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HOUSE BILL 232

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

INTRODUCED BY

Meredith A. Dixon and Gail Armstrong and Dayan Hochman-Vigil

AN ACT

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

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

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 [~~OR~~  
~~PUBLIC SCHOOL FINANCE DIVISION~~] OF THE DEPARTMENT OF FINANCE  
AND ADMINISTRATION OR PUBLIC EDUCATION DEPARTMENT TO FURNISH  
INFORMATION--TRANSCRIPTS OF PROCEEDINGS--DISPOSITION.--It

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1     ~~[shall be]~~ is the duty of the local government division ~~[or~~  
2     ~~public school finance division]~~ of the department of finance  
3     and administration or the public education department, upon the  
4     receipt of the notice mentioned in Section ~~[+ hereof]~~ 6-15-1  
5     NMSA 1978, to furnish ~~[such]~~ the governing authorities with all  
6     necessary information with reference to the valuation, present  
7     outstanding bonded indebtedness, limitations as to tax rates  
8     and debt contracting power and ~~[such]~~ other information as may  
9     be useful to ~~[such]~~ the governing authorities and to the voters  
10    of ~~[such]~~ the county, ~~[city, town, village]~~ municipality or  
11    school district in the consideration of any proposal to issue  
12    bonds. Upon the adoption of a bond issue as provided by law by  
13    a county, ~~[city, town, village]~~ municipality or school  
14    district, the governing authorities ~~[thereof]~~ shall prepare a  
15    true and complete transcript of proceedings ~~[also]~~ and three  
16    exact copies of ~~[such]~~ the transcript of the proceedings had in  
17    connection with ~~[such]~~ the bond issue. One copy of the  
18    transcript of the proceedings shall be immediately filed with  
19    the local government division or ~~[public school finance~~  
20    ~~division of the department of finance and administration]~~ the  
21    department, one kept by the governing authorities and one copy  
22    to be furnished to the officer approving the bond issue as to  
23    its legality as provided by law."

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

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

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

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

9 A. The "department of finance and administration"  
10 is created. The department shall consist of those divisions  
11 created by law or executive order [~~as modified by executive~~  
12 ~~order pursuant to Subsection C of this section~~], including but  
13 not limited to:

14 (1) the board of finance division;

15 (2) the financial control division;

16 (3) the infrastructure planning and  
17 development division;

18 [~~(3)~~] (4) the local government division;

19 [~~(4)~~] (5) the management and contracts review  
20 division; and

21 [~~(5)~~] (6) the state budget division.

22 B. The secretary is empowered to organize the  
23 department and the divisions [~~thereof~~] of the department  
24 specified in Subsection A of this section and may transfer or  
25 merge functions between divisions in the interest of efficiency

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1 and economy.

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

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

7 "9-6-16. RURAL EQUITY OMBUD--~~[LOCAL GOVERNMENT]~~  
8 INFRASTRUCTURE PLANNING AND DEVELOPMENT DIVISION OF THE  
9 DEPARTMENT OF FINANCE AND ADMINISTRATION--DUTIES.--

10 A. The ~~[local government]~~ infrastructure planning  
11 and development division of the department of finance and  
12 administration shall employ at least one "rural equity ombud",  
13 whose job it is to work on issues of concern to rural and  
14 frontier communities with:

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

17 (2) counties and municipalities in the state;

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

24 (4) nonprofit organizations that address  
25 issues faced by rural and frontier communities or provide

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1 services to residents of those communities.

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

4 C. The rural equity ombud shall:

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

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

12 (a) health;

13 (b) human services;

14 (c) educational services;

15 (d) economic development;

16 (e) infrastructure planning, funding and  
17 improvements, including water and wastewater, utilities, roads  
18 and highways, broadband and other infrastructure;

19 (f) public safety;

20 (g) transportation;

21 (h) land use and land development;

22 (i) tourism;

23 (j) energy;

24 (k) natural resource management,

25 including game and fish resources;

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1 (1) community development block grant  
2 projects;

3 (m) state or local planning in  
4 conjunction with federal agencies and funding; and

5 (n) any other planning processes that  
6 affect rural and frontier communities;

7 (3) serve as an advocate for rural and  
8 frontier communities and work to ensure that those communities'  
9 needs are met and that residents of rural and frontier  
10 communities have a voice in state and local government;

11 (4) take and resolve complaints from rural and  
12 frontier communities;

13 (5) provide bill analyses and provide  
14 testimony to the legislature on legislation that positively or  
15 negatively affects rural and frontier communities;

16 (6) make annual reports to the governor and  
17 the legislature on:

18 (a) activities of the ombud, including  
19 interactions with governmental agencies and the outcome of  
20 those interactions;

21 (b) complaints received and resolved;

22 (c) structural barriers to providing  
23 needed services to rural and frontier communities and  
24 recommendations for eliminating or ameliorating those barriers;  
25 and

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

4 (7) perform other duties as assigned by the  
5 director of the [~~local government~~] infrastructure planning and  
6 development division [~~of the department of finance and~~  
7 ~~administration~~], the secretary of finance and administration,  
8 the governor or the legislature."

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

12 "9-6-20. [NEW MATERIAL] INFRASTRUCTURE PLANNING AND  
13 DEVELOPMENT DIVISION--DUTIES.--

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

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

20 (2) the federal matching fund of the local  
21 government division;

22 (3) the rural equity ombud program of the  
23 local government division; and

24 (4) other short- or long-term programs and  
25 funds of other divisions of the department that the secretary

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1 of finance and administration assigns to the infrastructure  
2 planning and development division.

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

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

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

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

21 SECTION 6. Section 9-14-4 NMSA 1978 (being Laws 1984,  
22 Chapter 5, Section 1) is amended to read:

23 "9-14-4. COMMUNITY DEVELOPMENT BLOCK GRANTS.--

24 A. The community development block grant programs  
25 shall be administered by the [~~local government~~] infrastructure

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1 planning and development division of the department of finance  
2 and administration.

3 B. The New Mexico community development council  
4 shall determine the recipients and amounts of community  
5 development block grant awards."

6 SECTION 7. TEMPORARY PROVISION--TRANSFERS.--

7 A. The following bureaus, including their  
8 functions, personnel, appropriations, money, records and other  
9 property, shall be transferred as follows:

10 (1) the federal grants bureau of the state  
11 budget division of the department of finance and administration  
12 shall be transferred to the infrastructure planning and  
13 development division of the department of finance and  
14 administration; and

15 (2) the community development bureau and the  
16 rural equity ombud program of the local government division of  
17 the department of finance and administration shall be  
18 transferred to the infrastructure planning and development  
19 division of the department of finance and administration.

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

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

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1 department.

2 SECTION 8. EFFECTIVE DATE.--The effective date of the  
3 provisions of this act is July 1, 2024.

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