

HOUSE BILL 273

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

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AN ACT

RELATING TO TAXATION; INCREASING A DISTRIBUTION OF THE LIQUOR
EXCISE TAX TO THE LOCAL DWI GRANT FUND; CREATING NEW
DISTRIBUTIONS TO THE MAGISTRATE DRUG COURT FUND AND THE
DISTRICT COURT DRUG COURT FUND; CREATING THE DISTRICT COURT
DRUG COURT FUND; PROVIDING THAT THE DRUG COURT PROGRAMS FUNDED
BY THE MAGISTRATE AND DISTRICT COURT DRUG COURT FUNDS INCLUDE
SUBSTANCE ABUSE SERVICES.

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--LOTTERY TUITION FUND.--

A. A distribution pursuant to Section 7-1-6.1
NMSA 1978 shall be made to the local DWI grant fund in an

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1 amount equal to the following percentages of the net receipts
2 attributable to the liquor excise tax:

3 (1) prior to July 1, 2015, forty-one and one-
4 half percent;

5 (2) from July 1, 2015 through June 30, 2018,
6 forty-six percent; and

7 (3) on and after July 1, 2018, [~~forty-one~~]
8 seventy and one-half percent.

9 B. A distribution pursuant to Section 7-1-6.1
10 NMSA 1978 of twenty thousand seven hundred fifty dollars
11 (\$20,750) monthly from the net receipts attributable to the
12 liquor excise tax shall be made to a municipality that is
13 located in a class A county and that has a population according
14 to the most recent federal decennial census of more than thirty
15 thousand but less than sixty thousand. The distribution
16 pursuant to this subsection shall be used by the municipality
17 only for the provision of alcohol treatment and rehabilitation
18 services for street inebriates.

19 C. From July 1, 2015 through June 30, 2017, a
20 distribution pursuant to Section 7-1-6.1 NMSA 1978 of thirty-
21 nine percent of the net receipts attributable to the liquor
22 excise tax shall be made to the lottery tuition fund.

23 D. Beginning July 1, 2018, a distribution pursuant
24 to Section 7-1-6.1 NMSA 1978 of five percent of the net
25 receipts attributable to the liquor excise tax shall be made to

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1 the magistrate drug court fund.

2 E. Beginning July 1, 2018, a distribution pursuant
3 to Section 7-1-6.1 NMSA 1978 of five percent of the net
4 receipts attributable to the liquor excise tax shall be made to
5 the district court drug court fund."

6 SECTION 2. Section 34-9-14.1 NMSA 1978 (being Laws 2003,
7 Chapter 240, Section 2) is amended to read:

8 "34-9-14.1. MAGISTRATE DRUG COURT FUND--CREATED.--The
9 "magistrate drug court fund" is created in the state treasury.
10 The administrative office of the courts shall administer money
11 in the fund to offset client service costs of drug court
12 programs in magistrate courts that include substance abuse
13 services and that are consistent with standards approved by the
14 supreme court. Money in the fund shall be expended on warrants
15 of the secretary of finance and administration upon vouchers
16 signed by the court administrator or [~~his~~] the administrator's
17 authorized representative. Balances in the fund shall not
18 revert to the general fund at the end of a fiscal year."

19 SECTION 3. A new Section 34-9-14.2 NMSA 1978 is enacted
20 to read:

21 "34-9-14.2. [NEW MATERIAL] DISTRICT COURT DRUG COURT
22 FUND--CREATED.--The "district court drug court fund" is created
23 in the state treasury. The administrative office of the courts
24 shall administer money in the fund to offset client service
25 costs of drug court programs in district courts that include

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1 substance abuse services and that are consistent with standards
2 approved by the supreme court. Money in the fund shall be
3 expended on warrants of the secretary of finance and
4 administration upon vouchers signed by the court administrator
5 or the administrator's authorized representative. Balances in
6 the fund shall not revert to the general fund at the end of a
7 fiscal year."

8 SECTION 4. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2016.