

1 HOUSE BILL 265

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Tara Jaramillo

5  
6  
7  
8  
9  
10 AN ACT

11 RELATING TO STATE PARKS; REQUIRING A ONE DOLLAR (\$1.00)  
12 INCREASE TO THE COST OF A DAY-USE PERMIT PER VEHICLE FOR EACH  
13 STATE PARK, WHICH SHALL BE DISTRIBUTED TO MUNICIPALITIES  
14 ADJACENT TO STATE PARKS FOR THE REPAIR, REPLACEMENT AND  
15 CONSTRUCTION OF CRITICAL INFRASTRUCTURE THAT PROVIDES ACCESS TO  
16 THE STATE PARK; CREATING THE STATE-PARK-ADJACENT MUNICIPALITY  
17 FUND; MAKING AN APPROPRIATION.

18  
19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

20 SECTION 1. Section 16-2-19 NMSA 1978 (being Laws 1935,  
21 Chapter 57, Section 16, as amended) is amended to read:

22 "16-2-19. STATE PARK AND RECREATION REVENUES--SOURCE AND  
23 DISBURSEMENT--CRITICAL INFRASTRUCTURE FEE.--

24 A. Except as provided in Subsection B of this  
25 section, all money derived from the operation of state parks or

.224175.1

underscored material = new  
[bracketed material] = delete

underscoring material = new  
[bracketed material] = delete

1 recreation areas or from the governmental gross receipts tax  
2 distributions pursuant to Section 7-1-6.38 NMSA 1978  
3 appropriated to the energy, minerals and natural resources  
4 department for state park and recreation capital improvements  
5 or from gifts, donations, bequests or endowments, except as the  
6 money may be pledged for the retirement of bonds issued under  
7 the State Park and Recreation Bond Act or appropriated for  
8 state park and recreation purposes by the legislature or  
9 acquired from any other source whatsoever, shall not at any  
10 time or in any event revert or be transferred to general or  
11 other state funds; and such funds shall be used solely for the  
12 purpose of acquiring, developing, operating and maintaining  
13 state parks or recreation areas and maintenance, operation and  
14 expenditures of the state [~~park and recreation~~] parks division  
15 of the energy, minerals and natural resources department, the  
16 payment of traveling expenses and salaries of officers, park  
17 superintendents and employees and the retirement of state park  
18 and recreation bonds. Expenditures shall be made in accordance  
19 with budgets approved by the department of finance and  
20 administration.

21 B. The director of the state parks division shall  
22 add a one dollar (\$1.00) critical infrastructure fee to the  
23 cost of a day-use permit per motor vehicle for each state park.  
24 The division shall remit the money collected pursuant to this  
25 subsection to the state treasury for credit to the state-park-

.224175.1

underscored material = new  
[bracketed material] = delete

1 adjacent municipality fund."

2 SECTION 2. [NEW MATERIAL] STATE-PARK-ADJACENT  
3 MUNICIPALITY FUND.--

4 A. The "state-park-adjacent municipality fund" is  
5 created as a nonreverting fund in the state treasury. The fund  
6 consists of critical infrastructure fees, appropriations,  
7 gifts, grants, donations, bequests, income from investment of  
8 the fund and other money distributed or otherwise allocated to  
9 the fund. The local government division of the department of  
10 finance and administration shall administer the fund.

11 Disbursements from the fund shall be made by warrant of the  
12 secretary of finance and administration pursuant to vouchers  
13 signed by the director of the local government division. Money  
14 in the fund is appropriated to the local government division:

15 (1) to be distributed upon request to adjacent  
16 municipalities in proportion to the fees collected from the  
17 state park, pursuant to Subsection B of Section 16-2-19 NMSA  
18 1978, to which the municipality is adjacent and provides public  
19 access; and

20 (2) for the repair, replacement and  
21 construction of critical infrastructure, including roads and  
22 bridges, that provides access to the state park.

23 B. For the purposes of this section, "adjacent  
24 municipality" means a municipality that is geographically  
25 adjacent to a state park and provides public access to the

.224175.1

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

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

state park.