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HOUSE BILL 112

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Dayan Hochman-Vigil and Linda M. López and Cristina Parajón

AN ACT

RELATING TO TAXATION; DISTRIBUTING A PORTION OF THE LIQUOR
EXCISE TAX TO COUNTIES FOR THE PROVISION OF ALCOHOL AND
SUBSTANCE USE DISORDER PREVENTION AND TREATMENT AND A PORTION
TO A NEW COUNTY ALCOHOL AND SUBSTANCE USE DISORDER PREVENTION
AND TREATMENT FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 7-1-6.40 NMSA 1978 (being Laws 1997,
Chapter 182, Section 1, as amended) is amended to read:

"7-1-6.40. DISTRIBUTION OF LIQUOR EXCISE TAX--LOCAL DWI
GRANT FUND--CERTAIN MUNICIPALITIES--DRUG COURT FUND--COUNTIES--
COUNTY ALCOHOL AND SUBSTANCE USE DISORDER PREVENTION AND
TREATMENT FUND.--

A. A distribution pursuant to Section 7-1-6.1 NMSA
1978 in an amount equal to forty-five percent of the net
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1 receipts attributable to the liquor excise tax shall be made to
2 the local DWI grant fund.

3 B. A distribution pursuant to Section 7-1-6.1 NMSA
4 1978 [~~of twenty thousand seven hundred fifty dollars (\$20,750)~~
5 ~~monthly from~~] in an amount equal to one-half percent of the net
6 receipts attributable to the liquor excise tax shall be made to
7 a municipality that is located in a class A county and that has
8 a population according to the most recent federal decennial
9 census of more than thirty thousand but less than sixty
10 thousand and shall be used by the municipality only for the
11 provision of alcohol treatment and rehabilitation services for
12 street inebriates.

13 C. [~~Beginning July 1, 2019~~] A distribution pursuant
14 to Section 7-1-6.1 NMSA 1978 in an amount equal to five percent
15 of the net receipts attributable to the liquor excise tax shall
16 be made to the drug court fund.

17 D. A distribution pursuant to Section 7-1-6.1 NMSA
18 1978 shall be made to counties in an amount equal to twenty-
19 four percent of the net receipts attributable to the liquor
20 excise tax and shall be used only for the provision of alcohol
21 and substance use disorder prevention and treatment. The
22 amount to be distributed to each county shall be in the
23 proportion that the population of each county is to the total
24 population of all counties, according to the most recent
25 federal decennial census.

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1 E. A distribution pursuant to Section 7-1-6.1 NMSA
2 1978 shall be made to the county alcohol and substance use
3 disorder prevention and treatment fund in an amount equal to
4 twenty-four percent of the net receipts attributable to the
5 liquor excise tax."

6 SECTION 2. [NEW MATERIAL] COUNTY ALCOHOL AND SUBSTANCE
7 USE DISORDER PREVENTION AND TREATMENT FUND.--

8 A. The "county alcohol and substance use disorder
9 prevention and treatment fund" is created as a nonreverting
10 fund in the state treasury. The fund consists of
11 appropriations, donations, interest from investment of the fund
12 and other money distributed to the fund. The fund shall be
13 administered by the health care authority department, and money
14 in the fund is appropriated to the department to provide grants
15 to counties as provided by this section. Disbursements from
16 the fund shall be made by warrant of the secretary of finance
17 and administration pursuant to vouchers signed by the secretary
18 of health care authority or the secretary's designee.

19 B. Money in the fund shall be allocated for the
20 purpose of making grants to counties to fund alcohol and
21 substance use disorder prevention and treatment programs. The
22 money shall be used to provide all or a portion of the non-
23 federal share of medicaid services and other federal funds and
24 grants directed to alcohol and substance use disorder
25 prevention and treatment.

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C. Applications for a grant from the fund shall be on forms and in a manner prescribed by the health care authority department. Grants from the fund shall be made to counties based on need as determined by the department. If a county receives a grant pursuant to this section, the county shall report to the department on the efficacy, accountability and evidence-based outcomes of the county's alcohol and substance use disorder prevention and treatment program.

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