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SENATE BILL 128

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Mary Kay Papen

ENDORSED BY THE NEW MEXICO

FINANCE AUTHORITY OVERSIGHT COMMITTEE

AN ACT

RELATING TO PUBLIC FINANCE; MAKING CERTAIN LOCAL GOVERNMENT-
OWNED BEHAVIORAL HEALTH CARE CLINICS ELIGIBLE FOR BEHAVIORAL
HEALTH CAPITAL FUNDING; ALLOWING THE NEW MEXICO FINANCE
AUTHORITY TO RECEIVE COMPENSATION FROM THE BEHAVIORAL HEALTH
CAPITAL FUND FOR ITS COSTS OF ADMINISTERING THE BEHAVIORAL
HEALTH CAPITAL FUNDING ACT; MAKING AN APPROPRIATION.

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

SECTION 1. Section 6-26-3 NMSA 1978 (being Laws 2004,
Chapter 71, Section 3) is amended to read:

"6-26-3. DEFINITIONS.--As used in the Behavioral Health
Capital Funding Act:

A. "authority" means the New Mexico finance
authority;

B. "capital project" means repair, renovation or
.211804.2SA

underscored material = new
~~[bracketed material] = delete~~

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1 construction of a behavioral health facility; purchase of land;
2 or acquisition of capital equipment of a long-term nature;

3 C. "department" means the department of health;

4 D. "eligible entity" means:

5 (1) a nonprofit behavioral health facility
6 that [~~has assets totaling less than ten million dollars~~
7 ~~(\$10,000,000)~~] is a 501(c)(3) nonprofit corporation for federal
8 income tax purposes and serves primarily sick and indigent
9 patients; or

10 (2) a behavioral health care clinic that
11 operates in a rural or other health care underserved area of
12 the state, that is owned by a county or municipality and that
13 meets department requirements for eligibility; and

14 E. "fund" means the behavioral health capital
15 fund."

16 SECTION 2. Section 6-26-4 NMSA 1978 (being Laws 2004,
17 Chapter 71, Section 4) is amended to read:

18 "6-26-4. BEHAVIORAL HEALTH CAPITAL FUND.--

19 A. The "behavioral health capital fund" is created
20 as a revolving fund in the authority. The fund shall consist
21 of appropriations, loan repayments, gifts, grants, donations
22 and interest earned on investment of the fund. Money in the
23 fund shall not revert at the end of a fiscal year.

24 B. Money in the fund is appropriated to the
25 authority for the purpose of making loans to eligible entities

.211804.2SA

underscored material = new
[bracketed material] = delete

1 for capital projects pursuant to the Behavioral Health Capital
2 Funding Act.

3 C. The fund shall be administered by the authority.
4 ~~[Administrative costs of]~~ The authority ~~[or department shall~~
5 ~~not be paid]~~ may recover from the fund the costs of
6 administering the fund and originating loans up to an amount
7 equal to ten percent of original loan amounts."

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