

1 HOUSE BILL 453

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

3 INTRODUCED BY

4 Susan K. Herrera and Andrea Romero and Ambrose Castellano and  
5 Derrick J. Lente and Christine Chandler  
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10 AN ACT

11 RELATING TO WATER; CREATING THE EMERGENCY DRINKING WATER FUND  
12 TO PROVIDE POTABLE WATER TO A COMMUNITY IN AN EMERGENCY  
13 SITUATION WHEN THE COMMUNITY'S WATER SYSTEM FAILS TO FUNCTION  
14 AT A LEVEL REQUIRED TO PROVIDE WATER TO THE COMMUNITY'S  
15 RESIDENTS; MAKING AN APPROPRIATION.  
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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. [NEW MATERIAL] EMERGENCY DRINKING WATER FUND  
19 CREATED.--

20 A. The "emergency drinking water fund" is created  
21 as a nonreverting fund in the state treasury. The fund  
22 consists of appropriations, gifts, grants, donations, bequests,  
23 income from investment of the fund and other money distributed  
24 or otherwise allocated to the fund. The department of  
25 environment shall administer the fund, and money in the fund is

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1 appropriated to the department to carry out the purposes of the  
2 fund. Disbursements from the fund shall be made by warrant of  
3 the secretary of finance and administration pursuant to  
4 vouchers signed by the secretary of environment or the  
5 secretary's authorized representative.

6 B. The emergency drinking water fund shall be used  
7 by the department of environment to provide potable water to a  
8 community in an emergency situation when a water system that  
9 provides water to the community fails to function at a level  
10 required to provide water to the community's residents;  
11 provided that the failure of the water system occurs due to an  
12 act of nature or unpredictable event not within human control.

13 SECTION 2. APPROPRIATION.--Five million dollars  
14 (\$5,000,000) is appropriated from the general fund to the  
15 emergency drinking water fund for expenditure in fiscal year  
16 2024 and subsequent fiscal years for the purposes of the  
17 emergency drinking water fund. Any unexpended or unencumbered  
18 balance remaining at the end of a fiscal year shall not revert  
19 to the general fund.