

HOUSE BILL 301

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

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This document incorporates amendments that have been adopted during the current legislative session. The document is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO CRIME; ENACTING THE VIOLENCE INTERVENTION PROGRAM ACT; CREATING THE VIOLENCE INTERVENTION PROGRAM FUND; ESTABLISHING APPLICATION AND REPORTING REQUIREMENTS; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Violence Intervention Program Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Violence Intervention Program Act:

A. "commission" means the New Mexico sentencing

.216230.2AIC February 5, 2020 (10:18am)

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commission;

B. "community-based organization" means an entity that is eligible to be awarded a contract to provide services that accomplish the purposes of the Violence Intervention Program Act;

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

D. "grantee" means a municipality that has applied for and receives funding pursuant to the Violence Intervention Program Act.

SECTION 3. [NEW MATERIAL] VIOLENCE INTERVENTION PROGRAM FUND--CREATED--PURPOSE.--The "violence intervention program fund" is created as a nonreverting fund in the state treasury. The fund consists of appropriations, gifts, grants and donations. The department shall administer the fund, and money in the fund is appropriated to the department to administer the provisions of the Violence Intervention Program Act and award violence intervention program grants to municipalities that it finds are disproportionately impacted by violent crimes, including homicides, shootings and aggravated assaults. Expenditures from the fund shall be made on warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of health. The department may expend no more than three percent of the balance of the fund each fiscal year for administering the Violence Intervention Program Act.

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SECTION 4. [NEW MATERIAL] GRANT AWARDS.--

A. On or after July 1, 2020, the department shall receive and review applications for grants from the violence intervention program fund. The department may make grants from the fund to municipalities that it finds are disproportionately impacted by violent crimes, including homicides, shootings and aggravated assaults.

B. The department shall make awards of grants from the fund in accordance with the following limitations:

(1) grant awards shall be made to at least two municipalities with a population of fifty thousand or less according to the most recent federal decennial census; and

(2) at least twenty percent of the total annual amount appropriated to the fund shall be awarded to municipalities with a population of five hundred HJC→forty←HJC thousand or greater according to the most recent federal decennial census.

SECTION 5. [NEW MATERIAL] APPLICATION REQUIREMENTS.--

A. Each application for a grant from the violence intervention program fund shall include:

(1) clearly defined, measurable objectives for a proposal to improve public health and safety through evidence-based violence reduction initiatives;

(2) a description of the plan developed by a municipality describing how a grant award would be used if

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awarded; and

(3) a list of community-based organizations in the municipality applying for the grant.

B. The commission shall provide municipalities with data relevant to grant applications.

C. An applicant shall notify the appropriate criminal justice coordinating council established pursuant to Section 31-28-3 NMSA 1978 of its grant application.

SECTION 6. [NEW MATERIAL] CONDITIONS OF GRANT.--

A. As a condition of each grant made pursuant to the Violence Intervention Program Act, the department shall require each grantee to use at least fifty percent of its grant for the purpose of entering into contracts with one or more community-based organizations.

B. Each grantee shall report to the appropriate criminal justice coordinating council established pursuant to Section 31-28-3 NMSA 1978 regarding outcomes of the grant.

SECTION 7. [NEW MATERIAL] RULES.--The department shall adopt rules necessary to administer the provisions of the Violence Intervention Program Act.

SECTION 8. [NEW MATERIAL] REPORTS.--

A. Each grantee shall report to the department and the commission by November 1 of each year regarding the:

(1) purpose and amount of each grant received by the grantee for the previous fiscal year; and

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(2) processes, outputs and outcomes resulting from each grant approved by the department for the previous fiscal year.

B. Each year through 2025, the department and the commission shall report to the legislature by December 1 regarding the awards and outcomes of each grantee.

SECTION 9. APPROPRIATION.--Ten million dollars (\$10,000,000) is appropriated from the general fund to the violence intervention program fund for expenditure in fiscal year 2021 and subsequent fiscal years for the purposes of the fund. Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.