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HOUSE BILL 305

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Edward C. Sandoval

FOR THE NEW MEXICO FINANCE AUTHORITY OVERSIGHT COMMITTEE

AN ACT

RELATING TO THE BEHAVIORAL HEALTH CAPITAL FUND; MAKING A
DISTRIBUTION OF CIGARETTE TAX REVENUES TO THE FUND; MAKING AN
APPROPRIATION.

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

Section 1. Section 7-1-6.11 NMSA 1978 (being Laws 1983,
Chapter 211, Section 16, as amended) is amended to read:

"7-1-6.11. DISTRIBUTIONS OF CIGARETTE TAXES.--

A. A distribution pursuant to Section 7-1-6.1 NMSA
1978 shall be made to the county and municipality recreational
fund in an amount equal to one and thirty-six hundredths
percent of the net receipts, exclusive of penalties and
interest, attributable to the cigarette tax.

B. A distribution pursuant to Section 7-1-6.1 NMSA
1978 shall be made to the county and municipal cigarette tax

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1 fund in an amount equal to two and seventy-two hundredths
2 percent of the net receipts, exclusive of penalties and
3 interest, attributable to the cigarette tax.

4 C. A distribution pursuant to Section 7-1-6.1 NMSA
5 1978 shall be made to the cancer research and treatment center
6 at the university of New Mexico health sciences center in an
7 amount equal to one and thirty-six hundredths percent of the
8 net receipts, exclusive of penalties and interest, attributable
9 to the cigarette tax.

10 D. A distribution pursuant to Section 7-1-6.1 NMSA
11 1978 shall be made to the New Mexico finance authority in an
12 amount equal to two and four-hundredths percent of the net
13 receipts, exclusive of penalties and interest, attributable to
14 the cigarette tax.

15 E. A distribution pursuant to Section 7-1-6.1 NMSA
16 1978 in an amount equal to fourteen and fifty-two hundredths
17 percent of the net receipts, exclusive of penalties and
18 interest, attributable to the cigarette tax, shall be made, on
19 behalf of and for the benefit of the university of New Mexico
20 health sciences center, to the New Mexico finance authority.

21 F. A distribution pursuant to Section 7-1-6.1 NMSA
22 1978 in an amount equal to six and eleven-hundredths percent of
23 the net receipts, exclusive of penalties and interest,
24 attributable to the cigarette tax, shall be made to the New
25 Mexico finance authority for improvements to department of

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1 health facilities.

2 G. A distribution pursuant to Section 7-1-6.1 NMSA
3 1978 in an amount equal to fifteen and ninety-five hundredths
4 percent of the net receipts, exclusive of penalties and
5 interest, attributable to the cigarette tax, shall be made to
6 the New Mexico finance authority for deposit in the credit
7 enhancement account created in the authority.

8 H. A distribution pursuant to Section 7-1-6.1 NMSA
9 1978 shall be made to the behavioral health capital fund in an
10 amount equal to two percent of the net receipts, exclusive of
11 penalties and interest, attributable to the cigarette tax."

12 Section 2. APPROPRIATION.--Seven million dollars
13 (\$7,000,000) is appropriated from the general fund to the
14 behavioral health capital fund for expenditure in fiscal year
15 2006 and succeeding fiscal years for the purpose of making
16 loans to eligible entities for capital projects pursuant to the
17 Behavioral Health Capital Funding Act. Any unexpended or
18 unencumbered balance remaining at the end of a fiscal year
19 shall not revert to the general fund.