

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 139

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

INTRODUCED BY  
Kathleen Gates

AN ACT

RELATING TO FINANCE; ENACTING THE PROFESSIONAL RECRUITMENT AND  
RETENTION HOUSING LOAN FOR SERVICE ACT; PROVIDING FOR PROGRAM  
ADMINISTRATION BY THE NEW MEXICO MORTGAGE FINANCE AUTHORITY;  
PROVIDING LOANS FOR SERVICE TO PROFESSIONALS FOR EXPENSES  
RELATED TO THE PURCHASE OF A HOME; CONDITIONING LOANS ON  
PRACTICE IN NEW MEXICO; PROVIDING TERMS FOR REPAYMENT.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be  
cited as the "Professional Recruitment and Retention Housing  
Loan for Service Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the  
Professional Recruitment and Retention Housing Loan for Service  
Act:

A. "authority" means the New Mexico mortgage

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 finance authority;

2 B. "loan" means a contract to finance the purchase  
3 of a home between an agent of the authority and a professional;

4 C. "professional" means a person who holds a New  
5 Mexico license or certification in a health-related profession;  
6 and

7 D. "program" means the professional recruitment and  
8 retention housing loan for service program.

9 SECTION 3. [NEW MATERIAL] PROFESSIONAL RECRUITMENT AND  
10 RETENTION HOUSING LOAN FOR SERVICE PROGRAM CREATED--LOAN  
11 APPLICANT ELIGIBILITY--QUALIFICATIONS.--

12 A. The "professional recruitment and retention  
13 housing loan for service program" is created within the  
14 authority.

15 B. The authority shall create an account for any  
16 money designated for the program. Loans for the program shall  
17 be provided from the account, and the account may consist of  
18 subaccounts as the authority deems necessary.

19 C. Pursuant to the program, the authority may grant  
20 a loan to a professional to assist in the purchase of a home in  
21 New Mexico in exchange for the professional practicing in the  
22 state for ten years at no less than three-fourths of full-time  
23 employment.

24 D. Applications shall be submitted to the authority  
25 on forms provided by the authority and shall include:

.226774.4

underscored material = new  
[bracketed material] = delete

1 (1) proof of licensure or certification in New  
2 Mexico provided to the authority by the licensing body of the  
3 professional;

4 (2) a written declaration of intent to  
5 practice in New Mexico as a professional for ten years at no  
6 less than three-fourths of full-time employment as certified to  
7 the authority;

8 (3) a copy of the mortgage application for the  
9 purchase of a home in New Mexico; and

10 (4) any other documentation required by the  
11 authority.

12 SECTION 4. [NEW MATERIAL] PROGRAM REQUIREMENTS.--

13 A. The authority shall administer the program  
14 pursuant to the following requirements:

15 (1) applicants to the program shall be  
16 licensed or certified to practice in New Mexico as a  
17 professional and shall declare a written intent to practice as  
18 a professional in this state;

19 (2) a loan shall be granted only one time in  
20 the course of ten years;

21 (3) a loan shall not exceed ten percent of the  
22 total home purchase price limit as determined by the authority;  
23 and

24 (4) if granted, the loan shall be a lien on  
25 the property financed by the loan. After the applicant has

.226774.4

underscoring material = new  
~~[bracketed material] = delete~~

1 completed the required ten years at no less than three-fourths  
2 of full-time employment in the state, and upon completion of  
3 the requirements as verified by the authority, including  
4 certification from the licensing body of the professional  
5 verifying that the professional has maintained a license for  
6 ten years, the loan shall be forgiven.

7 B. The authority may grant a loan to an applicant  
8 who meets the requirements of the Professional Recruitment and  
9 Retention Housing Loan for Service Act and the rules  
10 promulgated in accordance with that act.

11 SECTION 5. [NEW MATERIAL] CONTRACT TERMS--REPAYMENT.--

12 A. A loan provided pursuant to the Professional  
13 Recruitment and Retention Housing Loan for Service Act is a  
14 written contract between the professional and an agent of the  
15 authority acting on behalf of the authority. The contract  
16 shall state the loan and the obligations of the professional  
17 under the program as provided in that act and the rules  
18 promulgated in accordance with that act.

19 B. A loan provided pursuant to the Professional  
20 Recruitment and Retention Housing Loan for Service Act shall  
21 bear an annual interest rate equal to the current federal home  
22 loan mortgage corporation mortgage rate on the date the loan is  
23 made.

24 C. A professional who is provided a loan pursuant  
25 to the Professional Recruitment and Retention Housing Loan for

.226774.4

underscored material = new  
[bracketed material] = delete

1 Service Act and who does not fulfill the obligations of the  
2 contract shall repay the loan with interest with proceeds from  
3 the sale of the property that was purchased using the loan.

4 D. The authority shall adopt rules to implement the  
5 provisions of this section.

6 SECTION 6. [NEW MATERIAL] CONTRACTS--ENFORCEMENT.--The  
7 general form of the contract required shall be prepared and  
8 approved by the attorney general and the department of finance  
9 and administration and signed by the professional and by an  
10 agent of the authority on behalf of the authority. The  
11 authority is vested with full and complete authority and the  
12 power to sue in its own name for any balance due from a  
13 professional on the contract.

14 SECTION 7. [NEW MATERIAL] CANCELLATION.--The authority  
15 may cancel a contract entered into with a professional for any  
16 reasonable cause deemed sufficient by the authority, including  
17 the loss of a professional license or certification and a  
18 failure to provide professional services for ten years at no  
19 less than three-fourths of full-time employment in this state.

20 SECTION 8. [NEW MATERIAL] REPORTS.--The authority shall  
21 make an annual report to the governor and the legislature,  
22 prior to each regular session, of its activities, including the  
23 number of loans granted pursuant to the Professional  
24 Recruitment and Retention Housing Loan for Service Act.

25 SECTION 9. EFFECTIVE DATE.--The effective date of the

.226774.4

underscoring material = new  
~~[bracketed material] = delete~~

1 provisions of this act is July 1, 2024.

2 - 6 -

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25