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SENATE BILL 220

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

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 A NEW
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 human services department, and money in the
14 fund is appropriated to the department to provide grants to
15 counties as provided by this section. Disbursements from the
16 fund shall be made by warrant of the secretary of finance and
17 administration pursuant to vouchers signed by the secretary of
18 human services or the secretary's designee.

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

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