

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 213

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

INTRODUCED BY

Nancy Rodriguez

AN ACT

RELATING TO CAPITAL EXPENDITURES; REAUTHORIZING OR
REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES,
EXTENDING EXPENDITURE PERIODS, CHANGING AGENCIES AND
ESTABLISHING CONDITIONS FOR THE REVERSION OR TRANSFER OF
UNEXPENDED BALANCES OF APPROPRIATIONS MADE BY THE LEGISLATURE
IN PRIOR YEARS; DECLARING AN EMERGENCY.

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

SECTION 1. SEVERANCE TAX BONDS--REVERSION OF PROCEEDS.--

A. Except as otherwise provided in another section
of this act:

(1) the unexpended balance from the proceeds
of severance tax bonds issued for a project that has been
reauthorized in this act shall revert to the severance tax
bonding fund:

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

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

1 (a) at the end of the expenditure period
2 as set forth in this act, if the expenditure period is changed
3 in this act; or

4 (b) if the expenditure period is not
5 changed in this act, pursuant to the time frame set forth in
6 the law that originally authorized the severance tax bonds or
7 the time frame set forth in any law that has previously
8 reauthorized the expenditure of the proceeds, whichever is
9 later; and

10 (2) all remaining balances from the proceeds
11 of severance tax bonds issued for a project that has been
12 reauthorized in this act shall revert to the severance tax
13 bonding fund three months after the reversion date for the
14 unexpended balances.

15 B. For the purpose of this section, "unexpended
16 balance" means the remainder of an appropriation after
17 reserving for unpaid costs and expenses covered by binding
18 written obligations to third parties.

19 SECTION 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
20 REVERSIONS.--

21 A. Except as otherwise provided in another section
22 of this act:

23 (1) the unexpended balance of an appropriation
24 from the general fund or other state fund that has been changed
25 in this act shall revert:

.221796.1

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

1 (a) at the end of the expenditure period
2 as set forth in this act, if the expenditure period is changed
3 in this act; or

4 (b) if the expenditure period is not
5 changed in this act, pursuant to the time frame set forth in
6 the law in which the original appropriation was made or the
7 time frame set forth in any law that has previously changed the
8 appropriation, whichever is later; and

9 (2) all remaining balances of an appropriation
10 from the general fund or other state fund that has been changed
11 in this act shall revert three months after the reversion date
12 for the unexpended balance.

13 B. Except as provided in Subsection C of this
14 section, the balance of an appropriation made from the general
15 fund or other state fund shall revert pursuant to Subsection A
16 of this section to the originating fund.

17 C. The balance of an appropriation made from the
18 general fund or other state fund to the Indian affairs
19 department or the aging and long-term services department for a
20 project located on lands of an Indian nation, tribe or pueblo
21 shall revert pursuant to Subsection A of this section to the
22 tribal infrastructure project fund.

23 D. For the purpose of this section, "unexpended
24 balance" means the remainder of an appropriation after
25 reserving for unpaid costs and expenses covered by binding

.221796.1

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

1 written obligations to third parties.

2 SECTION 3. MALAGA MUTUAL DOMESTIC WATER CONSUMERS AND
3 SEWAGE WORKS ASSOCIATION BACKHOE PURCHASE--CHANGE TO EXTEND
4 WATER LINES--CHANGE AGENCY--EXTEND TIME--SEVERANCE TAX BONDS.--

5 The unexpended balance of the appropriation to the local
6 government division in Subsection 190 of Section 29 of Chapter
7 138 of Laws 2021 to purchase and equip a backhoe for the Malaga
8 mutual domestic water consumers and sewage works association in
9 Eddy county shall not be expended for the original purpose but
10 is appropriated to the department of transportation to plan,
11 design, construct and extend water lines across a bridge on
12 United States highway 285 over the Black river for that
13 association in Eddy county. The time of expenditure is
14 extended through fiscal year 2024.

15 SECTION 4. ROOSEVELT COUNTY DETENTION CENTER KITCHEN AND
16 LAUNDRY RENOVATION AND EQUIPMENT PURCHASE--EXPAND PURPOSE--
17 EXTEND TIME--GENERAL FUND.--The local government division

18 project in Subsection 338 of Section 34 of Chapter 277 of Laws
19 2019 to plan, design and renovate kitchen and laundry
20 areas, including replacement of kitchen and laundry equipment,
21 at the Roosevelt county detention center in Portales in
22 Roosevelt county may include replacement and repair of heating,
23 ventilation and air conditioning systems. The time of
24 expenditure is extended through fiscal year 2024.

25 SECTION 5. SANTA FE COUNTY RECOVERY PROGRAM BUILDING

.221796.1

underscored material = new
[bracketed material] = delete

1 IMPROVEMENTS--EXPAND PURPOSE--EXTEND TIME--GENERAL FUND.--The
2 local government division project in Subsection 386 of Section
3 34 of Chapter 277 of Laws 2019 to plan, design, construct,
4 renovate, furnish and equip a facility for a recovery program
5 in Santa Fe county may include the purchase of land and
6 buildings. The time of expenditure is extended through fiscal
7 year 2024.

8 SECTION 6. FIRST JUDICIAL DISTRICT ATTORNEY'S OFFICE

9 SECURITY SYSTEMS AND EQUIPMENT PURCHASE--EXTEND TIME--SEVERANCE
10 TAX BONDS.--The time of expenditure for the office of the first
11 judicial district attorney project in Laws 2020 Chapter 81,
12 Section 12 to purchase, equip and install telecommunications
13 systems, security systems, information technology, furniture
14 and office equipment, including partitions and fixtures, in the
15 first judicial district court in Santa Fe in Santa Fe county is
16 extended through fiscal year 2024.

17 SECTION 7. EMERGENCY.--It is necessary for the public

18 peace, health and safety that this act take effect immediately.