		500.0
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For geothermal resource development.

(16)	SANTA FE COMMUNITY COLLEGE		500.0		500.0
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For a suicide prevention training program.

C. The following amounts are appropriated from the government results and opportunity program fund or other funds as indicated in fiscal year 2027 for the purposes specified, contingent on enactment of House Bill 196 or

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
<p>similar legislation of the second session of the fifty-sixth legislature creating the government results and opportunity expendable trust and providing for the distribution of the fund. [The department of finance and administration and the legislative finance committee shall approve performance measures for agencies, including those specified in this section that shall be reported on a quarterly basis, and any independent impact evaluation plans and results of the evaluation, for the items in this section.] Any unexpended balances of the appropriations remaining at the end of fiscal year 2027 shall revert to the government results and opportunity expendable trust fund or the appropriate fund. <i>LINE ITEM VETO</i></p>					
(1)	EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT		5,000.0		5,000.0
<p>To pilot a wage and career ladder for infant and toddler early educators in classrooms with children whose families are enrolled in childcare assistance and to fund a [randomized control] study of the program. <i>LINE ITEM VETO</i></p>					
(2)	AGING AND LONG-TERM SERVICES DEPARTMENT		3,125.0		3,125.0
<p>For the New Medicare program and to fund a [randomized control] study of the program. <i>LINE ITEM VETO</i></p>					
(3)	HEALTH CARE AUTHORITY DEPARTMENT		5,000.0		5,000.0
<p>For a pilot to expand evidence-based behavioral health services, including screening brief intervention and referral to treatment and certified community behavioral health clinics, to sustainably bill medicaid once fully operational.</p>					
(4)	WORKFORCE SOLUTIONS DEPARTMENT		2,000.0		2,000.0
<p>For the implementation of a trades career exploration pilot program [targeted toward disconnected and disengaged young adults] and evaluation of [employment] outcomes of participants. <i>LINE ITEM VETO</i></p>					
(5)	WORKFORCE SOLUTIONS DEPARTMENT		600.0		600.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
To implement and evaluate youth [re-employment, apprenticeship and] pre-apprenticeship programs [targeted towards disengaged and disconnected young adults who are currently unemployed or at-risk of being unemployed and are not currently enrolled in high school.] <i>LINE ITEM VETO</i>					

(6)	OFFICE OF FAMILY REPRESENTATION AND ADVOCACY		1,625.0	437.5	2,062.5
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To conduct a pilot project and rigorous outcome evaluation of multidisciplinary team legal services for children, youth and adults whose children are in the custody of or are at-risk of being in the custody of the children, youth and families department in Bernalillo and Dona Ana counties. The office of family representation and advocacy shall seek federal Title IV-E reimbursement for eligible multidisciplinary services.

(7)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		562.5		562.5
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To implement and evaluate outcomes of a pilot program to incentivize attainment of masters-level social work licensure to develop and retain caseworkers in the child protective services program. The children, youth and families department shall report [~~quarterly~~] on the number of caseworkers with a masters-level social work license in a child protective services caseworker position and of masters-level social workers retained more than twelve months in protective services caseworker roles. *LINE ITEM VETO*

(8)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		1,400.0		1,400.0
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For a pilot to expand [~~evidence-based~~] implementation of multilevel response statewide in the child protective services program, pursuant to Section 32-4-4.1 NMSA 1978. The children, youth and families department shall report [~~quarterly~~] on the number of families receiving a multilevel response, the percentage of multilevel response eligible families who engage in services, the percentage of participating families in multilevel response who have a traditional child protective services investigation within a twelve-month period and the percentage of participating families in multilevel response with a substantiated case of child maltreatment. *LINE ITEM VETO*

(9)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		1,250.0		1,250.0
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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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For recruitment, training and support of treatment foster care and foster care providers to support hard-to-place children. The children, youth and families department shall report ~~[quarterly]~~ on the number of treatment foster and foster care families recruited, trained and have a child in custody of child protective services in their care, number of treatment foster and foster care families recruited and trained that maintain their provider status and the number of youth in child protective services care placed in an office, out-of-state, congregate care or shelter setting. *LINE ITEM VETO*

(10)	CHILDREN, YOUTH AND FAMILIES DEPARTMENT		3,000.0		3,000.0
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For a pilot to expand ~~[evidence-based]~~ prevention and intervention programs, including safe care home visiting, ~~[published in the federal Title IV-E prevention services clearinghouse or that may be reimbursed by medicaid,]~~ with funding in year three contingent upon approval of the state's federal Family First Prevention Services Act prevention plan. The children, youth and families department shall report ~~[quarterly]~~ on the number of families participating in ~~[evidence-based]~~ community based prevention and intervention programs ~~[that are in the Title IV-E clearinghouse or eligible for medicaid reimbursement]~~, the percentage of participating families subject to a child protective services investigation and the percentage of participating families with a substantiated case of child maltreatment. *LINE ITEM VETO*

(11)	PUBLIC EDUCATION DEPARTMENT		20,000.0		20,000.0
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For educator clinical practice programs.

(12)	PUBLIC EDUCATION DEPARTMENT		5,000.0		5,000.0
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For stipends and pay differentials to fill hard to staff special education positions.

(13)	HIGHER EDUCATION DEPARTMENT		20,000.0		20,000.0
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For New Mexico community colleges and regional universities to pay up to the full cost of student tuition and fees for workforce training courses not eligible for other ~~[state]~~ financial aid and that result in an industry-recognized credential or endorsement. This funding may also be used to subsidize costs of students involved in apprenticeships or internships ~~[and for program development]~~. Higher education institutions shall submit an implementation plan to the higher education department prior to receipt of funding and include identification of the types of certificates or credentials offered and the employers and industries eligible for internship and

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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apprenticeship support. [~~The higher education department shall distribute this funding to higher education institutions based on their proportional share of instruction and general funding no later than August 1st of each year.~~] *LINE ITEM VETO*

(14)	HIGHER EDUCATION DEPARTMENT		2,000.0		2,000.0
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To pilot and evaluate the expansion of integrated basic education and skills training programs to provide basic skills and workforce development training for disengaged and difficult to reach adults who are unable to access other federal funds for integrated education training.

(15)	NEW MEXICO INSTITUTE OF MINING AND TECHNOLOGY		500.0		500.0
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For geothermal resource development.

(16)	SANTA FE COMMUNITY COLLEGE		500.0		500.0
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For a suicide prevention training program.

D. The following amounts are appropriated from the government results and opportunity program fund in fiscal year 2025 and fiscal year 2026, contingent on enactment of House Bill 196 or similar legislation of the second session of the fifty-sixth legislature creating the government results and opportunity expendable trust fund and providing for the distribution of the fund. Any unexpended balances of the appropriation remaining at the end of fiscal year 2026 shall revert to the government results and opportunity expendable trust fund. The legislative council service shall publish on the legislative website a searchable list of the appropriations contained in this subsection as it passed the legislature, the name of each legislator who allocated a portion of the appropriation and the amount of the verified allocation. The list, including vetoes, shall be published thirty days after the adjournment of the legislative session in which the General Appropriation Act of 2024 is approved by both chambers of the legislature.

(1) to the Legislative Council Service

(a) one hundred sixty thousand dollars (\$160,000) to study developing solutions to the systemic causes of rising health care costs; and

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(b) two hundred eighty thousand dollars (\$280,000) for the interim legislative health and human services committee to continue developing solutions to the systemic causes of rising health care costs.

(2) to the Legislative Finance Committee

(a) six hundred thousand dollars (\$600,000) to contract for health policy and related financial research.

(3) to the Court Of Appeals

(a) two hundred thousand dollars (\$200,000) for security, technology and operating projects at the New Mexico court of appeals.

(4) to the Supreme Court

(a) four hundred thousand dollars (\$400,000) for supreme court judicial salaries; and

(b) two hundred thousand dollars (\$200,000) for court security and telecommunication integration resources.

(5) to the Administrative Office Of The Courts

(a) one hundred sixty thousand dollars (\$160,000) to fund the administrative office of the court's jury and witness fee fund;

(b) one hundred sixty thousand dollars (\$160,000) to provide administrative office of the court staff, equipment, resources and services for self-represented litigants statewide; and

(c) four hundred thousand dollars (\$400,000) for operating costs of providing legal services through the modest means helpline.

(6) to the District Attorney Of The Eleventh Judicial District

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) two hundred thousand dollars (\$200,000) for San Juan county law enforcement assistance diversion program.					
(7) to the Attorney General					
(a) two hundred thousand dollars (\$200,000) to provide funding for missing and murdered indigenous women and relatives taskforce.					
(8) to the Department Of Finance And Administration					
(a) two million two hundred eighty thousand dollars (\$2,280,000) for civil legal services;					
(b) one hundred sixty thousand dollars (\$160,000) for civil legal services for people with disabilities;					
(c) two million dollars (\$2,000,000) for housing assistance personnel and programs;					
[(d) one hundred sixty thousand dollars (\$160,000) for public private partnership agreements contingent upon passage of House Bill 190 or similar legislation of the second session of the fifty-sixth legislature;] LINE ITEM VETO					
(e) nineteen million seven hundred thousand dollars (\$19,700,000) for statewide homelessness initiatives;					
(f) for the Eastern Plains Council of Governments					
1) one hundred sixty thousand dollars (\$160,000) for programmatic costs, resources and services for the village of Fort Sumner;					
2) one hundred sixty thousand dollars (\$160,000) for programmatic costs, resources and services and to improve water wells and water infrastructure [for Sangre de Cristo regional water utility association]; LINE ITEM VETO					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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3) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for homeless shelters for housing veterans and homeless citizens; and

4) one hundred sixty thousand dollars (\$160,000) for programmatic resources to include equipment for the Clayton city police department.

(g) for the Mid-Region Council of Governments

1) two hundred thousand dollars (\$200,000) for updated research, data collection, and analysis of economic impact of arts and creative economy; to support a broad arts engagement public campaign to bolster local community engagement in performing arts, live music, local arts events and locally produced festivals; and to support professional development opportunities for artists and creatives based in Albuquerque and Bernalillo county;

2) two hundred thousand dollars (\$200,000) to convene and engage service providers to develop new community-based solutions for affordable housing and green space in the international district in Albuquerque;

3) one hundred sixty thousand dollars (\$160,000) to the city of Albuquerque for Albuquerque community safety for a school-based violence intervention program;

4) two hundred thousand dollars (\$200,000) for a food pantry program that serves Bernalillo county in downtown Albuquerque;

5) one hundred sixty thousand dollars (\$160,000) to provide support for community resilience programs that provide housing and urban development certified counseling on economic stability and upward mobility for at-risk individuals with children in Albuquerque's highland cluster title one schools;

6) two hundred thousand dollars (\$200,000) to support an urban indigenous center in Albuquerque;

7) one hundred sixty thousand dollars (\$160,000) for workforce training for community schools in the westside of the city of Albuquerque;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
8) two hundred thousand dollars (\$200,000) to provide case management to assist residents living in the international district to obtain temporary, transitional or permanent housing and plan and implement green spaces in the international district in Albuquerque;					
9) two hundred thousand dollars (\$200,000) to contract for transitional housing for underserved and at-risk populations and communities in the international district in Albuquerque;					
10) one hundred sixty thousand dollars (\$160,000) for domestic violence programming in Bernalillo county;					
11) one hundred sixty thousand dollars (\$160,000) for a program to help at-risk children to grow and develop to their full potential in nurturing families within a supportive community;					
12) one hundred sixty thousand dollars (\$160,000) to provide behavioral health services specializing in the treatment of families, children and their caregivers who are struggling due to issues of divorce, homelessness, child abuse and neglect, family violence or other crises;					
13) two hundred thousand dollars (\$200,000) to contract for services to low income senior citizens promoting aging in place by providing home and property improvements and services in Bernalillo county;					
14) one hundred sixty thousand dollars (\$160,000) to provide business incubation, business start-up, and entrepreneurial services in the Atrisco community of Bernalillo county;					
15) two hundred thousand dollars (\$200,000) to contract for small business economic development along Coors boulevard northwest in Bernalillo county;					
16) two hundred thousand dollars (\$200,000) to contract for small business economic development along west Central avenue in Bernalillo county;					
17) one hundred sixty thousand dollars (\$160,000) for fellowship and mentorship program to support higher education students pursuing careers in mental and behavioral health fields in Bernalillo county;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
18) two hundred thousand dollars (\$200,000) to provide job training skills and job placement support to south valley and west mesa communities in Bernalillo county;					
19) two hundred thousand dollars (\$200,000) to expand community health workers serving the homeless through street outreach in Bernalillo county provided that one hundred thousand dollars (\$100,000) is to be spent in year one and one hundred thousand dollars (\$100,000) in year two;					
20) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for a science, technology, engineering and mathematics outreach program including drones, robotics and girls into tech programs in Bernalillo county;					
21) two hundred thousand dollars (\$200,000) to contract for out of school visual and performing arts, media arts, and science, technology, engineering, arts and mathematics interactive murals for youth-focused arts and student internships in Bernalillo county;					
22) one hundred sixty thousand dollars (\$160,000) to fund business incubation, business start-up and entrepreneurial services in the Atrisco community of Bernalillo county and surrounding areas;					
23) three hundred twenty thousand dollars (\$320,000) for programmatic costs and resources for the city of Albuquerque fire station number twelve;					
24) one hundred sixty thousand dollars (\$160,000) for the city of Albuquerque route 66 center staff costs [for the New Mexico music hall of fame]; <i>LINE ITEM VETO</i>					
25) one hundred sixty thousand dollars (\$160,000) for staff, materials and supplies to provide service-intensive case management to remove barriers that lead to homelessness among United States military veterans in the city of Albuquerque; this may include coordinating health care, a monthly income, employment assistance, transportation and life skills training;					
26) two hundred thousand dollars (\$200,000) for programming and operations for data collection, updated research and broad community outreach and engagement in Barelmas neighborhood in Albuquerque;					
27) one hundred sixty thousand dollars (\$160,000) to support healthy economic development in the south valley of Albuquerque;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
28) two hundred thousand dollars (\$200,000) to plan [and execute] comprehensive [statewide] flamenco educational services [to culminate in an international flamenco festival] in Bernalillo county; <i>LINE ITEM VETO</i>					
29) one hundred sixty thousand dollars (\$160,000) for holocaust and genocide training of middle and high school students in Bernalillo county;					
30) one hundred sixty thousand dollars (\$160,000) to provide science, technology, engineering, art and mathematics education, outreach programs for children and educators from museums in Albuquerque;					
31) three hundred twenty thousand dollars (\$320,000) for a summer and out-of- school time program to include literacy and math enrichment, social emotional learning, physical wellness and swimming, life and career skills and tutoring for Albuquerque public school students with an emphasis on under resourced families;					
32) one hundred sixty thousand dollars (\$160,000) to support residential youth drug addiction treatment programs for additional staff, staff training, gym equipment, computers and office supplies in Bernalillo county;					
33) one hundred sixty thousand dollars (\$160,000) to plan and design a historic church building in the village of Tijeras in Bernalillo county;					
34) one hundred sixty thousand dollars (\$160,000) to plan and design a visitor center inside an existing historic property to house, preserve and display archived material near the village of Tijeras in Bernalillo county;					
35) one hundred sixty thousand dollars (\$160,000) for a youth wrestling program in Bernalillo county;					
36) one hundred sixty thousand dollars (\$160,000) to support mobile medical outreach to underserved populations, funds will cover salaries of support staff, medical and dental supplies, health education information, fuel costs, information technology connectivity and equipment;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
37) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for a science, technology, engineering and math program including learning on virtual reality, drones and three dimensional printing for k-12 in Bernalillo and Sandoval county;					
38) one hundred sixty thousand dollars (\$160,000) to support a summer out-of- school time literacy, math, social emotional learning, wellness, swimming, life, career and tutoring programs in multiple counties;					
39) four hundred thousand dollars (\$400,000) for programmatic costs and resources for Sandoval county animal wellness programs including a spay and neuter program;					
40) two hundred forty thousand dollars (\$240,000) to the town of Bernalillo youth and family enrichment programs for instructors, presenters, mentors, materials, supplies and snacks, covering topics including science, technology, art, engineering and math, music, culture, food security, community involvement and leadership;					
41) one hundred sixty thousand dollars (\$160,000) to provide for programmatic and operational resources for competitive drone and robotics programs and girls introduction to tech and three dimensional printing programs in Sandoval county;					
42) one hundred sixty thousand dollars (\$160,000) to provide operational costs and resources for the continuation of a treatment subsidy program, and to develop and fund community wellness programs in or near the Jemez Valley;					
43) one hundred sixty thousand dollars (\$160,000) for programmatic support and resources for the fire department in the city of Rio Rancho;					
44) one hundred sixty thousand dollars (\$160,000) for programmatic support and resources for the police department in the city of Rio Rancho;					
45) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for regional dispatch center in Sandoval county;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
46) one hundred sixty thousand dollars (\$160,000) to provide domestic violence training to municipal, county and tribal law enforcement officers, probation and parole officers, court personnel and victim advocates;					
47) one hundred sixty thousand dollars (\$160,000) to provide public safety, library and general operating services and costs to the village of Jemez Springs;					
48) two hundred thousand dollars (\$200,000) for students and young adults who are experiencing significant barriers to success and establish a pathway to quality training for securing promising employment opportunities;					
49) two hundred thousand dollars (\$200,000) to provide equine facilitated learning programs for youth-at-risk, foster children and low-income children, or children with disabilities;					
50) two hundred thousand dollars (\$200,000) for delivery of healthy meals across New Mexico to homebound seniors and people with chronic conditions;					
51) two hundred thousand dollars (\$200,000) to support an in-school program for middle and high school teachers to teach holocaust, genocide and New Mexico's multi- racial complex history along with other critical issues;					
52) four hundred thousand dollars (\$400,000) to provide professional development toward licensure of bilingual behavioral healthcare professionals and culturally and linguistically specific, trauma informed mental health, case management and suicide prevention services for immigrant and refugee families;					
53) one hundred sixty thousand dollars (\$160,000) to support free statewide flamenco educational programming;					
54) three hundred twenty thousand dollars (\$320,000) to purchase water systems and rights for Estancia Valley;					
55) two hundred thousand dollars (\$200,000) for programmatic costs and resources for Torrance county road department;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
56) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for the Torrance county sheriff's office patrol;					
57) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for the city of Belen for eagle park and Anna Becker park;					
58) two hundred thousand dollars (\$200,000) for programmatic costs and resources for Rio Communities fire and rescue department;					
59) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for open space and recreational community programs in the village of Los Lunas;					
60) two hundred thousand dollars (\$200,000) for programmatic costs and resources for Valencia county; and					
61) two hundred thousand dollars (\$200,000) for programmatic costs and resources for the Valencia county sheriff's office.					
(h) for the North Central New Mexico Economic Development District					
1) two hundred thousand dollars (\$200,000) for operations and instruction materials for the acequia youth education program and western Mora soil and water conservation district program;					
2) one hundred sixty thousand dollars (\$160,000) for staffing positions related to service delivery and compliance reporting in Mora county;					
3) one hundred sixty thousand dollars (\$160,000) for a community-based study and film training program focused on underrepresented residents in northern New Mexico and sharing the resulting community and family created stories in public forums;					
4) two hundred thousand dollars (\$200,000) for emergency medical technician resources in senate district thirty-nine in San Miguel, Torrance, Valencia, Lincoln and Santa Fe counties, provided that the appropriation be expended in fiscal year 2025;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
5) two hundred thousand dollars (\$200,000) to northcentral New Mexico economic development district for grant writing and technical assistance for communities in the northcentral region;					
6) one hundred sixty thousand dollars (\$160,000) for homelessness prevention that targets measures to keep individuals at-risk in their homes, utilizing rental assistance and other services tailored to their needs with staff support;					
7) one hundred sixty thousand dollars (\$160,000) for grant writing and technical assistance for communities in the north central region with an emphasis on southern Santa Fe county;					
8) one hundred sixty thousand dollars (\$160,000) to fund community based projects in the north central region;					
9) three hundred twenty thousand dollars (\$320,000) for grant writing and technical assistance for communities in the north central region;					
10) two hundred thousand dollars (\$200,000) for operations of youth, family and recovery centers in Guadalupe and San Miguel counties;					
11) one hundred sixty thousand dollars (\$160,000) to provide funding for public libraries in Eldorado, Edgewood and Placitas;					
12) two hundred thousand dollars (\$200,000) for food at senior centers in senate district thirty-nine in San Miguel, Torrance, Valencia, Lincoln and Santa Fe counties, provided that the appropriation be expended in fiscal year 2025;					
13) two hundred thousand dollars (\$200,000) to provide materials and operating support for small or rural libraries in senate district thirty-nine in San Miguel, Torrance, Valencia, Lincoln and Santa Fe counties, provided that the appropriation be expended in fiscal year 2025;					
14) one hundred sixty thousand dollars (\$160,000) to the city of Las Vegas for volunteer recruitment, marketing and expansion of one-to-one youth mentoring and community based programs in Las Vegas, Mora and San Miguel counties;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
15) one hundred sixty thousand dollars (\$160,000) to support the city of Espanola Valdez park personnel and other operation costs;					
16) two hundred thousand dollars (\$200,000) to provide community-based services for youth, families and community within Rio Arriba county;					
17) one hundred sixty thousand dollars (\$160,000) to fund general operating expenses, community support programs and maintenance on the Los Vigiles land grant-merced;					
18) two hundred thousand dollars (\$200,000) for operations and programmatic resources of public schools and animal control centers in San Miguel county;					
19) one hundred sixty thousand dollars (\$160,000) to Santa Fe county for homelessness prevention;					
20) one hundred sixty thousand dollars (\$160,000) for Santa Fe county homeless prevention that implements targeted measures to keep individuals at-risk in their homes, utilizing rental assistance and other services tailored to their needs with staff support;					
21) two hundred thousand dollars (\$200,000) for a New Mexico entity for programs within living history museums in Santa Fe county;					
22) one hundred sixty thousand dollars (\$160,000) for funding to support a network of navigators using a closed loop referral system in Santa Fe county to connect people in need with community resources to improve individual and community health outcomes;					
23) one hundred sixty thousand dollars (\$160,000) for senior and homebound meals and meal delivery in Santa Fe county;					
24) four hundred thousand dollars (\$400,000) to contract for a homeless shelter and supportive housing services in Santa Fe;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
25) two hundred thousand dollars (\$200,000) to provide consulting and technical assistance to acequias and community ditches in areas of governance as well as to provide educational guidance to youth in the community;					
26) two hundred thousand dollars (\$200,000) for homelessness prevention that implements targeted measures to keep individuals at-risk in their homes, utilizing rental assistance and services tailored to their needs with staff support;					
27) two hundred thousand dollars (\$200,000) for a program that blends career technical education, career exploration, experiential learning and after-school tutoring across primary and secondary education settings;					
28) two hundred thousand dollars (\$200,000) to advance training and programming [for enchanted circle regional training center] in Taos county; <i>LINE ITEM VETO</i>					
29) one hundred sixty thousand dollars (\$160,000) for marketing and to expand evidence-based one-to-one youth mentoring services to schools and communities in Taos and Taos county; and					
30) two hundred thousand dollars (\$200,000) to contract for the transfer of footprint water rights for the Taos valley acequia association.					
(i) for the Northwest New Mexico Council of Governments					
1) two hundred thousand dollars (\$200,000) for programmatic costs and resources for Cibola county sheriff's department;					
2) two hundred thousand dollars (\$200,000) for sexual assault services in Grants;					
3) three hundred twenty thousand dollars (\$320,000) to support program services for parks in the village of Milan;					
4) four hundred eighty thousand dollars (\$480,000) to support health care and hospital services program services, resources and equipment in McKinley county;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
5) two hundred thousand dollars (\$200,000) for programmatic costs and resources for McKinley county sheriff's department;					
6) one hundred sixty thousand dollars (\$160,000) to support program services and resources for the bi-county fair in McKinley and Cibola counties;					
7) four hundred eighty thousand dollars (\$480,000) to fund behavioral health services in San Juan county;					
8) one hundred sixty thousand dollars (\$160,000) to provide programmatic resources the city of Bloomfield public library and reading and literacy;					
9) five hundred thousand dollars (\$500,000) for San Juan county behavioral health services;					
10) two hundred thousand dollars (\$200,000) for mental health teletherapy at San Juan college;					
11) one hundred sixty thousand dollars (\$160,000) for behavioral health program services and resources in San Juan county;					
12) four hundred eighty thousand dollars (\$480,000) to fund behavioral health services in San Juan county; and					
13) three hundred thousand dollars (\$300,000) for San Juan county truancy court.					
(j) for the South Central Council of Governments					
1) one hundred sixty thousand dollars (\$160,000) for programmatic costs, resources and services for the county of Catron;					
2) two hundred thousand dollars (\$200,000) to city of Las Cruces for domestic violence victim assistance;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
3) two hundred thousand dollars		(\$200,000)	to city of Las Cruces		for sexual assault services;
4) two hundred thousand dollars		(\$200,000)	to Dona Ana county,		for food delivery for home-bound residents of north Dona Ana county;
5) two hundred forty thousand dollars		(\$240,000)	to provide technical assistance and grant writing services to rural communities in southern Dona Ana county;		
6) two hundred thousand dollars		(\$200,000)	for programmatic costs and resources for student training and engagement in the Las Cruces school district;		
7) two hundred thousand dollars		(\$200,000)	to provide permanent supportive housing to families experiencing homelessness in Las Cruces and Dona Ana county;		
8) two hundred thousand dollars		(\$200,000)	to provide support and training to young entrepreneurs in Las Cruces and Dona Ana county;		
9) two hundred thousand dollars		(\$200,000)	for programmatic costs and resources for law enforcement departments in Sierra county and the city of Truth or Consequences;		
10) four hundred thousand dollars		(\$400,000)	for programmatic costs and resources for the Socorro county sheriff's office;		
11) one hundred sixty thousand dollars		(\$160,000)	for programmatic costs, resources and services for the village of Magdalena;		
12) two hundred thousand dollars		(\$200,000)	for licensed behavioral health providers to serve as a student support coordinator and student support specialist; and		
13) two hundred thousand dollars		(\$200,000)	for programmatic and law enforcement costs and resources for the city of Belen.		

(k) for the Southeastern New Mexico Economic Development District

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
1) two hundred thousand dollars (\$200,000) to support one-to-one youth mentoring in Chaves county;					
2) four hundred thousand dollars (\$400,000) for programmatic costs and resources for Chaves county sheriff's office;					
3) one hundred sixty thousand dollars (\$160,000) for Chaves county sheriff department programmatic costs and resources to support law enforcement and provide emergency services;					
4) two hundred thousand dollars (\$200,000) for programmatic costs and resources for Roswell police department;					
5) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for the city of Roswell to support law enforcement and emergency services;					
6) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for the city of Clovis to support law enforcement and emergency services;					
7) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for the Eddy county sheriff's office for emergency services and development of a k-9 unit;					
8) three hundred twenty thousand dollars (\$320,000) for programmatic operational costs and resources for the city of Hobbs;					
9) one hundred sixty thousand dollars (\$160,000) for programmatic, operational costs and resources for senior centers in Hobbs and Lovington;					
10) two hundred thousand dollars (\$200,000) to provide education and prevention information through holistic care by providing trauma-informed services and resources for survivors of sexual assault, domestic violence, strangulation, child injury, stalking and human trafficking in Lea county;					
11) two hundred thousand dollars (\$200,000) for programmatic costs and resources for a shelter for victims of domestic violence in Lincoln county;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
12) three hundred twenty thousand dollars (\$320,000) for programmatic operational costs and resources for a recreational therapeutic program for veterans and first responders in Lincoln county;					
13) two hundred thousand dollars (\$200,000) for programmatic costs and resources for Ruidoso Downs police department;					
14) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources to empower veterans and first responders through recreational therapy programs suffering from post-traumatic stress disorder, military sexual trauma, or traumatic brain injury by connecting participants with nature and animals in Lincoln county;					
15) two hundred thousand dollars (\$200,000) for programmatic operational costs and resources for agricultural education programs in Clovis, Texico, Portales, Dora, Elida, Floyd, Tatum, Fort Sumner, Roswell Goddard high school and Roswell high school;					
16) four hundred thousand dollars (\$400,000) for programmatic operational costs and resources for emergency services in Clovis, Portales, Roswell and Curry and Chaves counties;					
17) two hundred thousand dollars (\$200,000) for programmatic operational costs and resources for abused and neglected children and their families in the court system in Eddy and Lea counties;					
18) two hundred thousand dollars (\$200,000) for safety and security integration resources along rural highways in Eddy and Lea counties;					
19) one hundred sixty thousand dollars (\$160,000) for Eddy and Lea county fire departments programmatic and operational costs to provide emergency services;					
20) one hundred sixty thousand dollars (\$160,000) for programmatic costs, resources and services for natural resources program development;					
21) one hundred sixty thousand dollars (\$160,000) for historical programmatic costs and resources including archiving, operations, records and curating of exhibit materials in southeastern New Mexico;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
22) three hundred twenty thousand dollars (\$320,000) for programmatic costs and resources to provide technical services and community capacity building including grant writing, grant management, strategic planning, training and economic development in Eddy, Lea, Eunice, Jal, Otis, Carlsbad and Malaga;					
23) two hundred thousand dollars (\$200,000) for the programmatic costs and resources for a center of performing arts that provides creative learning experiences in Otero county;					
24) two hundred thousand dollars (\$200,000) for programmatic costs and resources for a domestic abuse treatment center in Otero county;					
25) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for the Otero county sheriff's office for emergency services;					
26) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for the city of Portales to support law enforcement and emergency services;					
27) two hundred thousand dollars (\$200,000) for programmatic costs and resources for a fentanyl and dangerous drug task force; and					
28) two hundred thousand dollars (\$200,000) for programmatic costs and resources for an oil field theft task force.					
(1) for the Southwest New Mexico Council of Governments					
1) two hundred thousand dollars (\$200,000) to contract for a bicycle race to promote outdoor recreation and tourism in Silver City;					
2) two hundred thousand dollars (\$200,000) for art and cultural programs in Grant, Hidalgo and Luna counties;					
3) two hundred thousand dollars (\$200,000) for food security programs in Grant, Hidalgo and Luna counties;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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4) two hundred thousand dollars (\$200,000) to provide for health, well-being and senior needs in Grant, Hidalgo and Luna counties;

5) one hundred sixty thousand dollars (\$160,000) for programmatic costs, for homeless needs in Luna and Hidalgo counties;

6) one hundred sixty thousand dollars (\$160,000) for programmatic costs for senior citizens and community health programs in Hidalgo and Luna counties; and

7) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for library services, education services and social health programs for domestic violence and sexual assault in Grant, Hidalgo and Catron counties.

(9) to the State Treasurer

(a) one hundred sixty thousand dollars (\$160,000) to develop a coalition to study the baby bonds program as seen in Connecticut and its impact on New Mexico's families; also, for outreach and financial literacy; sugar, temperature, airway, blood pressure, lab work and emotional support; and women empowerment economic programs.

(10) to the Tourism Department

(a) two million dollars (\$2,000,000) for a marketing campaign for litter pick up and beautification; and

(b) one hundred sixty thousand dollars (\$160,000) for national marketing and existing special advertising.

(11) to the Economic Development Department

(a) one hundred sixty thousand dollars (\$160,000) to implement a program providing New Mexicans with skills-based workforce development in New Mexico's space industry; and

(b) two hundred thousand dollars (\$200,000) for healthy food financing initiatives.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(12) to the Cultural Affairs Department

(a) two hundred thousand dollars (\$200,000) for exhibits, seasonal youth education activities to support cultural and dramatic presentations at the national Hispanic cultural center;

(b) one hundred sixty thousand dollars (\$160,000) to the department of cultural affairs to grow their partnership with the northern Rio Grande for economic development at the Los Luceros historic site;

(c) two hundred thousand dollars (\$200,000) for marketing and public relations for the museum of New Mexico;

(d) four hundred thousand dollars (\$400,000) for programmatic costs and resources at the New Mexico museum of space history; and

(e) one hundred sixty thousand dollars (\$160,000) for a feasibility study for national museum of new deal art.

(13) to the Office Of The State Engineer

(a) two hundred thousand dollars (\$200,000) to implement the 2019 Water Data Act within the state engineer's office; and

(b) one hundred sixty thousand dollars (\$160,000) for water planning and management statewide.

(14) to the Commission For Deaf And Hard-of-hearing Persons

(a) two hundred thousand dollars (\$200,000) for contracts for deaf and deaf-blind support service provider programs.

(15) to the Indian Affairs Department

(a) two hundred forty thousand dollars (\$240,000) for the pueblo of Isleta k-12 language center and science, technology, engineering and math enrichment program;

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(b) one hundred sixty thousand dollars (\$160,000) to provide native families positive pathways to health and wellness that provides year round family wellness with access to traditional and cultural teachings;

(c) one hundred sixty thousand dollars (\$160,000) to support clinics in Shiprock to deliver dental and orthodontic services and braces;

(d) two hundred thousand dollars (\$200,000) for pueblo of Jemez education department language immersion and cultural education programs and activities;

(e) one hundred sixty thousand dollars (\$160,000) to provide youth leadership programs, internships, mentorships and enrichment programs; and to provide community institutes to tribes to develop programs, policies, assessments, evaluation, budget blueprints and teacher education and training;

(f) two hundred forty thousand dollars (\$240,000) to Santa Fe Indian school leadership institute to provide youth leadership, internships and enrichment programs and for the community institutes to provide technical assistance to tribes to develop education programs, policies, protocols, assessment, evaluation, budget, blueprints and teacher education programs;

(g) two hundred thousand dollars (\$200,000) for indigenous centers serving tribal community members; and

(h) two hundred thousand dollars (\$200,000) to expand indigenous youth council activities to include a youth conference.

(16) to the Aging And Long-term Services Department

(a) one hundred sixty thousand dollars (\$160,000) for the Dona Ana county senior meal program.

(17) to the Health Care Authority Department

(a) one hundred sixty thousand dollars (\$160,000) to increase capacity statewide among prevention treatment providers, behavioral health associations to prevent and reduce alcohol-related deaths and injury in the state.

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(18) to the Workforce Solutions Department

(a) two hundred thousand dollars (\$200,000) for the local news fellowship program.

(19) to the Developmental Disabilities Planning Council

(a) one hundred sixty thousand dollars (\$160,000) for projects to expand alternatives to guardianship.

(20) to the Department of Health

(a) one hundred sixty thousand dollars (\$160,000) for health councils serving Harding, Quay, Union and Colfax counties;

(b) two million dollars (\$2,000,000) to proceed with the federal food and drug administration drug importation application process;

(c) two hundred thousand dollars (\$200,000) for a public health program for youth and teen mental health education and awareness, suicide prevention classes and professional development training for adults working with children, including rural and frontier areas lacking access to mental health education and training programming;

(d) two hundred thousand dollars (\$200,000) to the office of school and adolescent health for a program that provides youth development, leadership skills and media production;

(e) one million two hundred forty thousand dollars (\$1,240,000) for statewide dance program to be provided in public schools for low-income at-risk youth; and

(f) two hundred thousand dollars (\$200,000) to contract with a program that provides youth development to reduce risk factors and promote resiliency through programming for youth who are trained in leadership development, media production, narrative strategy, civic engagement and early childhood development.

(21) to the Department Of Environment

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(a) two hundred forty thousand dollars (\$240,000) to convene a professionally facilitated working group to work with stakeholders to develop legislative and regulatory recommendations requiring regulated utilities to reduce methane emissions in operations and related to the fuel purchase.

(22) to the Veterans' Services Department

(a) two hundred thousand dollars (\$200,000) to contract for suicide and mental health services for veterans; and

(b) two hundred thousand dollars (\$200,000) for the development of a programmatic roadmap with recommended network design, timeline, milestones and other relevant information needed to inform the implementation of a state-wide coordinated care network for veterans, service members and their families, in consultation with veteran-serving organizations.

(23) to the Children, Youth And Families Department

(a) two hundred thousand dollars (\$200,000) for San Juan county childrens' emergency shelter and advocacy center;

(b) eight hundred thousand dollars (\$800,000) for the children's trust fund;

(c) two hundred thousand dollars (\$200,000) to provide support to domestic violence victims related to housing and caring for survivors' pets and to provide crisis sheltering;

(d) one hundred sixty thousand dollars (\$160,000) for contracts for child advocacy services for victims of child abuse;

(e) one hundred sixty thousand dollars (\$160,000) for animal domestic violence funding to continued funding programs working to provide and support temporary safe havens for animals of domestic violence victims;

(f) two million dollars (\$2,000,000) for personnel costs in the protective services program;
and

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(g) two hundred thousand dollars (\$200,000) to contract for programming and resources for intimate partner violence intervention programs in Taos county.

(24) to the Crime Victims Reparation Commission

(a) two hundred forty thousand dollars (\$240,000) for crime victim reimbursements;

(b) one million one hundred twenty thousand dollars (\$1,120,000) for statewide sexual assault services; and

(c) three hundred twenty thousand dollars (\$320,000) to provide services to victims of sexual violence.

(25) to the Department Of Public Safety

(a) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for border security for New Mexico state police in Grant, Hidalgo, Luna and Dona Ana counties;

(b) one hundred sixty thousand dollars (\$160,000) for programmatic costs and resources for the New Mexico state police in Grant, Hidalgo, Luna and Dona Ana counties;

(c) one hundred sixty thousand dollars (\$160,000) for New Mexico law enforcement academy audio visual upgrades and classroom furniture; and

(d) two hundred thousand dollars (\$200,000) for programmatic operational costs and resources for the implementation of statewide training concerning human trafficking and human smuggling.

(26) to the Department Of Transportation

(a) six hundred thousand dollars (\$600,000) to study insurance level requirements regarding drivers subject to the ignition interlock system and to study reduction of forms used for persons who have driven under the influence of alcohol or drugs.

(27) to the Public Education Department

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(a) four million dollars (\$4,000,000) for school turnaround pilot projects in Albuquerque public schools;					
(b) one hundred sixty thousand dollars (\$160,000) for before and after school programing for middle schools in Albuquerque public schools;					
(c) two hundred thousand dollars (\$200,000) for aviation career technical education in Las Cruces school district;					
(d) three hundred twenty thousand dollars (\$320,000) for programmatic, operational and resources for the Las Cruces public schools community centers to provide referral and delivery of services necessary for individuals and families to survive and thrive; also to deliver evidence-based parenting programs for those raising infants through young adults, train interns in preventing and addressing childhood trauma, and establish collaborative protocols for effective referrals and case management across agencies;					
(e) four hundred thousand dollars (\$400,000) for the family support center in Las Cruces school district;					
(f) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for Cobre consolidated school district and Silver consolidated schools in Grant county;					
(g) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for Hobbs public schools;					
(h) one hundred sixty thousand dollars (\$160,000) for programmatic, operational costs and resources for Hobbs municipal schools and Lovington municipal schools career technical education;					
(i) one hundred sixty thousand dollars (\$160,000) for program services and resources for the science, technology, engineering and math program at Gallup-McKinley county school district;					
(j) two hundred thousand dollars (\$200,000) for use in programmatic costs and resources for career and technical education programs in Hobbs high school, Lovington high school and Carlsbad high school;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(k) one hundred sixty thousand dollars (\$160,000) for programmatic support for the growth and continued development of the Aztec municipal school district work based learning and postsecondary career readiness program;					
(l) one hundred sixty thousand dollars (\$160,000) to the sixth through eighth grade middle school for student support programs and activities lead by a social worker and counselor, at ask academy state public charter school;					
(m) four hundred thousand dollars (\$400,000) to Rio Rancho public schools for math programs to include labs;					
(n) one hundred sixty thousand dollars (\$160,000) for school-based inclusion programs that foster one-to-one friendships between students with and without intellectual developmental disabilities; and					
(o) two hundred thousand dollars (\$200,000) to address learning gaps utilizing free structured literacy tutoring using evidence-based literacy interventions firmly grounded in the science of reading.					
(28) to the Higher Education Department					
(a) two hundred thousand dollars (\$200,000) for programmatic costs and resources for career and technical education programs in New Mexico junior college and southeast New Mexico college;					
(b) two hundred thousand dollars (\$200,000) for tribal college teacher licensure and preparation program in the northwest region;					
(c) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for the New Mexico state university-Alamogordo nursing program;					
(d) two hundred thousand dollars (\$200,000) for technology resources for students of San Juan college;					
(e) two hundred thousand dollars (\$200,000) for start up and operating costs of [ksfr Santa Fe] radio station at Santa Fe community college; and <i>LINE ITEM VETO</i>					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(f) one hundred sixty thousand dollars (\$160,000) for scholarships for graduate level social work students [and curriculum and instructional development] at New Mexico highlands university. <i>LINE ITEM VETO</i>					
(29) to the Board Of Regents Of The University Of New Mexico					
(a) one hundred sixty thousand dollars (\$160,000) for university of New Mexico health sciences centers cerebral cavernous angioma initiative and to provide services for outreach and deoxyribonucleic acid testing for affected individuals;					
(b) one hundred sixty thousand dollars (\$160,000) to the university of New Mexico health sciences center for the cerebral cavernous angioma initiative;					
(c) one hundred sixty thousand dollars (\$160,000) to support program services and resources at the university of New Mexico-Gallup;					
(d) two hundred thousand dollars (\$200,000) for career and technical educational programming and resources at Los Alamos and Taos campuses;					
(e) one hundred sixty thousand dollars (\$160,000) to support technical career education programs, and immigrant families with bilingual general educational development, English as a second language, citizenship and job training;					
(f) one hundred sixty thousand dollars (\$160,000) to support educational programs for empowering the next generation of architects, planners and landscape architects through meaningful community engagement and social justice approaches;					
(g) two hundred thousand dollars (\$200,000) for expansion of leadership, mentoring and holistic student support activities for the American Indian student services ambassador program;					
(h) one hundred sixty thousand dollars (\$160,000) to the board of regents to address mental health[, nutrition, travel, health and wellness with expanded programmatic resources] for student-athletes within university of New Mexico athletics; <i>LINE ITEM VETO</i>					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(i) three hundred twenty thousand dollars (\$320,000) to the board of regents of the university of New Mexico to address mental health [~~nutrition, travel, health and wellness with expanded programmatic resources~~] for student athletes within university of New Mexico athletics and Title IX; *LINE ITEM VETO*

(j) two hundred thousand dollars (\$200,000) to support [~~new operating program costs related to projects managed in~~] the chicana and chicano studies department; *LINE ITEM VETO*

(k) three hundred twenty thousand dollars (\$320,000) to support [~~operating and program costs related to pilot projects managed by~~] the department of chicana and chicano studies; *LINE ITEM VETO*

(l) two hundred thousand dollars (\$200,000) to the board of regents for the department of architecture and planning for research and programs;

(m) one hundred sixty thousand dollars (\$160,000) to the department of chemical and biological engineering nanoscience and nanomedicine lab for research combating cancer through development of nanoparticle delivery agents and silica-based cancer vaccines, including research assistantships and programmatic support and resources.;

(n) two hundred thousand dollars (\$200,000) to the board of regents for student support programs at university health sciences;

(o) two hundred thousand dollars (\$200,000) to the board of regents for the health sciences center office of diversity, equity and inclusion for Spanish language health sciences curriculum development and implementation to enhance the medical Spanish education program for students in the health sciences center;

(p) one hundred sixty thousand dollars (\$160,000) for the natural heritage New Mexico database;

(q) two hundred thousand dollars (\$200,000) to the board of regents to address mental health [~~nutrition, travel, health, and wellness with expanded programmatic resources~~] for student athletes and for health science centers cerebral cavernous initiative providing services such as outreach and deoxyribonucleic acid testing for affected individuals; *LINE ITEM VETO*

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(r) two hundred thousand dollars (\$200,000) to study new and innovative approaches to post traumatic stress disorder, depression, addiction and end of life care through the use of psychedelic-assisted therapies;

(s) eight hundred thousand dollars (\$800,000) to the board of regents [~~for student-athlete wellness, career preparation and Title IX support~~] to address mental health[, ~~nutrition, travel, health and wellness with expanded programmatic resources~~] for student-athletes; *LINE ITEM VETO*

(t) eight hundred thousand dollars (\$800,000) to the board of regents to address mental health[, ~~nutrition, travel, health and wellness with expanded programmatic resources~~] for student-athletes; *LINE ITEM VETO*

(u) one hundred sixty thousand dollars (\$160,000) to support university of New Mexico athletics student-athlete wellness, career preparation and Title IX support;

(v) eight hundred thousand dollars (\$800,000) for a student mentoring program to provide government training for high school students and minority student services;

(w) one hundred sixty thousand dollars (\$160,000) for operations[, ~~salaries, benefits~~] and supplies to equip, operate and supervise the Carlos Cisneros and Healy foundation acequia and land grant archives at university of New Mexico Taos; and *LINE ITEM VETO*

(x) one hundred sixty thousand dollars (\$160,000) to provide workforce solutions for technical education and certificate programs in hard to fill occupations at university of New Mexico-Valencia for high demand career and technical fields.

(30) to the Board Of Regents Of New Mexico State University

(a) one hundred sixty thousand dollars (\$160,000) for Roswell early college high school programmatic operational costs for career future farmers of America development events and leadership development;

(b) one hundred sixty thousand dollars (\$160,000) for career technical education programs on the New Mexico state university Grants campus;

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(c) two hundred forty thousand dollars (\$240,000) for workforce training programs at New Mexico state university city of Grants branch;

(d) one hundred sixty thousand dollars (\$160,000) for the development of agricultural programs for the New Mexico state university Artesia agriculture science research center;

(e) one hundred sixty thousand dollars (\$160,000) for programmatic, operational costs and resources in Lea county for kids and teens to complete hands-on projects in areas like health, science, agriculture and civic engagement in a positive environment where they receive guidance from adult mentors and are encouraged to take on proactive leadership roles;

(f) two hundred thousand dollars (\$200,000) for cooperative extension service to support programmatic costs and resources for agricultural education programs in San Miguel, Torrance, Valencia, Lincoln and Santa Fe counties, provided that the appropriation be expended in fiscal year 2025;

(g) four hundred thousand dollars (\$400,000) for operations and programmatic cost and resources at agricultural science centers in Clovis, Tucumcari and Clayton;

(h) two hundred thousand dollars (\$200,000) to the New Mexico department of agriculture for agricultural youth education and leadership programs in Sierra, Socorro, Catron, Eddy and Dona Ana counties;

(i) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for agricultural education youth programs in Chaves and northern Eddy county in Roswell, Dexter, Hagerman, Lake Arthur, early college high school and Artesia;

(j) one hundred sixty thousand dollars (\$160,000) for programmatic operational costs and resources for cooperative agricultural extension services for youth programs in Cloudcroft, Capitan, Carrizozo, Corona, Hondo and Mescalero;

(k) one hundred sixty thousand dollars (\$160,000) for programmatic costs, resources and services for Chaves and Eddy county for kids and teens to complete hands- on projects in areas like health, science, agriculture and civic engagement in a positive environment where they receive guidance from adult mentors and are encouraged to take on proactive leadership roles;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(l) one hundred sixty thousand dollars (\$160,000) for Lea, Chaves and Eddy counties programmatic costs and resources for the purpose of leadership and careers in the science, business and technology of agriculture;					
(m) one hundred sixty thousand dollars (\$160,000) for Alamogordo campus police department programmatic operational costs and resources to support law enforcement and emergency services;					
(n) two hundred thousand dollars (\$200,000) for programmatic costs and resources for the nursing program at the Alamogordo campus;					
(o) four hundred thousand dollars (\$400,000) for operations and programmatic cost and resources for agricultural science centers statewide;					
(p) one hundred sixty thousand dollars (\$160,000) for the city of Farmington agricultural science center to support the vinicultural research;					
(q) one hundred sixty thousand dollars (\$160,000) to provide agricultural youth education and leadership programs statewide;					
(r) five hundred thousand dollars (\$500,000) to the Anna Age Eight Institute of New Mexico State University to convene a task force to identify communities' needs for clinical and non-clinical services and supports for children and families at-risk for systems involvement, make recommendations for service arrays to address those needs and to develop a comprehensive trauma-informed child and family services system blueprint;					
(s) one hundred sixty thousand dollars (\$160,000) for the college assistant migrant program;					
(t) one hundred sixty thousand dollars (\$160,000) to provide funding to the nutrition enhancement program for student athletes to ensure they are meeting their needs to achieve their body composition;					
(u) two hundred thousand dollars (\$200,000) for athletics;					
(v) two hundred thousand dollars (\$200,000) to support educational television programming;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(w) two hundred thousand dollars (\$200,000) to the college of agricultural consumer and environmental sciences to contract for an enologist;

(x) one hundred sixty thousand dollars (\$160,000) for collaboration with industry, government and academic partners to develop and implement student fellowships and scholarships programs; interdisciplinary space-related research infrastructure, education and public service programs; and cooperative initiatives;

(y) two hundred thousand dollars (\$200,000) to support colonias statewide;

(z) one hundred sixty thousand dollars (\$160,000) to expand New Mexico state university for science, technology, engineering and math outreach center and expansion of science, technology and math technology labs statewide;

(aa) four hundred thousand dollars (\$400,000) for the New Mexico state university water resources research institute;

(bb) two hundred thousand dollars (\$200,000) to the college of agricultural consumer and environmental sciences for a windmill technician certification program statewide;

(cc) one hundred sixty thousand dollars (\$160,000) for the New Mexico state university women's athletic programs;

(dd) four hundred thousand dollars (\$400,000) for programmatic costs and resources for women's athletics; and

(ee) one hundred sixty thousand dollars (\$160,000) for the Los Lunas agricultural science center reforestation and revegetation programs to support areas affected by wildfires.

(31) to the Board Of Regents Of Eastern New Mexico University

(a) one hundred sixty thousand dollars (\$160,000) for operational, programmatic costs and resources for the eastern New Mexico university Roswell agricultural program; and

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(b) two hundred thousand dollars (\$200,000) for programmatic operational costs and resources for Portales and Roswell campuses.

(32) to the Board Of Regents Of New Mexico Institute Of Mining And Technology

(a) one hundred sixty thousand dollars (\$160,000) to conduct hydrogeologic mapping and characterization of aquifers in Rio Arriba county;

(b) four hundred eighty thousand dollars (\$480,000) to New Mexico institute of mining and technology for complex additive system analysis to analyze and report on current data systems, data governance structures and data management protocols;

(c) one hundred sixty thousand dollars (\$160,000) to the department of chemical engineering for graduate and undergraduate student research assistantships and for research programmatic support and resources;

(d) one hundred sixty thousand dollars (\$160,000) for the science and engineering fair; and

(e) one hundred sixty thousand dollars (\$160,000) for a student retention pilot project.

(33) to Board of Regents of Northern New Mexico College

(a) one hundred sixty thousand dollars (\$160,000) to support retention and recruitment at northern New Mexico college.

(34) to Central New Mexico Community College

(a) one hundred sixty thousand dollars (\$160,000) to create a digital platform of seniors fifty plus to connect seniors with community, employment and learning opportunities at central New Mexico community college; and

(b) one hundred sixty thousand dollars (\$160,000) for structured literacy initiatives at central New Mexico community college.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
<p>E. Four million four hundred thousand dollars (\$4,400,000) is appropriated from the government results and opportunity program fund to the department of finance and administration for fiscal year 2025 and fiscal year 2026 for costs to administer appropriations to local governments in this section by regional economic development organizations including five hundred thousand dollars (\$500,000) for the northwest New Mexico council of governments, six hundred thousand dollars (\$600,000) for the north central New Mexico economic development district, one million one hundred thousand dollars (\$1,100,000) for the mid-region council of governments, four hundred thousand dollars (\$400,000) for the eastern plains council of government, four hundred thousand dollars (\$400,000) for the southwest New Mexico council of governments, eight hundred thousand dollars (\$800,000) for the southeastern New Mexico economic development district and six hundred thousand dollars (\$600,000) for the south central New Mexico council of governments.</p>					
TOTAL GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST		319,287.5	1,312.5		320,600.0

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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
<p>Section 10. FUND TRANSFERS.--The following amounts are transferred in fiscal year 2025 from the general fund or other funds as indicated for the purposes specified.</p>					
(1) EMERGENCY MEDICAL SERVICES FUND	11,000.0				11,000.0
<p>The general fund transfer is in fiscal year 2025 and is contingent on enactment of Senate Bill 151 or similar legislation of the second session of the fifty-sixth legislature creating the fund.</p>					
(2) GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST FUND	512,200.0				512,200.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
The general fund transfer is in fiscal year 2025. The general fund transfer is contingent on enactment of House Bill 196 or similar legislation of the second session of the fifty-sixth legislature creating a government results and opportunity expendable trust and program fund and providing for the distribution of the trust fund.					
(3) GOVERNMENT RESULTS AND OPPORTUNITY PROGRAM FUND	325,800.0				325,800.0
The general fund transfer is in fiscal year 2025. The general fund transfer is contingent on enactment of House Bill 196 or similar legislation of the second session of the fifty-sixth legislature creating a government results and opportunity expendable trust and program fund and providing for the distribution of the trust fund.					
(4) NEW MEXICO HOUSING TRUST FUND	50,000.0				50,000.0
The general fund transfer is in fiscal year 2025 for the New Mexico mortgage finance authority to carry out the provisions of the Affordable Housing Act to acquire, build and rehabilitate affordable housing for people statewide, including those with behavioral health needs and victims of domestic violence.					
(5) CONSERVATION LEGACY PERMANENT FUND	300,000.0				300,000.0
The general fund transfer is in fiscal year 2025.					
(6) MAGISTRATE COURT WARRANT ENFORCEMENT FUND		884.0			884.0
The other state funds transfer is in fiscal year 2025 from balances held by the administrative office of the courts from distributions of the water project fund for water rights adjudications pursuant to Section 7-4A-9 NMSA 1978.					
(7) WATER TRUST FUND	50,000.0				50,000.0
The general fund transfer is in fiscal year 2025.					
(8) PUBLIC LIABILITY FUND	20,000.0				20,000.0

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
The general fund transfer is in fiscal year 2025.					
(9) OPIOID CRISIS RECOVERY FUND			12,700.0		12,700.0
The internal service funds/interagency transfers transfer is in fiscal year 2024 from the opioid settlement restricted fund.					
(10) WORKFORCE DEVELOPMENT AND APPRENTICESHIP TRUST FUND	30,000.0				30,000.0
The general fund transfer is in fiscal year 2025. The transfer is contingent on enactment of House Bill 5 or similar legislation of the second session of the fifty-sixth legislature creating the fund.					
(11) TEACHER LOAN REPAYMENT FUND	5,000.0				5,000.0
The general fund transfer is in fiscal year 2024.					
TOTAL FUND TRANSFERS	1,304,000.0	884.0	12,700.0		1,317,584.0

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<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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Section 11. **SPECIAL TRANSPORTATION APPROPRIATIONS.**--The following amounts are appropriated from the general fund to the department of transportation for the purposes specified. Unless otherwise indicated, the appropriation may be expended in fiscal year 2024 and subsequent fiscal years. Unexpended balances of the appropriations remaining at the end of fiscal year 2027 shall revert to the general fund.

(1) DEPARTMENT OF TRANSPORTATION	5,000.0				5,000.0
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For the wildlife corridors fund.

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
(2) DEPARTMENT OF TRANSPORTATION	10,000.0				10,000.0

For roadway beautification and litter control [~~with no less than three million dollars (\$3,000,000) for contracting with disadvantaged business enterprises as defined in Part 26 of Subtitle A of Title 49 of the code of federal regulations~~]. *LINE ITEM VETO*

(3) DEPARTMENT OF TRANSPORTATION	70,000.0				70,000.0
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For acquisition of rights-of-way, planning, design, field supplies, roadway preservation, roadway rehabilitation, preventive maintenance, roadway maintenance, reconstruction or new construction and to match other state funds and federal funds for projects, with priority given to projects that leverage federal funds. Appropriations made in this section may be used in fiscal year 2025 through fiscal year 2027 for projects including for New Mexico highway 404 between New Mexico highway 460 and New Mexico highway 213 in transportation district one; for New Mexico highway 320 in the village of Dona Ana from Barela drive to interstate 25 in transportation district one; for New Mexico highway 267 from mile post 0 to mile post 16 in transportation district two; for New Mexico highway 2 from mile post 0 to mile post 32 in transportation district two; for New Mexico highway 114 between mile post 20 and mile post 28 in transportation district two; for New Mexico highway 203 between mile post 6 and mile post 8 in transportation district two; for New Mexico highway 31 from its intersection with United States highway 285 east to its intersection with New Mexico highway 128 in transportation district two; for local and collector streets in the southwest quadrant of Bernalillo county in transportation district three; for New Mexico highway 448 in transportation district three; for New Mexico 347 in transportation district three; for New Mexico highway 45 in transportation district three; for New Mexico highway 47 in Bernalillo county in transportation district three; for Atrisco Vista boulevard in Bernalillo county in transportation district three; for Paseo del Volcan in Bernalillo county in transportation district three; for New Mexico highway 423 in transportation district three; for Tramway road from the east side of the interstate 25 off ramp to one thousand feet past mile post 3 in transportation district three; to construct a segment of Paseo Del Norte from Unser boulevard to Rainbow boulevard in transportation district three; for New Mexico highway 528 from New Mexico highway 550 to Idalia road in transportation district three; for New Mexico highway 313 from Sandia pueblo and extending three thousand one hundred feet south in transportation district three, including new entrances into a sixty-seven acre subdivision; for New Mexico highway 402 between Clayton and Nara Visa in transportation district four; for New Mexico highway 231 in transportation district four; for pavement rehabilitation on interstate, from mile post 286 to mile post 291 in district four; for New Mexico 91 bridge replacement, mile post 0.68 to mile post 1 in transportation district four; for New Mexico 104 from mile post 5 to mile post 13 in transportation district four; for United States highway 64 between mile post 349.4 and mile post 404 in transportation district four; for construction of a bypass for New Mexico highway 4 around Jemez pueblo in transportation district five; for

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
traffic signals at the intersection of New Mexico highway 68 and New Mexico highway 240 in Taos county in transportation district five; for United States highway 285 in Santa Fe county in transportation district 5; for United States highway 60 in Torrance county in transportation district five; for the intersection of United States highway 64 and Blueberry Hill road in Taos county in transportation district five; for the intersection of United States highway 64 and New Mexico highway 240 in Taos county in transportation district five; for New Mexico highway 68 in Espanola in transportation district five; for New Mexico highway 68 in Taos county in transportation district five; for New Mexico highway 240 in Taos county transportation district five; for New Mexico highway 173 in transportation district five; for New Mexico highway 285; for New Mexico highway 574 between Aztec and La Plata in transportation district five; for New Mexico state road 503 in transportation district five; for rail projects in San Juan county and McKinley county in transportation districts five and six; for a study and engineering to replace exit 63 off of interstate 40 to state road 122 in district six; to replace bridge 8085 in McKinley county in transportation district six.					

(4) DEPARTMENT OF TRANSPORTATION

The period of time for expending the two hundred fifty million dollars (\$250,000,000) appropriated from the general fund in Subsection (1) of Section 9 of Chapter 271 of Laws 2019 for acquisition of rights of way, planning, design and construction and to match federal and other state funds is extended through fiscal year 2025.

(5)	DEPARTMENT OF TRANSPORTATION	120,000.0			120,000.0
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~~For road maintenance statewide [with no less than thirty-six million dollars (\$36,000,000) for contracting with disadvantaged business enterprises as defined in Part 26 of Subtitle A of Title 49 of the code of federal regulations].~~ *LINE ITEM VETO*

(6)	DEPARTMENT OF TRANSPORTATION	15,000.0			15,000.0
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For rural air service enhancement.

	TOTAL SPECIAL TRANSPORTATION APPROPRIATIONS	220,000.0			220,000.0
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Item	General Fund	Other State Funds	Intrnl Svc Funds/Inter- Agency Trnsf	Federal Funds	Total/Target
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Chapter 69 Section 12 Laws 2024

Section 12. **ADDITIONAL FISCAL YEAR 2024 BUDGET ADJUSTMENT AUTHORITY.**--During fiscal year 2024, subject to review and approval by the department of finance and administration, pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, in addition to the budget adjustment authority in the General Appropriation Act of 2023:

A. the ninth judicial district court may request budget increases up to forty-five thousand dollars (\$45,000) from internal service funds/interagency transfers or other state funds for treatment courts in Curry and Roosevelt counties;

B. the risk management program of the general services department may request budget increases up to fifteen million dollars (\$15,000,000) from other state funds from the public liability fund for unanticipated claims expenses;

C. the state personnel office may request budget increases up to one hundred thousand dollars (\$100,000) from internal service funds/interagency transfers for human resources shared services;

D. the state treasurer may request budget increases up to three hundred fifty thousand dollars (\$350,000) from other state funds collected from participating governments investing in the local government investment pool for operating expenses in connection with the local government investment pool;

E. the state ethics commission may request budget increases up to thirty thousand dollars (\$30,000) from other state funds received from court-ordered judgments or sanctions and settlement payments related to commission-authorized civil actions for operating expenses;

F. the state ethics commission may request budget increases up to five thousand dollars (\$5,000) from other state funds received from New Mexico state university cooperative extension service for services provided by the state ethics commission;

G. the racing commission may request budget increases [~~up to five hundred thousand dollars (\$500,000)~~] from the exercise rider and jockey insurance fund [~~balance~~] for federal Horseracing Integrity and Safety Act assessment fees and [~~other~~] insurance payments [~~to federal regulators~~]; *LINE ITEM VETO*

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
H. the cultural affairs department may request program transfers up to five hundred thousand dollars (\$500,000) between programs and the museum and historic sites program of the cultural affairs department may request budget increases up to one million five hundred thousand dollars (\$1,500,000) from other state funds for personal services and employee benefits;					
I. the state land office may request budget increases from other state funds to utilize bond recovery proceeds held in suspense to perform related remediation and reclamation work, may request budget increases up to five million dollars (\$5,000,000) from the state trust lands restoration and remediation fund to address surface damage, remediation of hazardous waste sites and watershed restoration on state trust land and may request up to three million dollars (\$3,000,000) from other state funds or federal funds received from other state agencies for fire-related prevention and response activities;					
J. the commission on the status of women may request budget increases up to twenty thousand dollars (\$20,000) from fund balances for the women's summit;					
K. the family support and intervention program of the early childhood education and care department may request budget increases up to one million five hundred thousand dollars (\$1,500,000) from other state funds to support the families first program;					
L. the aging and long term services department may request budget increases up to five hundred thousand dollars (\$500,000) from the conference on aging fund balance;					
M. the vocational rehabilitation division may request transfers up to two hundred thousand dollars (\$200,000) between the other category and other financing uses category contingent on the inability of the commission for the blind to use federal program income;					
N. the vocational rehabilitation division may request program transfers between the rehabilitation services program and the independent living services program;					
O. the miners' hospital may request budget increases up to eighteen million dollars (\$18,000,000) from the miners' trust fund for hospital and clinic services;					
P. the department of health may request program transfers up to one million four hundred thousand dollars (\$1,400,000) to the laboratory services program for budget shortfalls;					

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
Q. the medical cannabis program of the department of health may request budget increases from internal service funds/interagency transfers and other state funds from the regulation and licensing department to cover contracted expenses incurred for the cannabis tracking database and registry system;					
R. the water protection program of the department of environment may request budget increases up to three hundred fifty thousand dollars (\$350,000) from other state funds and internal service funds/interagency transfers for providing technical or community services, may request budget increases up to the available balance from the wastewater facility construction loan fund, from other state funds and internal service funds/interagency transfers and may request budget increases from other state funds and internal service funds/interagency transfers up to the available balance from the rural infrastructure revolving loan fund;					
S. the office of family representation and advocacy may request budget increases up to one million dollars (\$1,000,000) from internal service funds/interagency transfers from revenue from federal Title IV-E of the Social Security Act reimbursements transferred from the children, youth and families department;					
T. the department of transportation may request budget increases up to thirty-five million dollars (\$35,000,000) from other state funds to meet federal matching requirements for debt services and related costs and for intergovernmental agreements, lawsuits and construction- and maintenance-related costs; and					
U. the student financial aid program of the higher education department may request budget increases up to twenty-six million dollars (\$26,000,000) from other state funds to the legislative lottery tuition fund.					

Chapter 69 Section 13 Laws 2024

Section 13. CERTAIN FISCAL YEAR 2025 BUDGET ADJUSTMENTS AUTHORIZED--

A. As used in this section and Section 12 of the General Appropriation Act of 2024:

(1) "budget category" means an item or an aggregation of related items that represents the object of an appropriation. Budget categories include personal services and employee benefits, contractual services, other and other financing uses;

(2) "budget increase" means an approved increase in expenditures by an agency from a specific source;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(3) "category transfer" means an approved transfer of funds from one budget category to another budget category, provided that a category transfer does not include a transfer of funds between divisions; and

(4) "program transfer" means an approved transfer of funds from one program of an agency to another program of that agency

B. Pursuant to Sections 6-3-23 through 6-3-25 NMSA 1978, those budget adjustments specified in this section are authorized for fiscal year 2025.

C. In addition to the specific category transfers authorized in Subsection E of this section and unless a conflicting category transfer is authorized in Subsection E of this section, all agencies, including legislative agencies, may request category transfers among personal services and employee benefits, contractual services and other.

D. Unless a conflicting budget increase is authorized in Subsection E of this section, a program with internal service funds/interagency transfers appropriations that collects money in excess of those appropriated may request budget increases in an amount not to exceed five percent of its internal service funds/interagency transfers, and a program with other state funds that collects money in excess of those appropriated may request budget increases in an amount not to exceed five percent of its other state funds contained in Section 4 of the General Appropriation Act of 2024. To track the five percent transfer limitation, agencies shall report cumulative budget adjustment request totals on each budget request submitted. The department of finance and administration shall certify agency reporting of these cumulative totals.

E. In addition to the budget authority otherwise provided in the General Appropriation Act of 2024, the following agencies may request specified budget adjustments:

(1) the New Mexico compilation commission may request budget increases from internal service funds/interagency transfers and other state funds for publishing expenses;

(2) the administrative office of the courts may request budget transfers to and from the other financing uses category of the court-appointed special advocate fund;

(3) the judicial district courts may request budget increases of up to twenty thousand dollars (\$20,000) from internal service funds/interagency transfers for the court-appointed special advocate program;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(4) the ninth judicial district court may request budget increases up to forty-five thousand dollars (\$45,000) from internal service funds/interagency transfers for treatment courts in Curry and Roosevelt counties;

(5) the twelfth judicial district court may request budget increases of up to fifteen thousand dollars (\$15,000) from other state funds for operating expenses;

(6) the state investment council may request budget increases from other state funds for investment-related management fees and to meet emergencies or unexpected physical plant failures that might impact the health and safety of workers or visitors to the agency;

(7) the administrative hearings office may request budget increases from other state funds for conducting and adjudicating administrative hearings for other state agencies in amounts not to exceed the amounts actually received from those agencies;

(8) the department of finance and administration may request program transfers up to one million dollars (\$1,000,000) between programs;

(9) the benefits, risk and program support programs of the public school insurance authority may request budget increases from internal service funds/interagency transfers, other state funds and fund balances for additional unexpected claims;

(10) the healthcare benefits administration program of the retiree health care authority may request budget increases from other state funds for claims;

(11) the state printing services program of the general services department may request budget increases up to two hundred fifty thousand dollars (\$250,000) from other state funds;

(12) the educational retirement board may request budget increases from other state funds for investment-related asset management fees, pension administration system program updates, a shortfall in the development of a new office complex and emergencies or unexpected physical plant failures that might impact the health and safety of workers or visitors to the agency;

(13) the New Mexico sentencing commission may request budget increases from fund balances for operating expenses and may request budget increases up to one hundred fifty thousand dollars (\$150,000) from other state funds for operating expenses;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(14) the department of information technology may request budget increases up to two million dollars (\$2,000,000) from other state funds from fund balances for telecommunication, information processing and the statewide human resources, accounting and management reporting system, may request budget increases up to ten percent of internal service funds/interagency transfers and other state funds appropriated in Section 4 of the General Appropriation Act of 2024 to support existing or new services and may request budget increases up to the amount of depreciation expense, as reported in the agency's independent audit of the fiscal year ending June 30, 2024, from fund balances to acquire and replace capital equipment and associated software used to provide enterprise services;

(15) the public employees retirement association may request budget increases from other state funds to pay for investment-related asset management fees and to meet emergencies or unexpected physical plant failures that might impact the health and safety of workers or visitors to an agency;

(16) the state personnel office may request budget increases up to one hundred thousand dollars (\$100,000) from internal service funds/interagency transfers for human resources shared services;

(17) the state treasurer may request budget increases up to three hundred fifty thousand dollars (\$350,000) from other state funds collected from participating governments investing in the local government investment pool for operating expenses in connection with the local government investment pool;

(18) the state ethics commission may request budget increases up to thirty thousand dollars (\$30,000) from other state funds received from court-ordered judgments or sanctions and settlement payments related to commission-authorized civil actions for operating expenses;

(19) the marketing and promotion program of the tourism department may request budget increases up to five million dollars (\$5,000,000) from other state funds from cooperative marketing grant matches and other cooperative opportunities for marketing;

(20) the economic development department may request budget increases up to five million dollars (\$5,000,000) from internal service/interagency transfers and other state funds for economic growth and related support services;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(21) the boards and commissions program of the regulation and licensing department may request additional budget increases in excess of those allowed under Subsection D of this section up to five percent from fees associated with various boards and commissions for operating expenses;

(22) the public regulation commission may request budget increases up to three hundred eighty-three thousand three hundred dollars (\$383,300) from other state funds collected under the Community Solar Act for the administration of the community solar program;

(23) the patient's compensation fund program of the office of superintendent of insurance may request budget increases from patient's compensation fund balances for patient compensation settlements and court-ordered payments;

(24) the New Mexico medical board may request budget increases up to one hundred thousand dollars (\$100,000) from other state funds for the administrative hearing and litigation process;

(25) the racing commission may request budget increases up to six hundred thousand dollars (\$600,000) from the equine testing fund balance for enhancement of the equine testing program;

(26) the racing commission may request budget increases from the exercise rider and jockey insurance fund ~~[balance]~~ for federal Horseracing Integrity and Safety Act assessment fees and ~~[other]~~ insurance payments ~~[to federal regulators]~~; *LINE ITEM VETO*

(27) the board of veterinary medicine may request budget increases up to nine hundred thousand dollars (\$900,000) from the animal care and facility fund for statewide spay and neuter programs;

(28) the cultural affairs department may request budget increases up to seven hundred fifty thousand dollars (\$750,000) from other state funds from the cultural affairs department enterprise fund, the museum and historic sites program of the cultural affairs department may request budget increases up to one million dollars (\$1,000,000) from other state funds, the library services program of the cultural affairs department may request budget increases from other state funds in the rural libraries program fund for rural library grants and the preservation program of the cultural affairs department may request budget increases up to five hundred thousand dollars (\$500,000) from other state funds for archaeological services or historic preservation services;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(29) the livestock board may request program transfers up to one million dollars (\$1,000,000) between programs;

(30) the department of game and fish may request up to five hundred thousand dollars (\$500,000) in other state funds from the game protection fund for emergencies and may request budget increases as a result of revenue received from other agencies for operating and capital expenses;

(31) the energy, minerals and natural resources department may request budget increases from internal service funds/interagency transfers from the department of environment, department of game and fish, homeland security and emergency management department and office of state engineer from federal funds to allow programs to maximize the use of federal grants, the state parks program of the energy, minerals and natural resources department may request budget increases from internal service funds/interagency transfers from the department of transportation, New Mexico youth conservation corps, tourism department, economic development department and department of game and fish from funds related to projects approved by the Rio Grande trail commission, the oil and gas conservation program of the energy, minerals and natural resources department may request budget increases from internal service funds/interagency transfers from the department of environment for the water quality program, may request budget increases from internal service funds/interagency transfers, other state funds and fund balances from the Carlsbad brine well remediation fund for the continued remediation of the Carlsbad brine well and may request budget increases from the oil conservation division systems and hearing fund to support the construction of the hearing room at the Wendell Chino building; the healthy forests program of the energy, minerals and natural resources department may request budget increases from internal service funds/interagency transfers from the New Mexico youth conservation corps fund for projects approved by the New Mexico youth conservation corps commission, may request budget increases up to fifty thousand dollars (\$50,000) from other state funds for the inmate work camp program and may request budget increases from the forest land protection fund to support watershed restoration work statewide, the energy conservation and management program of the energy, minerals and natural resources department may request budget increases from internal service funds/interagency transfers and other state funds for project implementation from the energy efficiency assessment revolving fund and the community efficiency development block grant fund and the mining and minerals program of the energy, minerals and natural resources department may request budget increases up to one hundred thousand dollars (\$100,000) from other state funds in the surface mining permit fee fund and Mining Act fund;

(32) the state land office may request budget increases from other state funds to utilize bond recovery proceeds held in suspense to perform related remediation and reclamation work, may request budget increases up to five million dollars (\$5,000,000) from the state trust lands restoration and remediation fund to address surface damage, remediation of hazardous waste sites and watershed restoration on state trust land and

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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may request up to three million dollars (\$3,000,000) from other state funds or federal funds received from other state agencies for fire-related prevention and response activities;

(33) the interstate stream compact compliance and water development program of the state engineer may request budget increases up to five hundred thousand dollars (\$500,000) from the irrigation works construction fund for the Elephant Butte channel and other Rio Grande river maintenance and restoration work, may request budget increases up to five hundred thousand dollars (\$500,000) from the irrigation works construction fund for operational and maintenance costs associated with the Pecos river settlement agreement, may request budget increases up to one million five hundred thousand dollars (\$1,500,000) from the New Mexico unit fund to meet water supply demands in the southwest water planning region of New Mexico, including costs associated with planning, evaluating and aiding development of potential shovel-ready non-New Mexico unit projects and supporting the ongoing shovel-ready non-New Mexico unit projects that have previously been approved and funded by the interstate stream commission pursuant to the 2004 Arizona Water Settlement Act and may request budget increases up to two hundred fifty thousand dollars (\$250,000) from the Ute construction fund for operational and maintenance requirements at the Ute reservoir;

(34) the commission on the status of women may request budget increases up to seventy-three thousand dollars (\$73,000) from fund balances;

(35) the commission for the blind may request transfers between the other category and the other financing uses category contingent on the inability of the division of vocational rehabilitation to match federal funds, may request budget increases from other state funds for the employment of blind or visually impaired persons pursuant to the federal Randolph-Sheppard Act, the federal Javits-Wagner-O'Day Act or the federal ability one program, may request budget increases from other state funds to contract with blind or visually impaired vendors to operate food services at the federal law enforcement training center and Kirtland air force base and may request budget increases up to four hundred thousand dollars (\$400,000) from other state funds;

(36) the family support and intervention program of the early childhood education and care department may request budget increases up to one million five hundred thousand dollars (\$1,500,000) from other state funds to support the families first program;

(37) the aging and long term services department may request budget increases up to five hundred thousand dollars (\$500,000) from the conference on aging fund balance;

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter- Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
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(38) the health care authority department may request program transfers between the medical assistance program and the medicaid behavioral health program and the medical assistance program of the health care authority department may request budget increases from other state funds from the health care delivery and access fund from health care delivery and access hospital assessments, contingent on enactment of Senate Bill 17 or similar legislation of the second session of the fifty-sixth legislature;

(39) the vocational rehabilitation division may request transfers up to two hundred thousand dollars (\$200,000) between the other category and other financing uses category contingent on the inability of the commission for the blind to use federal program income;

(40) the vocational rehabilitation division may request program transfers between the rehabilitation services program and the independent living services program;

(41) the facilities management division of the department of health may request budget increases from internal service funds/interagency transfers and other state funds for facilities management and operational costs;

(42) the medical cannabis program of the department of health may request budget increases from internal service funds/interagency transfers and other state funds from the regulation and licensing department to cover contracted expenses incurred for the cannabis tracking database and registry system;

(43) the office of family representation and advocacy may request budget increases up to one million dollars (\$1,000,000) from internal service funds/interagency transfers from revenue from federal Title IV-E of the Social Security Act reimbursements transferred from the children, youth and families department;

(44) the department of military affairs may request budget increases up to seven hundred thousand dollars (\$700,000) from other state funds from the sale of land, additional revenue received from leases, land royalties, miscellaneous revenue, gifts and public education department pass-through revenue to support the national guard facility operations, the New Mexico youth challenge academy operations and the New Mexico national guard members family assistance fund;

(45) the corrections department may request budget increases up to one million dollars (\$1,000,000) in the inmate management and control program from internal service funds/interagency transfers and other state funds [~~from inmate work crew program income~~] for operating expenses and the corrections industries program of the

<u>Item</u>	<u>General Fund</u>	<u>Other State Funds</u>	<u>Intrnl Svc Funds/Inter-Agency Trnsf</u>	<u>Federal Funds</u>	<u>Total/Target</u>
corrections department may request budget increases up to one million dollars (\$1,000,000) from internal service funds/interagency transfers and other state funds from sales, fund balances and inmate canteen commission for operating expenses; <i>LINE ITEM VETO</i>					

(46) the department of transportation may request program transfers between the project design and construction program, the highway operations program, business support program and modal program for costs related to engineering, construction, maintenance services and grant agreements, may request program transfers into the personnel services and employee benefits category for the prospective salary increase and the employer's share of applicable taxes and retirement benefits, may request budget increases up to eighty-five million dollars (\$85,000,000) from other state funds and fund balances to meet federal matching requirements, for debt services and related costs, intergovernmental agreements, lawsuits and construction and maintenance related costs; and

(47) the public education department may request budget increases up to twenty thousand dollars (\$20,000) from the school transportation training fund for public school transportation workshops and training, including supplies and professional development for public education department staff.

Chapter 69 Section 14 Laws 2024

Section 14. **TRANSFER AUTHORITY.**--If revenue and transfers to the general fund at the end of fiscal year 2025 are not sufficient to meet appropriations, the governor, with the state board of finance approval, may transfer to the appropriation account of the general fund the amount necessary to meet that fiscal year's obligations from the operating reserve provided that the total transferred pursuant to this section shall not exceed one hundred five million dollars (\$105,000,000).

Chapter 69 Section 15 Laws 2024

Section 15. **SEVERABILITY.**--If any part or application of this act is held invalid, the remainder or its application to other situations or persons shall not be affected.

LAWS 2024, HOUSE JOINT RESOLUTION 11

A JOINT RESOLUTION

APPROVING THE RETROCESSION OF EXCLUSIVE FEDERAL LEGISLATIVE JURISDICTION TO CONCURRENT LEGISLATIVE JURISDICTION OVER PROPERTY KNOWN AS THE ENHANCED USE LEASE PARCEL ON KIRTLAND AIR FORCE BASE.

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

House Joint Resolution 11 Section 1 Laws 2024

SECTION 1. Pursuant to the provisions of Section 19-2-2 NMSA 1978, the legislature approves the retrocession of exclusive federal legislative jurisdiction to concurrent legislative jurisdiction over real property owned by the United States that is located within the authorized boundaries of the area on Kirtland air force base known as the enhanced use lease parcel, which consists of approximately seventy acres of land located within section 35, township 10 north, range 3 east, New Mexico principal meridian, Albuquerque, Bernalillo county, New Mexico. The specific legal description of the enhanced use lease parcel ground distance is as follows:

"From the POINT OF BEGINNING being a point at the northwest corner of said Enhanced Use Leasing Project, WHENCE a found BLM 3.5" Brass Disk T10N R3E S34 AP9N bears, N63°49'59"W a distance of 57.79 feet; THENCE S89°39'53"E a distance of 360.01 feet; THENCE N89°28'39"E a distance of 68.71 feet; THENCE S89°43'47"E a distance of 337.91 feet; THENCE S89°52'53"E a distance of 82.20 feet; THENCE S89°39'30"E a distance of 709.30 feet; THENCE S89°40'58"E a distance of 138.63 feet; THENCE S89°39'34"E a distance of 183.53 feet; THENCE S86°53'03"E a distance of 29.18 feet; THENCE S89°34'57"E a distance of 2011.63 feet; THENCE N88°20'38"E a distance of 618.38 feet; THENCE S00°05'59"W a distance of 190.72 feet; THENCE along the arc of a tangent curve to the right having a central angle of 11°51'02", a radius of 140.16 feet, a chord bearing of S05°55'31"W, a distance of 28.94 feet and an arc distance of 28.99 feet; THENCE S00°05'59"W a distance of 77.19 feet; THENCE along the arc of a tangent curve to the right having a central angle of 63°39'50", a radius of 65.16 feet, a chord bearing of S43°40'57"W, a distance of 68.74 feet and an arc distance of 72.40 feet; THENCE S75°30'52"W a distance of 127.51 feet; THENCE along the arc of a tangent curve to the left having a central angle of 51°42'18", a radius of 127.94 feet, a chord bearing of S49°39'43"W, a distance of 111.58 feet and an arc distance of 115.46 feet to a point of reverse curvature; THENCE along the arc to the right having a central angle of 66°11'26", a radius of 30.16 feet, a chord bearing of S56°54'17"W, a distance of 32.94 feet and an arc distance of 34.84 feet; THENCE West a distance of 78.87 feet; THENCE along the arc of a tangent curve to the left having a central angle of 90°00'00", a radius of 59.84 feet, a chord bearing of S45°00'00"W, a distance of 84.62 feet and an arc distance of 93.99 feet; THENCE South a distance of 195.39 feet; THENCE along the arc of a tangent curve to the left having a central angle

of 90°00'00", a radius of 96.26 feet, a chord bearing of S45°00'00"E, a distance of 136.13 feet and an arc distance of 151.20 feet; THENCE East a distance of 25.46 feet; THENCE along the arc of a tangent curve to the right having a central angle of 90°00'00", a radius of 15.00 feet, a chord bearing of S45°00'00"E, a distance of 21.21 feet and an arc distance of 15.00 feet; THENCE South a distance of 295.09 feet; THENCE N89°43'14"W a distance of 955.44 feet; THENCE North a distance of 208.30 feet; THENCE West a distance of 291.51 feet; THENCE West a distance of 164.56 feet; THENCE North a distance of 388.22 feet; THENCE West a distance of 488.74 feet; THENCE West a distance of 637.38 feet; THENCE West a distance of 1,034.24 feet; THENCE North a distance of 30.31 feet; THENCE West a distance of 446.00 feet; THENCE South a distance of 30.31 feet; THENCE West a distance of 324.00 feet; THENCE N00°25'22"E a distance of 30.81 feet; THENCE N02°59'14"E a distance of 233.38 feet; THENCE N00°23'54"E a distance of 197.45 feet; THENCE East a distance of 93.81 feet; THENCE N00°03'46"W a distance of 73.70 feet to the POINT OF BEGINNING. BASIS OF BEARING: Bearings based on New Mexico Central Zone (3002), NAD 1983, between the found BLM 3.5" Brass Disk T10N R3E S34 AP9N and a found City of Albuquerque 2" Brass Plug bears N85°33'37"W."

House Joint Resolution 11 Section 2 Laws 2024

SECTION 2. As used in Section 1 of this resolution, "concurrent legislative jurisdiction" means:

- A. the parallel right of both the federal and state government to legislate with respect to such land and persons present or residing on it, subject only to the United States and state constitutional complaints; and
- B. the vesting in the United States and the state of all the rights accorded a sovereign with the broad qualification that such authority is held concurrently over matters, including criminal laws, public powers and tax laws.

House Joint Resolution 11 Section 3 Laws 2024

SECTION 3. Pursuant to the provisions of Subsection C of Section 19-2-2 NMSA 1978, the transfer of jurisdiction approved in this resolution shall take effect upon the recordation of a duly authenticated copy of the jurisdiction retrocession notice and this resolution in the office of the Bernalillo county clerk.

2024 OFFICIAL ROSTER OF THE STATE OF NEW MEXICO

LAWS of the State of New Mexico

Passed by the

SECOND SESSION

of the

FIFTY-SIXTH LEGISLATURE

STATE OF NEW MEXICO

Which convened in the city of Santa Fe, at the Capitol at the Hour of 12:00 Noon on the 16th day of January 2024, and adjourned on the 15th day of February 2024.

Prepared for Publication by
Maggie Toulouse Oliver, Secretary of State

OFFICIAL ROSTER OF THE STATE OF NEW MEXICO

UNITED STATES SENATORS

Martin Heinrich, Democrat, Albuquerque
Ben R. Lujan, Democrat, Santa Fe

UNITED STATES REPRESENTATIVES

Melanie A. Stansbury, Democrat, 1st Congressional District – Albuquerque
Gabriel Vasquez, Democrat, 2nd Congressional District – Las Cruces
Teresa Leger Fernandez, Democrat, 3rd Congressional District – Santa Fe

STATE OFFICIALS

Michelle Lujan Grisham, Democrat
Howie C. Morales, Democrat
Maggie Toulouse Oliver, Democrat
Joseph M. Maestas, Democrat
Laura M. Montoya, Democrat
Raul Torrez, Democrat
Stephanie Garcia Richard, Democrat

Governor
Lieutenant Governor
Secretary of State
State Auditor
State Treasurer
Attorney General
Commissioner of Public Lands

Gabriel Aguilera
James Ellison
Pat O'Connell

Public Regulation Commissioner
Public Regulation Commissioner
Public Regulation Commissioner

JUSTICES OF THE SUPREME COURT

C. Shannon Bacon, Chief Justice
Justice Michael E. Vigil
David K. Thomson
Julie J. Vargas
Briana H. Zamora

JUDGES OF THE COURT OF APPEALS

Jennifer L. Attrep, Chief Judge
Kristina Bogardus
Jacqueline R. Medina
Megan P. Duffy
J. Miles Hanisee
Zachary A. Ives
Shammara H. Henderson
Jane B. Yohalem
Gerald E. Baca
Katherine Anne Wray

DISTRICT COURTS DISTRICT JUDGES

FIRST JUDICIAL DISTRICT

Santa Fe, Los Alamos and Rio Arriba Counties

Division I	Francis J. Mathew	Santa Fe
Division II	Maria E. Sanchez-Gagne	Santa Fe
Division III	Shannon Broderick Bulman	Santa Fe
Division IV	Sylvia F. LaMar	Santa Fe
Division V	Jason C. Lidyard	Santa Fe
Division VI	Bryan Biedscheid	Santa Fe
Division VII	T. Glenn Ellington	Santa Fe
Division VIII	Mary L. Marlowe Sommer	Santa Fe
Division IX	Matthew J. Wilson	Santa Fe
Division X	Kathleen McGarry	Santa Fe
	Ellenwood	

SECOND JUDICIAL DISTRICT Bernalillo County

Division I	William Parnall	Albuquerque
Division II	Stan Whitaker	Albuquerque
Division III	Brett R. Loveless	Albuquerque
Division IV	Beatrice J. Brickhouse	Albuquerque
Division V	Nancy J. Franchini	Albuquerque
Division VI	Daniel E. Ramczyk	Albuquerque
Division VII	Alma C. Roberson	Albuquerque
Division VIII	Catherine Begaye	Albuquerque
Division IX	Cindy Leos	Albuquerque
Division X	Bruce Fox	Albuquerque
Division XI	Gerard Lavelle	Albuquerque
Division XII	Elaine P. Lujan	Albuquerque
Division XIII	Lisa Chavez Ortega	Albuquerque
Division XIV	Marie Ward	Albuquerque
Division XV	Courtney B. Weeks	Albuquerque
Division XVI	Jennifer J. Wernersbach	Albuquerque
Division XVII	Erin B. O'Connell	Albuquerque
Division XVIII	Denise Barela-Shepherd	Albuquerque
Division XIX	Benjamin Chavez	Albuquerque
Division XX	Britt M. Baca-Miller	Albuquerque
Division XXI	Emeterio L. Rudolfo	Albuquerque
Division XXII	Amber Chavez Baker	Albuquerque
Division XXIII	Joshua A. Allison	Albuquerque
Division XXIV	Debra Ramirez	Albuquerque
Division XXV	Jane Levy	Albuquerque
Division XXVI	Joseph Montano	Albuquerque
Division XXVII	Victor Lopez	Albuquerque
Division XXVIII	Clara Moran	Albuquerque
Division XXIX	Lucy Solimon	Albuquerque
Division XXX	David Murphy	Albuquerque

**THIRD JUDICIAL DISTRICT
Doña Ana County**

Division I	Manuel I. Arrieta	Las Cruces
Division II	Robert Lara	Las Cruces
Division III	Conrad F. Perea	Las Cruces
Division IV	Vacant	Las Cruces
Division V	Casey Fitch	Las Cruces
Division VI	James T. Martin	Las Cruces
Division VII	Douglas R. Driggers	Las Cruces
Division VIII	Grace B. Duran	Las Cruces
Division IX	Richard M. Jacquez	Las Cruces

FOURTH JUDICIAL DISTRICT
Guadalupe, Mora and San Miguel Counties

Division I	Michael A. Aragon	Las Vegas
Division II	Abigail P. Aragon	Las Vegas
Division III	Flora Gallegos	Las Vegas

FIFTH JUDICIAL DISTRICT
Lea, Eddy and Chaves Counties

Division I	David E. Finger	Eddy
Division II	Thomas E. Lilley	Chaves
Division III	Efren A. Cortez	Lea
Division IV	Mark Sanchez	Lea
Division V	Jane Shuler Gray	Eddy
Division VI	James M. Hudson	Chaves
Division VII	Michael H. Stone	Lea
Division VIII	Jared G. Kallunki	Chaves
Division IX	Lisa Riley	Eddy
Division X	Dustin K. Hunter	Chaves
Division XI	Lee A. Kirksey	Lea
Division XII	Anne Marie Lewis	Eddy

SIXTH JUDICIAL DISTRICT
Grant, Hidalgo and Luna Counties

Division I	Thomas F. Stewart	Silver City
Division II	Jennifer E. DeLaney	Deming
Division III	James B. Foy	Silver City
Division IV	Jarod K. Hofacket	Deming

SEVENTH JUDICIAL DISTRICT
Catron, Sierra, Socorro and Torrance Counties

Division I	Mercedes C. Murphy	Socorro
Division II	Roscoe A. Woods	Sierra
Division III	Shannon Murdock	Torrance

EIGHTH JUDICIAL DISTRICT
Colfax, Union and Taos Counties

Division I	Emilio J. Chavez	Taos
Division II	Steven A. Romero	Raton

Division III	Jeffrey A. Shannon	Clayton
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**NINTH JUDICIAL DISTRICT
Curry and Roosevelt Counties**

Division I	Benjamin S. Cross	Clovis
Division II	Drew D. Tatum	Clovis
Division III	Fred T. Van Soelen	Clovis
Division IV	Donna J. Mowrer	Portales
Division V	David P. Reeb	Clovis

**TENTH JUDICIAL DISTRICT
Quay, DeBaca, and Harding Counties**

Division I	Albert J. Mitchell, Jr.	Tucumcari
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**ELEVENTH JUDICIAL DISTRICT
McKinley and San Juan Counties**

Division I	Bradford J. Dalley	Farmington
Division II	Louis E. DePauli, Jr.	Gallup
Division III	Sarah V. Weaver	Farmington
Division IV	Curtis R. Gurley	Aztec
Division V	R. David Pederson	Gallup
Division VI	Daylene A. Marsh	Aztec
Division VII	Douglas W. Decker	Gallup
Division VIII	Karen L. Townsend	Aztec

**TWELFTH JUDICIAL DISTRICT
Lincoln and Otero Counties**

Division I	Stephen P. Ochoa	Alamogordo
Division II	Ellen R. Jessen	Alamogordo
Division III	Daniel A. Bryant	Alamogordo
Division IV	Angie K. Schneider	Alamogordo
Division V	John P. Sugg	Carrizozo

**THIRTEENTH JUDICIAL DISTRICT
Cibola, Sandoval & Valencia Counties**

Division I	James Lawrence Sanchez	Los Lunas
Division II	George P. Eichwald	Bernalillo
Division III	Allen R. Smith	Los Lunas

Division IV	Amanda Sanchez Villalobos	Grants
Division V	James A. Noel	Bernalillo
Division VI	Cindy M. Mercer	Los Lunas
Division VII	Christopher G. Perez	Bernalillo
Division VIII	Cheryl H. Johnston	Bernalillo
Division IX	Allison P. Martinez	Bernalillo

DISTRICT ATTORNEYS

First Judicial District	Mary V. Carmack-Altwies	Santa Fe, Los Alamos & Rio Arriba
Second Judicial District	Sam Bregman	Bernalillo
Third Judicial District	Gerald Milton Byers	Doña Ana
Fourth Judicial District	Thomas A. Clayton	San Miguel, Mora & Guadalupe
Fifth Judicial District	Dianna Luce	Eddy, Chaves & Lea
Sixth Judicial District	Michael R. Renteria	Grant, Luna & Hidalgo
Seventh Judicial District	Clint Wellborn	Socorro, Torrance, Sierra & Catron
Eighth Judicial District	Marcus J. Montoya	Taos, Colfax & Union
Ninth Judicial District	Quentin Ray	Curry & Roosevelt
Tenth Judicial District	Timothy Rose	Quay, Harding & DeBaca
Eleventh Judicial District	Rick Tedrow	San Juan
	Bernadine Martin	McKinley
Twelfth Judicial District	Scot D. Key	Otero & Lincoln
Thirteenth Judicial District	Barbara Romo	Cibola, Sandoval & Valencia

STATE SENATORS SERVING IN THE FIFTY-SIXTH LEGISLATURE STATE OF NEW MEXICO SECOND SESSION CONVENED JANUARY 16, 2024

<u>District</u>	<u>County</u>	<u>Name</u>	<u>City</u>
1	San Juan	William E. Sharer	Farmington
2	San Juan	Steven P. Neville	Aztec
3	McKinley and San Juan	Shannon D. Pinto	Tohatchi
4	Cibola, McKinley and San Juan	George K. Muñoz	Gallup
5	Los Alamos, Rio Arriba, Sandoval and Santa Fe	Leo Jaramillo	Española
6	Los Alamos, Rio Arriba, Santa Fe and Taos	Roberto "Bobby" Gonzales	Ranchos de Taos
7	Curry, Quay and Union	Pat Woods	Broadview
8	Colfax, Guadalupe, Harding, Mora, Quay, San Miguel & Taos	Pete Campos	Las Vegas

9	Bernalillo and Sandoval	Brenda Grace McKenna	Corrales
10	Bernalillo and Sandoval	Katy M. Duhigg	Albuquerque
11	Bernalillo	Linda M. Lopez	Corrales
12	Bernalillo	Gerald Ortiz y Pino	Albuquerque
13	Bernalillo	Bill B. O'Neill	Albuquerque
14	Bernalillo	Michael Padilla	Albuquerque
15	Bernalillo	Daniel A. Ivey-Soto	Albuquerque
16	Bernalillo	Antoinette Sedillo Lopez	Albuquerque
17	Bernalillo	Mimi Stewart	Albuquerque
18	Bernalillo	Bill Tallman	Albuquerque
19	Bernalillo, Sandoval, Santa Fe and Torrance	Gregg W. Schmedes	Albuquerque
20	Bernalillo	Martin E. Hickey	Albuquerque
21	Bernalillo	Mark Moores	Albuquerque
22	Bernalillo, McKinley, Rio Arriba, San Juan and Sandoval	Benny Shendo Jr.	Jemez Pueblo
23	Bernalillo	Harold J. Pope Jr.	Albuquerque
24	Santa Fe	Nancy Rodriguez	Santa Fe
25	Santa Fe	Peter Wirth	Santa Fe
26	Bernalillo	Antonio Maestas	Albuquerque
27	Chaves	Greg Nibert	Roswell
28	Catron, Grant and Socorro	Siah Correa Hemphill	Silver City
29	Bernalillo and Valencia	Gregory A. Baca	Belen
30	Cibola, Socorro, McKinley and Valencia	Joshua A. Sanchez	Bosque
31	Doña Ana	Joseph Cervantes	Las Cruces
32	Chaves, Eddy and Otero	Cliff R. Pirtle	Roswell
33	Chaves, Lincoln and Otero	William F. Burt	Alamogordo
34	Doña Ana, Eddy and Otero	Ron Griggs	Alamogordo
35	Doña Ana, Hidalgo, Luna and Sierra	Crystal R. Diamond	Elephant Butte
36	Doña Ana	Jeff Steinborn	Las Cruces
37	Doña Ana	William P. Soules	Las Cruces
38	Doña Ana	Carrie Hamblen	Las Cruces
39	Bernalillo, Lincoln, San Miguel, Santa Fe, Torrance and Valencia	Elizabeth "Liz" Stefanics	Cerrillos
40	Sandoval	Craig W. Brandt	Rio Rancho
41	Eddy and Lea	David M. Gallegos	Eunice
42	Chaves, Eddy and Lea	Steven McCutcheon	Carlsbad

**STATE REPRESENTATIVES SERVING IN THE FIFTY-SIXTH LEGISLATURE
STATE OF NEW MEXICO
SECOND SESSION
CONVENED JANUARY 16, 2024**

<u>District</u>	<u>County</u>	<u>Name</u>	<u>City</u>
1	San Juan	Rod Montoya	Farmington
2	San Juan	P. Mark Duncan	Kirtland
3	San Juan	T. Ryan Lane	Aztec
4	San Juan	Anthony Allison	Fruitland
5	McKinley and San Juan	D. Wonda Johnson	Rehoboth
6	Cibola and McKinley	Eliseo Lee Alcon	Milan
7	Valencia	Tanya R. Mirabal Moya	Los Lunas
8	Valencia	Brian Baca	Los Lunas
9	McKinley	Patricia A. Lundstrom	Gallup
10	Bernalillo	G. Andrés Romero	Albuquerque
11	Bernalillo	Javier Martínez	Albuquerque
12	Bernalillo	Art De La Cruz	Albuquerque
13	Bernalillo	Patricia Roybal Caballero	Albuquerque
14	Bernalillo	Miguel P. Garcia	Albuquerque
15	Bernalillo	Dayan Hochman-Vigil	Albuquerque
16	Bernalillo	Yanira Gurrola	Albuquerque
17	Bernalillo	Cynthia D. Borrego	Albuquerque
18	Bernalillo	Gail Chasey	Albuquerque
19	Bernalillo	Janelle Anyanonu	Albuquerque
20	Bernalillo	Meredith A. Dixon	Albuquerque
21	Bernalillo	Debra M. Sariñana	Albuquerque
22	Bernalillo, and Torrance	Stefani Lord	Sandia Park
23	Sandoval	Alan T. Martinez	Bernalillo
24	Bernalillo	Elizabeth "Liz" Thomson	Albuquerque
25	Bernalillo	Cristina Parajón	Albuquerque
26	Bernalillo	Eleanor Chavez	Albuquerque
27	Bernalillo	Marian Matthews	Albuquerque
28	Bernalillo	Pamelya Herndon	Albuquerque
29	Bernalillo	Joy Garratt	Albuquerque
30	Bernalillo	Natalie Figueroa	Albuquerque
31	Bernalillo	William "Bill" R. Rehm	Albuquerque
32	Doña Ana, Hidalgo and Luna	Jenifer Marie Jones	Deming
33	Doña Ana	Micaela Lara Cadena	Mesilla
34	Doña Ana	Raymundo Lara	Chamberino
35	Doña Ana	Angelica Rubio	Las Cruces
36	Doña Ana	Nathan P. Small	Las Cruces
37	Doña Ana	Joanne J. Ferrary	Las Cruces

38	Doña Ana, Sierra and Socorro	Tara Jaramillo	Socorro
39	Catron, Grant and Hidalgo	Luis M. Terrazas	Santa Clara
40	Colfax, Mora, Rio Arriba San Miguel and Taos	Joseph L. Sanchez	Alcalde
41	Rio Arriba, Sandoval, Santa Fe and Taos	Susan K. Herrera	Embudo
42	Taos	Kristina Ortez	Taos
43	Los Alamos, Sandoval and Santa Fe	Christine Chandler	Los Alamos
44	Bernalillo and Sandoval	Kathleen M. Cates	Corrales
45	Santa Fe	Linda Michelle Serrato	Santa Fe
46	Santa Fe	Andrea Romero	Santa Fe
47	Santa Fe	Reena C. Szczepanski	Santa Fe
48	Santa Fe	Tara L. Lujan	Santa Fe
49	Catron, Sierra, Socorro and Valencia	Gail Armstrong	Magdalena
50	Sandoval and Santa Fe	Matthew McQueen	Santa Fe
51	Otero	John Block	Alamogordo
52	Doña Ana	Doreen Y. Gallegos	Las Cruces
53	Doña Ana and Otero	Willie D. Madrid	Chaparral
54	Chaves, Eddy and Otero	James G. Townsend	Artesia
55	Eddy and Lea	Cathrynn N. Brown	Carlsbad
56	Lincoln and Otero	Harlan H. Vincent	Ruidoso Downs
57	Sandoval	Jason C. Harper	Rio Rancho
58	Chaves	Candy Spence Ezzell	Roswell
59	Chaves	Jared Hembree	Roswell
60	Sandoval	Joshua N. Hernandez	Rio Rancho
61	Lea	Randall T. Pettigrew	Lovington
62	Lea	Larry R. Scott	Hobbs
63	Curry, DeBaca, Guadalupe, Roosevelt and San Miguel	Martin R. Zamora	Clovis
64	Chaves, Curry and Roosevelt	Andrea R. Reeb	Clovis
65	Rio Arriba, Sandoval and San Juan	Derrick J. Lente	Sandia Pueblo
66	Chaves, Eddy and Lea	Jimmy G. Mason	Artesia
67	Colfax, Curry, Harding, Quay, San Miguel and Union	Jack Chatfield	Mosquero
68	Bernalillo	Charlotte L. Little	Albuquerque
69	Bernalillo, Cibola, McKinley, San Juan, Socorro and Valencia	Harry Garcia	Grants

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San Miguel and
Torrance

Ambrose M.
Castellano

Serafina