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SENATE BILL 175

**49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010**

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO DEVELOPMENTAL DISABILITIES; PROHIBITING THE USE OF AGENCY FUNDS TO PAY PLAINTIFFS' ATTORNEYS FROM THE *ACLU V. CYFD* LAWSUIT IN FISCAL YEAR 2011; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

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

Section 1. PROHIBITION ON PAYMENT TO PLAINTIFFS'

ATTORNEYS.--

A. No funds shall be expended to pay attorney fees, expert witness fees or other expenses that may be claimed by plaintiffs' attorneys in the *ACLU v. CYFD* lawsuit and settlement, NM Dist. Ct., 1st Jud. Dist. No. D-0101-CV-2007-02921 or related cases.

B. Upon enactment of this measure, the children, youth and families department, the corrections department, the .181022.1

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1 human services department, the vocational rehabilitation  
2 division of the public education department and other involved  
3 departments shall cease using any funds for the purpose of  
4 paying such plaintiffs' attorney fees.

5 C. Funds saved by the enactment of this measure  
6 shall be appropriated to reduce the developmental disabilities  
7 waiver waiting list and are authorized for transfer to the  
8 department of health for that purpose.

9 Section 2. EMERGENCY.--It is necessary for the public  
10 peace, health and safety that this act take effect immediately.