

1 SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
2 SENATE BILL 316

3 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

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10 AN ACT

11 RELATING TO CORRECTIONS; PROVIDING JUVENILE COMMUNITY
12 CORRECTIONS GRANT FUND FUNDING FOR JUVENILES.

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

15 SECTION 1. Section 33-9A-3 NMSA 1978 (being Laws 1988,
16 Chapter 101, Section 41, as amended) is amended to read:

17 "33-9A-3. JUVENILE COMMUNITY CORRECTIONS GRANT FUND
18 CREATED--PURPOSE--ADMINISTRATION--REPORT.--

19 A. There is created in the state treasury the
20 "juvenile community corrections grant fund" to be administered
21 by the department. All balances in the fund are appropriated
22 to the department to carry out the purposes of the fund, and no
23 money shall be transferred to another fund or be encumbered or
24 disbursed in any manner except as provided in the Juvenile
25 Community Corrections Act. Disbursements from the fund shall

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

1 be made only upon warrant drawn by the secretary of finance and
2 administration pursuant to vouchers signed by the secretary of
3 children, youth and families.

4 B. Money in the fund shall be used by the
5 department to make grants to counties, municipalities or
6 private organizations, individually or jointly, to provide
7 community corrections programs and services for the diversion
8 of ~~[adjudicated delinquents]~~ juveniles to community-based
9 settings. No grant shall be made to a private organization
10 that is not a nonprofit organization without the approval of
11 the secretary. The department may also use money in the fund
12 to contract directly for or operate juvenile community
13 corrections programs.

14 C. Grantees should reflect the diverse population
15 of the community receiving the services and may provide
16 services for eligible juveniles, including those at risk of
17 racial, gender, socioeconomic and mental health disparities.

18 ~~[G-]~~ D. No more than ten percent of the money in
19 the fund shall be used by the department for administration and
20 program monitoring by the department. No more than ten percent
21 of any grant from the fund shall be used for administrative
22 costs incurred by the grantee.

23 ~~[D-]~~ E. After notice and public hearing as required
24 by law, the secretary shall adopt regulations that provide
25 standards for qualifications for grants, priorities for

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1 awarding of grants, ~~and~~ other standards regarding juvenile
 2 community corrections programs deemed necessary and a
 3 requirement that referrals to the community corrections
 4 programs and services shall be made by juvenile probation
 5 services. The department shall review and approve or
 6 disapprove all applications submitted pursuant to the Juvenile
 7 Community Corrections Act for a grant of funds from the fund.
 8 The juvenile justice advisory committee may have up to two
 9 members serve in an advisory role to the department in the
 10 grant award process.

11 ~~[E.]~~ F. The department shall submit an annual
 12 report to the governor and legislature not later than December
 13 15 providing information on grant awards, program effectiveness
 14 and monitoring efforts and making recommendations as necessary
 15 to carry out the purpose of the fund.

16 ~~[F.]~~ G. The department may accept donations,
 17 payments, contributions, gifts or grants from whatever source
 18 for the benefit of the fund.

19 H. As used in this section, "juvenile" means a
 20 child referred to juvenile probation services with an offense
 21 that, if committed by an adult, would be a criminal offense or
 22 an adjudicated offender who has been found to have committed an
 23 offense that, if committed by an adult, would be a criminal
 24 offense."