

AN ACT

RELATING TO PUBLIC FINANCE; PROVIDING FOR ALLOCATION OF EARNINGS AND REALIZED AND UNREALIZED GAINS AND LOSSES ON ALL ACCOUNTS AND FUNDS IN THE CUSTODY OF THE STATE TREASURER.

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

Section 1. Section 6-10-2.1 NMSA 1978 (being Laws 1989, Chapter 324, Section 41) is amended to read:

"6-10-2.1. STATE TREASURER--DUTY.--The state treasurer shall identify and allocate to the general fund all earnings on and realized and unrealized gains and losses from the investment of all accounts or funds in his custody unless the allocation of the earnings and realized and unrealized gains and losses are:

- A. otherwise specifically provided by law;
 - B. prohibited by federal law creating the fund or the account or by specific court order; or
 - C. from the investment of a permanent fund and the use of the interest and income from the fund is restricted by constitutional or statutory provisions to particular purposes. "
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