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SENATE BILL 166

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

INTRODUCED BY

Harold Pope and Eleanor Chávez

AN ACT

RELATING TO STATE GOVERNMENT; AMENDING AND ENACTING SECTIONS OF THE HEALTH CARE AUTHORITY DEPARTMENT ACT; CREATING THE HOMELESSNESS REDUCTION DIVISION; ESTABLISHING THE INTERAGENCY HOMELESSNESS REDUCTION TASK FORCE AND THE HOMELESSNESS REDUCTION ADVISORY COUNCIL; MAKING AN APPROPRIATION.

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

SECTION 1. Section 9-8-4 NMSA 1978 (being Laws 1977, Chapter 252, Section 4, as amended) is amended to read:

"9-8-4. DEPARTMENT ESTABLISHED.--

A. The "health care authority department" is created in the executive branch. The department is a cabinet department and consists of:

(1) the office of the secretary of health care authority;

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- 1 (2) the administrative services division;
- 2 (3) the information technology division;
- 3 (4) the behavioral health services division;
- 4 (5) the developmental disabilities division;
- 5 (6) the health improvement division;
- 6 (7) the medical assistance division;
- 7 (8) the state health benefits division;
- 8 (9) the child support enforcement division;

9 [~~and~~]

- 10 (10) the income support division; and
- 11 (11) the homelessness reduction division.

12 B. All references in the law to the behavioral  
13 health services division of the department of health or to the  
14 mental health division of the department of health in Sections  
15 29-11-1 through 29-11-7 NMSA 1978 or to the department of  
16 health in Sections 43-2-1.1 through 43-2-23 NMSA 1978 shall be  
17 construed as referring to the health care authority  
18 department."

19 SECTION 2. A new section of the Health Care Authority  
20 Department Act is enacted to read:

21 "[NEW MATERIAL] HOMELESSNESS REDUCTION DIVISION--DUTIES.--

22 A. The homelessness reduction division of the  
23 department shall be led by the director of homelessness  
24 reduction, who shall lead the state's comprehensive efforts  
25 related to homelessness prevention and serve as a policymaker

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1 and spokesperson on homelessness prevention, including  
2 coordinating the state's efforts through legislation, rules and  
3 budgets, and shall communicate with federal and local experts  
4 on issues related to homelessness.

5 B. The homelessness reduction division shall:

6 (1) develop and facilitate the implementation  
7 of a statewide strategic homelessness reduction plan directed  
8 at:

9 (a) decreasing homelessness and  
10 unnecessary institutionalization in the state;

11 (b) improving health and human services  
12 outcomes for people who experience homelessness; and

13 (c) strengthening the safety nets that  
14 contribute to housing stability;

15 (2) create a statewide data system, which  
16 shall be known as the "homeless data integration system", that  
17 will collect local data through homeless management information  
18 systems with the goal of matching data on homelessness to  
19 programs impacting homeless recipients of state programs;

20 (3) specify the form and substance of the  
21 required data elements of the homeless data integration system  
22 and may, as required by operational necessity, amend or modify  
23 data elements, disclosure formats or disclosure frequency;

24 (4) identify mainstream resources, benefits  
25 and services that can be accessed to prevent and end

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1 homelessness in New Mexico;

2 (5) coordinate efforts to reduce homelessness  
3 across state agencies;

4 (6) serve within state government and in the  
5 state at large as an advocate for people experiencing  
6 homelessness; and

7 (7) provide leadership for and collaborate  
8 with persons developing and implementing local plans to end  
9 homelessness in New Mexico, including the homelessness  
10 reduction advisory council.

11 C. Upon the creation of the homeless data  
12 integration system, all continuums of care operating in New  
13 Mexico shall provide collected data elements, including health  
14 information, in a manner consistent with federal law, to the  
15 homeless data integration system.

16 D. Health information or personal identifying  
17 information provided to or maintained within the homeless data  
18 integration system shall not be subject to inspection pursuant  
19 to the Inspection of Public Records Act."

20 SECTION 3. A new section of the Health Care Authority  
21 Department Act is enacted to read:

22 "[NEW MATERIAL] INTERAGENCY HOMELESSNESS REDUCTION TASK  
23 FORCE--CREATED--DUTIES.--

24 A. The "interagency homelessness reduction task  
25 force" is created and is administratively attached to the

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1 department. The task force consists of the following members:

2 (1) the director of the homelessness reduction  
3 division of the department;

4 (2) the executive director of the New Mexico  
5 finance authority or the executive director's designee;

6 (3) the secretary of economic development or  
7 the secretary's designee;

8 (4) the secretary of finance and  
9 administration or the secretary's designee;

10 (5) the secretary of public education or the  
11 secretary's designee;

12 (6) the secretary of higher education or the  
13 secretary's designee;

14 (7) the secretary of Indian affairs or the  
15 secretary's designee;

16 (8) the secretary of workforce solutions or  
17 the secretary's designee;

18 (9) the secretary of corrections or the  
19 secretary's designee;

20 (10) the secretary of veterans' services or  
21 the secretary's designee;

22 (11) the secretary of children, youth and  
23 families or the secretary's designee;

24 (12) the secretary of early childhood  
25 education and care or the secretary's designee;

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1 (13) the secretary of aging and long-term  
2 services or the secretary's designee;

3 (14) the secretary of public safety or the  
4 secretary's designee;

5 (15) the secretary of health or the  
6 secretary's designee; and

7 (16) the chair of the homelessness reduction  
8 advisory council.

9 B. The chair of the task force shall be the  
10 director of the homelessness reduction division or the  
11 director's designee, and the vice chair of the task force shall  
12 be the member serving as the chair of the homelessness  
13 reduction advisory council. The task force shall meet at the  
14 call of the chair.

15 C. The task force shall advise the homelessness  
16 reduction division regarding initiatives related to decreasing  
17 homelessness and unnecessary institutionalization in New  
18 Mexico, improving health and human services outcomes for people  
19 who experience homelessness and strengthening the safety nets  
20 that contribute to housing stability.

21 D. The task force shall:

22 (1) recommend policy, regulatory and resource  
23 changes necessary to accomplish goals and objectives set forth  
24 in the statewide strategic homelessness reduction plan;

25 (2) recommend the resources needed for

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1 successful implementation of the statewide strategic  
2 homelessness reduction plan and oversee that implementation;

3 (3) recommend and promote effective  
4 interagency collaboration and system integration to converge  
5 related efforts to draft policy recommendations related to the  
6 intersection of homelessness and poverty; and

7 (4) recommend policy, regulatory and resource  
8 distribution changes that will help ensure accountability,  
9 results and sustained success in reducing homelessness,  
10 including specific legislative proposals and recommendations  
11 for consideration by the legislature.

12 E. The task force may solicit feedback from  
13 stakeholders and advocates to advise the task force on policy  
14 and implementation recommendations.

15 F. On or before October 1, 2024, and each year  
16 thereafter, the task force shall submit a report to the  
17 governor, the appropriate interim legislative committee, the  
18 legislative finance committee and the homelessness reduction  
19 division regarding:

20 (1) the task force's work during the prior  
21 fiscal year;

22 (2) recommendations developed by the task  
23 force and those made by the homelessness reduction advisory  
24 council regarding implementation of the statewide strategic  
25 homelessness reduction plan and initiatives; and

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1 (3) key outcomes and measures related to  
2 homelessness in New Mexico."

3 SECTION 4. A new section of the Health Care Authority  
4 Department Act is enacted to read:

5 "[NEW MATERIAL] HOMELESSNESS REDUCTION ADVISORY COUNCIL--  
6 CREATED--DUTIES--MEMBERSHIP.--

7 A. The "homelessness reduction advisory council" is  
8 created and is administratively attached to the department.  
9 The advisory council shall advise and make recommendations to  
10 the interagency homelessness reduction task force and the  
11 director of the homelessness reduction division of the  
12 department regarding:

13 (1) homelessness and unnecessary  
14 institutionalization with the goals of reducing and preventing  
15 homelessness;

16 (2) improving health and human services  
17 outcomes for people experiencing homelessness;

18 (3) strengthening the safety nets that  
19 contribute to housing stability; and

20 (4) developing and achieving the goals of the  
21 statewide strategic homelessness reduction plan and initiatives  
22 provided for in Section 2 of this 2024 act.

23 B. The homelessness reduction advisory council  
24 consists of the following members appointed by the governor,  
25 who shall reflect the racial, ethnic and geographic diversity

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1 of New Mexico:

2 (1) three members with lived experience of  
3 homelessness or housing insecurity, which may include formerly  
4 incarcerated persons, veterans and individuals sixteen to  
5 twenty-five years of age;

6 (2) one member representing individuals with  
7 disabilities;

8 (3) two members representing the philanthropic  
9 private-funding sector;

10 (4) one member representing a statewide  
11 behavioral health advocacy organization;

12 (5) one member representing a statewide  
13 housing advocacy organization;

14 (6) two members representing local continuums  
15 of care organizations;

16 (7) three members representing regional or  
17 local units of government;

18 (8) one member representing an organization  
19 that supports victims of domestic violence; and

20 (9) four members representing providers of the  
21 homeless response system, including emergency supportive  
22 housing, rapid rehousing, permanent supportive housing,  
23 homeless youth programs and homelessness prevention.

24 C. The director of the homelessness reduction  
25 division may appoint as ex-officio, nonvoting members of the

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1 homelessness reduction advisory council any state agency staff  
2 the director deems necessary.

3 D. The chair of the homelessness reduction advisory  
4 council shall be elected by the members of the advisory  
5 council.

6 E. Public members of the homelessness reduction  
7 advisory council may receive per diem and mileage pursuant to  
8 the Per Diem and Mileage Act.

9 F. The department shall provide the necessary staff  
10 and administrative support to the homelessness reduction  
11 advisory council.

12 G. On or before September 1, 2024, and each year  
13 thereafter, the homelessness reduction advisory council shall  
14 submit its findings and recommendations to the interagency  
15 homelessness reduction task force."

16 SECTION 5. APPROPRIATION.--One million dollars  
17 (\$1,000,000) is appropriated from the general fund to the  
18 health care authority department for expenditure in fiscal year  
19 2025 to fund the operation of the homelessness reduction  
20 division of the health care authority department, the  
21 interagency homelessness reduction task force and the  
22 homelessness reduction advisory council. Any unexpended or  
23 unencumbered balance remaining at the end of fiscal year 2025  
24 shall revert to the general fund.

25 SECTION 6. EFFECTIVE DATE.--The effective date of the

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1 provisions of this act is July 1, 2024.

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