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SENATE BILL 162

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

INTRODUCED BY

George K. Muñoz

AN ACT

RELATING TO PUBLIC FINANCE; PROHIBITING THE DRAWING OR PAYMENT OF A WARRANT BY AN EMPLOYEE OF A STATE AGENCY WHEN THERE IS AN INSUFFICIENT BALANCE; PRESCRIBING PENALTIES.

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

SECTION 1. A new section of Chapter 6, Article 5 NMSA 1978 is enacted to read:

"~~[NEW MATERIAL]~~ DRAWING OR PAYMENT OF A WARRANT BY AN EMPLOYEE OF A STATE AGENCY WHEN THERE IS AN INSUFFICIENT BALANCE--PENALTY.--

A. If an employee of a state agency draws a warrant or directs another employee of a state agency to draw a warrant on the secretary of finance and administration when that employee knows or, with the use of available accounting information, should reasonably know that there is an

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

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

1 insufficient unexpended and unencumbered balance available for
2 the purpose for which the warrant is drawn, the employee is in
3 violation of this section unless the warrant is redeemed using
4 receivables accrued for that fiscal year pursuant to the
5 policies of the department of finance and administration.

6 B. An employee who violates this section is guilty
7 of a misdemeanor and shall, upon conviction, be fined not more
8 than one thousand dollars (\$1,000). The state shall not employ
9 any person so convicted for a period of five years after the
10 date of conviction."