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HOUSE BILL 568

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Ben Lujan

AN ACT

RELATING TO HOUSING; AMENDING THE REGIONAL HOUSING LAW TO
CREATE THE REGIONAL HOUSING COUNCIL, TO CREATE THE REGIONAL
HOUSING REVOLVING FUND AND CRITERIA FOR DISBURSING THE FUND AND
TO PROVIDE FOR CONSISTENCY WITH FEDERAL LAW; MAKING AN
APPROPRIATION.

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

Section 1. A new section of the Regional Housing Law,
Section 11-3A-5.1 NMSA 1978, is enacted to read:

"11-3A-5.1. [NEW MATERIAL] REGIONAL HOUSING COUNCIL--
COMPOSITION--DUTIES.--

A. The "regional housing council" is created. The
council shall consist of ten members as follows:

(1) three members, appointed by the governor,
who shall serve for terms of two years; and

.160490.1

underscored material = new
[bracketed material] = delete

underscoring material = new
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1 (2) the chair of each of the seven regional
2 housing authorities or the chair's designee.

3 B. The council shall annually elect a chair and
4 such other officers as it deems necessary and shall meet at the
5 call of the chair or at the motion of six or more members, but
6 no less than four times per year.

7 C. Appointed members shall receive per diem and
8 mileage as provided in the Per Diem and Mileage Act and no
9 other compensation.

10 D. To the extent that money is available in the
11 regional housing revolving fund, upon application, the council
12 shall make distributions from the fund to regional housing
13 authorities pursuant to the following guidelines:

14 (1) distributions shall be made for the
15 purpose of providing an authority with the necessary funding to
16 initiate a housing project, including the necessary funding to
17 match federal, local or private money committed to a project;

18 (2) after a housing project commences, as a
19 recipient authority recoups money from bond or loan proceeds or
20 other funding, the amount received from the fund shall be
21 repaid and deposited in the fund; and

22 (3) the amount distributed to any single
23 authority in a fiscal year shall not exceed the amount
24 allocated to that authority based upon an equitable formula
25 developed by the council based on populations according to the

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underscored material = new
[bracketed material] = delete

1 2000 federal decennial census.

2 E. As needed and as determined by the council,
3 employees of the authorities shall provide staff to the
4 council.

5 F. The council shall adopt rules necessary to
6 effectuate the provisions of this section."

7 Section 2. A new section of the Regional Housing Law is
8 enacted to read:

9 "[NEW MATERIAL] REGIONAL HOUSING REVOLVING FUND.--The
10 "regional housing revolving fund" is created in the state
11 treasury. The fund shall consist of appropriations, gifts,
12 grants, donations and bequests made to the fund and repayments
13 by regional housing authorities of distributions from the fund.
14 Income from the fund shall be credited to the fund, and money
15 in the fund shall not revert or be transferred to any other
16 fund at the end of a fiscal year. Money in the fund is
17 appropriated to the regional housing council for the purposes
18 of making distributions approved by the council pursuant to
19 Section 11-3A-5.1 NMSA 1978. Expenditures from the fund shall
20 be made on warrant of the secretary of finance and
21 administration pursuant to vouchers signed by the chair of the
22 regional housing council."

23 Section 3. A new section of the Regional Housing Law is
24 enacted to read:

25 "[NEW MATERIAL] CONFLICT WITH FEDERAL REQUIREMENTS.--If

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underscoring material = new
[bracketed material] = delete

1 any part of the Regional Housing Law is found to be in conflict
2 with federal requirements that are a prescribed condition to
3 the allocation of federal funds to the state, the conflicting
4 part of that act is inoperative solely to the extent of the
5 conflict and with respect to the agencies directly affected,
6 and this finding does not affect the operation of the remainder
7 of that act in its application to the agencies concerned. The
8 rules adopted by the authorities and the regional housing
9 council pursuant to the provisions of the Regional Housing Law
10 shall meet those federal requirements that are a necessary
11 condition to the receipt of federal funds by the state."

12 Section 4. APPROPRIATION.--Five million dollars
13 (\$5,000,000) is appropriated from the general fund to the
14 regional housing revolving fund for expenditure in fiscal year
15 2007 and subsequent fiscal years for the purpose of making
16 disbursements pursuant to Section 11-3A-5.1 NMSA 1978.
17 Unexpended or unencumbered balances shall not revert at the end
18 of a fiscal year.