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SENATE BILL 207

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Gerald Ortiz y Pino

AN ACT

RELATING TO TAXATION; DISTRIBUTING A PORTION OF THE LIQUOR
EXCISE TAX TO COUNTIES FOR THE PROVISION OF ALCOHOL AND
SUBSTANCE ABUSE PREVENTION AND TREATMENT AND A PORTION TO THE
COUNTY ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT
FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 7-1-6.40 NMSA 1978 (being Laws 1997,
Chapter 182, Section 1, as amended) is amended to read:

"7-1-6.40. DISTRIBUTION OF LIQUOR EXCISE TAX--LOCAL DWI
GRANT FUND--CERTAIN MUNICIPALITIES--DRUG COURT FUND--COUNTIES--
COUNTY ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT
FUND.--

A. A distribution pursuant to Section 7-1-6.1 NMSA
1978 in an amount equal to forty-five percent of the net
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1 receipts attributable to the liquor excise tax shall be made to
2 the local DWI grant fund.

3 B. A distribution pursuant to Section 7-1-6.1 NMSA
4 1978 [~~of twenty thousand seven hundred fifty dollars (\$20,750)~~
5 ~~monthly from~~] in an amount equal to one-half percent of the net
6 receipts attributable to the liquor excise tax shall be made to
7 a municipality that is located in a class A county and that has
8 a population according to the most recent federal decennial
9 census of more than thirty thousand but less than sixty
10 thousand and shall be used by the municipality only for the
11 provision of alcohol treatment and rehabilitation services for
12 street inebriates.

13 C. [~~Beginning July 1, 2019~~] A distribution pursuant
14 to Section 7-1-6.1 NMSA 1978 in an amount equal to five percent
15 of the net receipts attributable to the liquor excise tax shall
16 be made to the drug court fund.

17 D. A distribution pursuant to Section 7-1-6.1 NMSA
18 1978 shall be made to counties in an amount equal to twenty-
19 four percent of the net receipts attributable to the liquor
20 excise tax and shall be used only for the provision of alcohol
21 and substance abuse prevention and treatment. The amount to be
22 distributed to each county shall be in the proportion that the
23 population of each county is to the total population of all
24 counties, according to the most recent federal decennial
25 census.

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1 E. A distribution pursuant to Section 7-1-6.1 NMSA
2 1978 shall be made to the county alcohol and substance abuse
3 prevention and treatment fund in an amount equal to twenty-four
4 percent of the net receipts attributable to the liquor excise
5 tax."

6 SECTION 2. [NEW MATERIAL] COUNTY ALCOHOL AND SUBSTANCE
7 ABUSE PREVENTION AND TREATMENT FUND.--

8 A. The "county alcohol and substance abuse
9 prevention and treatment fund" is created as a nonreverting
10 fund in the state treasury. The fund consists of
11 appropriations, donations, interest from investment of the fund
12 and other money distributed to the fund. The fund shall be
13 administered by the local government division of the department
14 of finance and administration, and money in the fund is
15 appropriated to the division to provide grants to counties as
16 provided by this section. Disbursements from the fund shall be
17 made by warrant of the secretary of finance and administration
18 pursuant to vouchers signed by the director of the local
19 government division of the department of finance and
20 administration or the director's designee.

21 B. Money in the fund shall be allocated for the
22 purpose of making grants to counties to fund alcohol and
23 substance abuse prevention and treatment programs. The money
24 shall be used to provide all or a portion of the non-federal
25 share of medicaid services directed to alcohol and substance

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1 abuse prevention and treatment.

2 SECTION 3. EFFECTIVE DATE.--The effective date of the
3 provisions of this act is July 1, 2022.

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