

1 AN ACT

2 RELATING TO LAW ENFORCEMENT; PROVIDING THAT TOURNIQUETS AND  
3 TRAUMA KITS AND TRAINING ON THE USE OF THOSE ITEMS BE GIVEN  
4 TO NEW MEXICO LAW ENFORCEMENT ACADEMY AND TRAINING FACILITY  
5 CADETS AND TO CERTIFIED LAW ENFORCEMENT OFFICERS; MAKING AN  
6 APPROPRIATION.

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

9 SECTION 1. A new section of the Law Enforcement  
10 Training Act is enacted to read:

11 "TOURNIQUET AND TRAUMA KIT TRAINING AND DISTRIBUTION.--

12 A. Tourniquet and trauma kit training shall be  
13 included in the curriculum of each basic law enforcement  
14 training class and as a component of in-service law  
15 enforcement training each year for certified police officers.  
16 The academy, in coordination with certified regional law  
17 enforcement training facilities, shall provide a tourniquet  
18 and trauma kit to each cadet who graduates from the academy  
19 or from a certified regional law enforcement training  
20 facility and to each previously certified police officer who  
21 attends a certification-by-waiver course.

22 B. The academy shall provide hands-on tourniquet  
23 and trauma kit training to all officers using tourniquet and  
24 trauma kit equipment designed for training purposes. The  
25 training shall be designed in a manner that will safely

1 replicate field conditions without the risk of injury in  
2 order for officers to develop the necessary skills to use  
3 tourniquets and trauma kits. In order to supplement the  
4 hands-on training, the academy may produce a training video  
5 on the proper use of tourniquets and trauma kits for use in  
6 the academy and certified regional law enforcement training  
7 facilities.

8 C. The academy, in coordination with certified  
9 regional law enforcement training facilities, shall  
10 distribute a tourniquet and trauma kit to each police officer  
11 who has been certified pursuant to the Law Enforcement  
12 Training Act."

13 SECTION 2. Section 29-13-2.1 NMSA 1978 (being Laws  
14 1993, Chapter 179, Section 4, as amended) is amended to read:

15 "29-13-2.1. DEFINITIONS.--As used in the Law  
16 Enforcement Protection Fund Act:

17 A. "academy" means the New Mexico law enforcement  
18 academy;

19 B. "division" means the local government division  
20 of the department of finance and administration;

21 C. "fund" means the law enforcement protection  
22 fund;

23 D. "governmental entity" means the academy, a  
24 municipality, university, tribe or a county;

25 E. "tribal police department" means the police

1 department of a tribe that has entered into an agreement with  
2 the department of public safety pursuant to Section 29-1-11  
3 NMSA 1978;

4 F. "tribe" means an Indian nation, tribe or pueblo  
5 located wholly or partly in New Mexico; and

6 G. "university" means a four-year post-  
7 secondary educational institution listed in Article 12,  
8 Section 11 of the constitution of New Mexico."

9 SECTION 3. Section 29-13-4 NMSA 1978 (being Laws 1993,  
10 Chapter 179, Section 6, as amended by Laws 2002, Chapter 78,  
11 Section 5 and by Laws 2002, Chapter 92, Section 3) is amended  
12 to read:

13 "29-13-4. DETERMINATION OF NEEDS AND RATE OF  
14 DISTRIBUTION.--

15 A. Annually on or before April 15, the division  
16 shall consider and determine the relative needs as requested  
17 by tribal, municipal and university police, county sheriff's  
18 departments and the academy for money in the fund pursuant to  
19 the provisions of Subsection C of this section.

20 B. As necessary during the year, the division  
21 shall transfer an amount from the fund to the peace  
22 officers', New Mexico mounted patrol members' and reserve  
23 police officers' survivors fund that enables the balance of  
24 the peace officers', New Mexico mounted patrol members' and  
25 reserve police officers' survivors fund to be maintained at a

1 minimum balance of three hundred fifty thousand dollars  
2 (\$350,000).

3 C. The division shall determine the rate of  
4 distribution of money remaining in the fund as follows:

5 (1) all municipal police and county  
6 sheriff's departments shall be rated by class pursuant to  
7 this paragraph in accordance with populations established by  
8 the most recently completed decennial census; provided that  
9 the population of any county shall not include the population  
10 of any municipality within that county that has a municipal  
11 police department. The rate of distribution to which a  
12 municipal police or county sheriff's department is entitled  
13 is the following:

14	CLASS	POPULATION	AMOUNT
15	1	0 to 20,000	\$20,000
16	2	20,001 to 160,000	30,000
17	3	160,001 to 1,280,000	40,000;

18 (2) university police departments shall be  
19 entitled to a rate of distribution of seventeen thousand  
20 dollars (\$17,000);

21 (3) the academy shall be entitled to a rate  
22 of distribution of twenty-four thousand five hundred dollars  
23 (\$24,500) to carry out the purposes of Section 1 of this 2017  
24 act;

25 (4) tribal police departments shall be

1 entitled, unless allocations are adjusted pursuant to the  
2 provisions of Subsection D of this section, to six hundred  
3 dollars (\$600) for each commissioned peace officer in the  
4 tribe. To be counted as a commissioned peace officer for the  
5 purposes of this paragraph, a commissioned peace officer  
6 shall have been assigned to duty and have worked in New  
7 Mexico for no fewer than two hundred days in the calendar  
8 year immediately prior to the date of payment. Payments  
9 shall be made for only those divisions of the tribal police  
10 departments that perform services in New Mexico. A tribal  
11 police department shall not be eligible for any disbursement  
12 under the fund if commissioned peace officers cite non-  
13 Indians into the tribal court for civil or criminal  
14 citations; and

15 (5) municipal and university police and  
16 county sheriff's departments shall be entitled, unless  
17 allocations are adjusted pursuant to the provisions of  
18 Subsection D of this section, to six hundred dollars (\$600)  
19 for each police officer or sheriff's deputy employed full  
20 time by that department who has been certified by the  
21 academy, or by a regional law enforcement training facility  
22 in the state certified by the director of the academy, as a  
23 police officer or has been authorized to act as a New Mexico  
24 peace officer pursuant to the provisions of Section 29-1-11  
25 NMSA 1978.

1           D. After distributions are determined in  
2 accordance with Subsection A, Subsection B and Paragraphs  
3 (1), (2) and (3) of Subsection C of this section, if the  
4 balance in the fund is insufficient to permit the total  
5 allocations provided by Paragraphs (4) and (5) of Subsection  
6 C of this section, the division shall reduce that allocation  
7 to the maximum amount permitted by available money."

8           **SECTION 4.** Section 29-13-5 NMSA 1978 (being Laws 1983,  
9 Chapter 289, Section 5, as amended) is amended to read:

10           "29-13-5. DETERMINATION OF NEEDS--REVIEW.--No later  
11 than May 1 of each year, the division shall notify in writing  
12 each affected municipal police, university police, tribal  
13 police and county sheriff's department and the academy of its  
14 determination of money to be distributed pursuant to the  
15 provisions of Section 29-13-4 NMSA 1978. Any affected  
16 governmental entity may appeal that determination by filing a  
17 notice of appeal with the secretary of finance and  
18 administration no later than May 15. If an appeal is filed,  
19 the secretary of finance and administration shall review the  
20 determination of the division in an informal and summary  
21 proceeding and shall certify the result of the appeal to the  
22 division no later than June 30, and the division shall adjust  
23 its determination accordingly. If no appeal is filed, the  
24 original determination of the division shall be final and  
25 binding and not subject to further review."

1           SECTION 5. Section 29-13-7 NMSA 1978 (being Laws 1983,  
2 Chapter 289, Section 7, as amended) is amended to read:

3           "29-13-7. EXPENDITURE LIMITATION--CONTROL.--

4           A. Except as provided for the academy in  
5 Subsection B of this section, amounts distributed from the  
6 fund shall be expended only for the following:

7                   (1) the repair and purchase of law  
8 enforcement apparatus and equipment, including the financing  
9 and refinancing thereof, that meet minimum nationally  
10 recognized standards;

11                   (2) the purchase of law enforcement  
12 equipment, including protective vests, for police dogs;

13                   (3) expenses associated with advanced law  
14 enforcement planning and training;

15                   (4) maintaining the balance of the peace  
16 officers', New Mexico mounted patrol members' and reserve  
17 police officers' survivors fund at a minimum amount of three  
18 hundred fifty thousand dollars (\$350,000);

19                   (5) complying with match or contribution  
20 requirements for the receipt of federal funds relating to  
21 criminal justice programs; and

22                   (6) no more than fifty percent of the  
23 replacement salaries of municipal and county law enforcement  
24 personnel of municipalities or counties rated as Class 1 in  
25 Paragraph (1) of Subsection C of Section 29-13-4 NMSA 1978

1 participating in basic law enforcement training.

2 B. For the academy, amounts distributed from the  
3 fund shall be expended only for providing tourniquet and  
4 trauma kits and training on the use of tourniquet and trauma  
5 kits pursuant to Section 1 of this 2017 act.

6 C. Amounts distributed from the fund shall be  
7 expended only pursuant to approved budgets and upon duly  
8 executed vouchers approved as required by law."

9 SECTION 6. EFFECTIVE DATE.--The effective date of the  
10 provisions of this act is July 1, 2017. \_\_\_\_\_

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