

1 AN ACT

2 RELATING TO PUBLIC FINANCE; CREATING THE GOVERNMENT RESULTS
3 AND OPPORTUNITY EXPENDABLE TRUST AND THE GOVERNMENT RESULTS
4 AND OPPORTUNITY PROGRAM FUND; PROVIDING FOR DISTRIBUTIONS
5 FROM THE GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST
6 TO THE GOVERNMENT RESULTS AND OPPORTUNITY PROGRAM FUND;
7 CHANGING A PROVISION OF LAW THAT CURRENTLY TRANSFERS CERTAIN
8 EXCESS REVENUE TO THE TAX STABILIZATION RESERVE TO INSTEAD
9 TRANSFER THE EXCESS REVENUE TO THE GOVERNMENT RESULTS AND
10 OPPORTUNITY EXPENDABLE TRUST; REQUIRING THE STAFF OF THE
11 LEGISLATIVE FINANCE COMMITTEE AND THE STATE BUDGET DIVISION
12 OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ANALYZE
13 THE ACCOUNTABILITY IN GOVERNMENT ACT AND MAKE RECOMMENDATIONS
14 TO THE LEGISLATIVE FINANCE COMMITTEE FOR CHANGES TO THAT ACT.

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

17 SECTION 1. A new section of Chapter 6, Article 4 NMSA
18 1978 is enacted to read:

19 "GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST.--

20 A. The "government results and opportunity
21 expendable trust" is created as a nonreverting fund in the
22 state treasury. The trust shall consist of distributions,
23 appropriations, gifts, grants and donations. Income from
24 investment of the trust shall be credited to the trust.

25 Money in the trust shall be expended only as provided in this

1 section.

2 B. Beginning July 1, 2025 and July 1 of each year
3 thereafter, a distribution shall be made from the government
4 results and opportunity expendable trust to the government
5 results and opportunity program fund in an amount equal to
6 twenty-five percent of the balance of the trust or one
7 hundred million dollars (\$100,000,000), whichever is greater;
8 provided that if the balance of the trust is less than one
9 hundred million dollars (\$100,000,000), the balance of the
10 trust shall be distributed. For fiscal year 2025, any
11 unexpended or unencumbered balance remaining after the
12 distribution is made in that fiscal year shall be included in
13 the calculation of state reserves.

14 C. In addition to the distribution pursuant to
15 Subsection B of this section, money in the government results
16 and opportunity expendable trust may be expended in the event
17 that general fund balances, including all authorized revenues
18 and transfers to the general fund and balances in the general
19 fund operating reserve, will not meet the level of
20 appropriations authorized from the general fund for a fiscal
21 year. In that event, the legislature may appropriate from
22 the government results and opportunity expendable trust to
23 the general fund only in the amount necessary to meet general
24 fund appropriations for that fiscal year and only if the
25 legislature has authorized a transfer from the general fund

1 operating reserve that exhausts that fund balance."

2 SECTION 2. A new section of Chapter 6, Article 4 NMSA
3 1978 is enacted to read:

4 "GOVERNMENT RESULTS AND OPPORTUNITY PROGRAM FUND.--The
5 "government results and opportunity program fund" is created
6 as a nonreverting fund in the state treasury. The fund
7 consists of distributions, appropriations, gifts, grants,
8 donations and income from investment of the fund. The
9 department of finance and administration shall administer the
10 fund. Money in the fund is subject to appropriation by the
11 legislature. Expenditures from the fund shall be by warrant
12 of the secretary of finance and administration pursuant to
13 vouchers signed by the secretary of finance and
14 administration or the secretary's authorized representative."

15 SECTION 3. Section 6-4-4 NMSA 1978 (being Laws 1987,
16 Chapter 347, Section 4, as amended) is amended to read:

17 "6-4-4. TRANSFER FROM THE GENERAL FUND TO THE
18 GOVERNMENT RESULTS AND OPPORTUNITY EXPENDABLE TRUST--TRANSFER
19 FROM THE TAX STABILIZATION RESERVE TO THE GENERAL FUND
20 OPERATING RESERVE.--

21 A. If the revenues of the general fund exceed the
22 total of appropriations from the general fund, the excess
23 revenue shall be transferred to the general fund operating
24 reserve; provided that if the sum of the excess revenue plus
25 the balance in the general fund operating reserve prior to

1 the transfer is greater than eight percent of the aggregate
2 recurring appropriations from the general fund for the
3 previous fiscal year, then an amount equal to the smaller of
4 either the amount of the excess revenue or the difference
5 between the sum and eight percent of the aggregate recurring
6 appropriations from the general fund for the previous fiscal
7 year shall be transferred to the government results and
8 opportunity expendable trust.

9 B. If the balance in the general fund operating
10 reserve as of the end of a fiscal year is less than one
11 percent of aggregate general fund appropriations for that
12 fiscal year, as determined by the department of finance and
13 administration, then an amount equal to the smaller of either
14 one percent of aggregate general fund appropriations for that
15 fiscal year or the amount necessary to bring the balance of
16 the general fund operating reserve to one percent of
17 aggregate general fund appropriations for that fiscal year
18 shall be transferred from the tax stabilization reserve to
19 the general fund operating reserve."

20 SECTION 4. TEMPORARY PROVISION--REVIEW OF THE
21 ACCOUNTABILITY IN GOVERNMENT ACT--REPORT TO LEGISLATURE.--

22 During the 2024 legislative interim, the staff of the
23 legislative finance committee and the state budget division of
24 the department of finance and administration shall meet
25 regularly to examine and analyze the provisions of the

1 Accountability in Government Act to determine if changes to
2 that act could be made to ensure more cost-effective and
3 responsive government services. On or before December 15,
4 2024, the staff shall report their findings and make
5 recommendations for legislative changes if any are found to be
6 necessary to the legislative finance committee. _____

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