

HOUSE BILL 7

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Joy Garratt

AN ACT

RELATING TO WORKFORCE DEVELOPMENT; MAKING ANNUAL TRANSFERS FROM THE WORKFORCE DEVELOPMENT AND APPRENTICESHIP TRUST FUND TO THE PUBLIC WORKS APPRENTICE AND TRAINING FUND AND ANNUAL APPROPRIATIONS TO THE WORKFORCE SOLUTIONS DEPARTMENT TO CARRY OUT THE PURPOSES OF THE APPRENTICESHIP ASSISTANCE ACT; MAKING APPROPRIATIONS.

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

SECTION 1. Section 9-26-17 NMSA 1978 (being Laws 2024, Chapter 5, Section 1) is amended to read:

"9-26-17. WORKFORCE DEVELOPMENT AND APPRENTICESHIP TRUST FUND --

A. The "workforce development and apprenticeship trust fund" is created within the state treasury. The fund consists of distributions, appropriations, gifts, grants and

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1 donations. Income from investment of the fund shall be
2 credited to the fund. Money in the fund shall be expended only
3 as provided in this section.

4 B. The state investment officer, subject to the
5 approval of the state investment council, shall invest money in
6 the workforce development and apprenticeship trust fund:

7 (1) in accordance with the prudent investor
8 rule set forth in the Uniform Prudent Investor Act; and

9 (2) in consultation with the state treasurer.

10 C. The state investment officer shall report
11 quarterly to the legislative finance committee and the state
12 investment council on the investments made pursuant to this
13 section. Annually, a report shall be submitted no later than
14 November 1 each year to the legislative finance committee, the
15 revenue stabilization and tax policy committee and any other
16 appropriate interim committees.

17 D. Subject to the availability of funds [(+) on
18 July 1, [2024] 2026 and July 1, 2025] on July 1 of each year
19 thereafter:

20 [(a)] (1) two million five hundred thousand
21 dollars (\$2,500,000) shall be transferred to the public works
22 apprentice and training fund; and

23 [(b)] (2) two million five hundred thousand
24 dollars (\$2,500,000) shall be appropriated to the workforce
25 solutions department to carry out the purposes of the

1 Apprenticeship Assistance Act. [and
2 (2) ~~on July 1 of each year thereafter.~~
3 (a) ~~one million five hundred thousand~~
4 ~~dollars (\$1,500,000) shall be transferred to the public works~~
5 ~~apprentice and training fund; and~~
6 (b) ~~one million five hundred thousand~~
7 ~~dollars (\$1,500,000) shall be appropriated to the workforce~~
8 ~~solutions department to carry out the purposes of the~~
9 ~~Apprenticeship Assistance Act.]~~

10 E. In addition to the transfers and appropriations
11 pursuant to Subsection D of this section, money in the
12 workforce development and apprenticeship trust fund may be
13 expended in the event that general fund balances, including all
14 authorized revenues and transfers to the general fund and
15 balances in the general fund operating reserve, the
16 appropriation contingency fund, [~~the tobacco settlement~~
17 ~~permanent fund~~] the state-support reserve fund and the tax
18 stabilization reserve, will not meet the level of
19 appropriations authorized from the general fund for a fiscal
20 year. In that event, to avoid an unconstitutional deficit, the
21 legislature may appropriate from the workforce development and
22 apprenticeship trust fund to the general fund only in the
23 amount necessary to meet general fund appropriations for that
24 fiscal year and only if the legislature has authorized
25 transfers from the appropriation contingency fund, the general

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1 fund operating reserve and the tax stabilization reserve [and
2 ~~the tobacco settlement permanent fund~~] that exhaust those fund
3 balances."

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