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SENATE BILL 25

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Michael Padilla

AN ACT

RELATING TO INFRASTRUCTURE; EXPANDING THE DEFINITION OF  
"COLONIA" IN THE COLONIAS INFRASTRUCTURE ACT.

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

SECTION 1. Section 6-30-3 NMSA 1978 (being Laws 2010,  
Chapter 10, Section 3) is amended to read:

"6-30-3. DEFINITIONS.--As used in the Colonias  
Infrastructure Act:

- A. "authority" means the New Mexico finance  
authority;
- B. "board" means the colonias infrastructure board;
- C. "colonia" means a rural community with a  
population of twenty-five thousand or less located within one  
hundred fifty miles of the United States-Mexico border or  
within fifty miles of a municipality with a population over two

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1 hundred fifty thousand that:

2 (1) has been designated as a colonia by the  
3 municipality or county in which it is located because of a:

4 (a) lack of potable water supply;  
5 (b) lack of adequate sewage systems; or  
6 (c) lack of decent, safe and sanitary  
7 housing;

8 (2) has been in existence as a colonia prior  
9 to November 1990; and

10 (3) has submitted appropriate documentation to  
11 the board to substantiate the conditions of this subsection,  
12 including documentation that supports the designation of the  
13 municipality or county;

14 D. "financial assistance" means providing grants or  
15 loans on terms and conditions approved by the authority;

16 E. "project fund" means the colonias infrastructure  
17 project fund;

18 F. "qualified entity" means a county, municipality  
19 or other entity recognized as a political subdivision of the  
20 state;

21 G. "qualified project" means a capital outlay  
22 project selected by the board for financial assistance that is  
23 primarily intended to develop colonias infrastructure. A  
24 qualified project may include a water system, a wastewater  
25 system, solid waste disposal facilities, flood and drainage

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1 control, roads or housing infrastructure; but "qualified  
2 project" does not include general operation and maintenance,  
3 equipment, housing allowance payments or mortgage subsidies;  
4 and

5 H. "trust fund" means the colonias infrastructure  
6 trust fund."