

HOUSE BILL 283

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Candie G. Sweetser

AN ACT

RELATING TO FIRE PROTECTION; CLARIFYING THAT MONEY FROM THE
FIRE PROTECTION FUND MAY BE USED TO PURCHASE LAND FOR FIRE
STATIONS AND SUBSTATIONS; ALLOWING FOR THE AWARD OF ADDITIONAL
FIRE PROTECTION FUND MONEY TO A MUNICIPALITY OR COUNTY FIRE
DISTRICT WITH AN OUTSTANDING OBLIGATION TO BE SATISFIED WITH
MONEY FROM THAT FUND.

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

SECTION 1. Section 59A-53-8 NMSA 1978 (being Laws 1984,
Chapter 127, Section 979, as amended) is amended to read:

"59A-53-8. EXPENDITURE OF FIRE PROTECTION FUND MONEY.--
Any amount distributed from the fire protection fund to a
municipality or to a county fire district shall be expended
only for the maintenance of its fire department; the purchase
of land for its fire stations and substations; the purchase,

.209953.3

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 construction, maintenance, repair and operation of its fire
2 stations [~~including~~] and substations; fire apparatus and
3 equipment and the financing or refinancing thereof; the payment
4 of insurance premiums on fire stations, substations, fire
5 apparatus and equipment and insurance premiums for injuries or
6 deaths of firefighters as otherwise provided by law; and fire
7 department emergency medical services, except salaries;
8 provided, however, that no money shall be expended from the
9 fund for any purpose relating to the water supply systems of a
10 municipality or county fire district or for the improvement or
11 construction of the systems or for purchase, rental,
12 installation or maintenance of fire hydrants or for any other
13 appurtenances relating to the distribution or use of the water
14 supply system. Funds distributed from the fire protection fund
15 to an incorporated municipality or a county fire district may
16 also be expended for the expense of firefighters for attending
17 fire schools and conventions approved by the marshal."

18 SECTION 2. Section 59A-53-10 NMSA 1978 (being Laws 1984,
19 Chapter 127, Section 981, as amended) is amended to read:

20 "59A-53-10. [~~PURCHASE OF~~] INTEREST IN LAND [~~OR BUILDINGS~~]
21 FOR FIRE STATIONS OR SUBSTATIONS.--No amount so distributed
22 from the fire protection fund to a municipality or to [~~any~~] a
23 county fire district [~~shall be expended or obligated for the~~
24 ~~purchase of land or the construction of buildings for fire~~
25 ~~stations or substations unless all obligations previously~~

.209953.3

underscored material = new
[bracketed material] = delete

1 ~~incurred for those purposes and to be paid from money~~
2 ~~distributed from the fire protection fund by the municipality~~
3 ~~or county fire district have been fully paid and satisfied; and~~
4 ~~no amount]~~ shall be expended or obligated for the construction
5 of buildings for fire stations or substations unless the
6 municipality or county fire district proposing to expend or
7 obligate for that purpose money distributed from the fire
8 protection fund holds fee simple title, not encumbered by any
9 lien, to the land on which it proposes to construct any such
10 building; provided, however, that this provision shall not
11 prohibit construction or location of a fire station or
12 substation on land donated in whole or in part to the
13 municipality or county fire district for the purpose, and use
14 of fire protection fund money for the construction or location,
15 where the donor has reserved right of reversion of the land
16 under stated conditions, if the use of money is approved by the
17 marshal in advance and after full investigation and
18 determination that the use would be appropriate and
19 reasonable."

