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AN ACT

RELATING TO LIQUOR; AMENDING A SECTION OF THE LOCAL DWI GRANT PROGRAM ACT TO PROVIDE FOR DISTRIBUTION OF REVENUES TO THE LOCAL DWI GRANT FUND.

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

SECTION 1. Section 11-6A-3 NMSA 1978 (being Laws 1993, Chapter 65, Section 3, as amended) is amended to read:

"11-6A-3. LOCAL DWI GRANT PROGRAM--FUND.--

A. The division shall establish a local DWI grant program to make grants to municipalities or counties for:

(1) new, innovative or model programs, services or activities to prevent or reduce the incidence of DWI, alcoholism, alcohol abuse, drug addiction or drug abuse; and

(2) programs, services or activities to prevent or reduce the incidence of domestic abuse related to DWI, alcoholism, alcohol abuse, drug addiction or drug abuse.

B. Grants shall be awarded by the council pursuant to the advice and recommendations of the division.

C. The "local DWI grant fund" is created in the state treasury and shall be administered by the division. Two million five hundred thousand dollars (\$2,500,000) of liquor excise tax revenues distributed to the fund and all other money in the fund, other than money appropriated for

1 distribution pursuant to Subsections D and E of this section
2 and money appropriated for DWI program distributions, are
3 appropriated to the division to make grants to municipalities
4 and counties upon council approval in accordance with the
5 program established under the Local DWI Grant Program Act and
6 to evaluate DWI grantees and the local DWI grant program.
7 Money in the fund may be used for drug courts. An amount
8 equal to the liquor excise tax revenues distributed annually
9 to the fund, less five million six hundred thousand dollars
10 (\$5,600,000), is appropriated to the division to make DWI
11 program distributions to counties upon council approval of
12 programs in accordance with the provisions of the Local DWI
13 Grant Program Act. No more than six hundred thousand dollars
14 (\$600,000) of liquor excise tax revenues distributed to the
15 fund in any fiscal year shall be expended for administration
16 of the grant program. Balances in the fund at the end of any
17 fiscal year shall not revert to the general fund.

18 D. Two million eight hundred thousand dollars
19 (\$2,800,000) of the liquor excise tax revenues distributed to
20 the local DWI grant fund is appropriated to the division for
21 distribution to the following counties in the following
22 amounts for funding of alcohol detoxification and treatment
23 facilities:

24 (1) one million seven hundred thousand
25 dollars (\$1,700,000) to class A counties with a population of

1 over three hundred thousand persons according to the 1990
2 federal decennial census;

3 (2) three hundred thousand dollars
4 (\$300,000) each to counties reclassified in 2002 as class A
5 counties with a population of more than ninety thousand but
6 less than one hundred thousand persons according to the 1990
7 federal decennial census;

8 (3) two hundred thousand dollars (\$200,000)
9 to class B counties with a population of more than thirty
10 thousand but less than forty thousand persons according to
11 the 1990 federal decennial census;

12 (4) one hundred fifty thousand dollars
13 (\$150,000) to class B counties with a population of more than
14 sixty-two thousand but less than sixty-five thousand persons
15 according to the 1990 federal decennial census; and

16 (5) one hundred fifty thousand dollars
17 (\$150,000) to class B counties with a population of more than
18 thirteen thousand but less than fifteen thousand persons
19 according to the 1990 federal decennial census.

20 E. Three hundred thousand dollars (\$300,000) of
21 the liquor excise tax revenues distributed to the local DWI
22 grant fund is appropriated to the division for the interlock
23 device fund.

24 F. In awarding DWI grants to local communities,
25 the council:

1 (1) may fund new or existing innovative or
2 model programs, services or activities designed to prevent or
3 reduce the incidence of DWI, alcoholism or alcohol abuse;

4 (2) may fund existing community-based
5 programs, services or facilities for prevention, screening
6 and treatment of alcoholism and alcohol abuse;

7 (3) may fund new or existing innovative or
8 model programs, services or activities of any kind designed
9 to prevent or reduce the incidence of domestic abuse related
10 to DWI, alcoholism or alcohol abuse;

11 (4) may fund existing community-based
12 programs, services or facilities for prevention and treatment
13 of domestic abuse related to DWI, alcoholism or alcohol
14 abuse;

15 (5) shall give consideration to a broad
16 range of approaches to prevention, education, screening,
17 treatment or alternative sentencing, including programs that
18 combine incarceration, treatment and aftercare, to address
19 the problem of DWI, alcoholism or alcohol abuse; and

20 (6) shall make grants only to counties or
21 municipalities in counties that have established a DWI
22 planning council and adopted a county DWI plan or are parties
23 to a multicounty DWI plan that has been approved by the
24 council and approved pursuant to Chapter 43, Article 3 NMSA
25 1978 and only for programs, services or activities consistent

1 with that plan. A DWI plan shall also comply with local DWI
2 grant program rules and guidelines.

3 G. The council shall use the criteria in
4 Subsection F of this section to approve DWI programs,
5 services or activities for funding through the county DWI
6 program distribution. Sixty-five percent of the DWI grants
7 awarded to local communities shall be used for alcohol-related
8 treatment and detoxification programs." _____

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