

<b>LFC Requester:</b>	<b>Simon</b>
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**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**AgencyAnalysis.nmlegis.gov**

*{Analysis must be uploaded as a PDF}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**     **Amendment**      
**Correction**     **Substitute**   

**Date** 01/16/2024  
**Bill No:** HB36

**Sponsor:** Rep. Pamelya Herndon  
**Short Title:** LONG-TERM RESIDENTIAL REHABILITATION CENTER ACT

**Agency Name and Code Number:** Facilities Management Division 3500  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
N/A	\$16,000,000	Non recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
N/A	N/A			

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>		<b>Not Included</b>	<b>Not Included</b>	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: Proposed legislation to amend Chapter 23 NMSA 1978, the creation of a Long-Term Residential Rehabilitation Center in Albuquerque, NM. The long-term residential rehabilitation center shall provide up to eighteen months of residential substance use treatment to people who are addicted to drugs and alcohol. The long-term residential rehabilitation center shall be under the administration and control of the department of health. The secretary of health shall ensure that the long-term residential rehabilitation center obtains the licensure and accreditation necessary to operate

**FISCAL IMPLICATIONS**

The proposed bill is requesting a sixteen million dollars (\$16,000,000) appropriation from the general fund to the purchasing division of the general services department for expenditure in fiscal year 2025 to purchase a facility in Albuquerque for the purpose of converting the facility into a long-term residential rehabilitation center.

Note: The proposed bill, if enacted, would have a significant fiscal impact to the Facilities Management Division; There is not an appropriation to conduct a facility condition assessment to determine costs for renovations for this building. Nor does this bill appropriate money for such renovations. The bill does not include any future budget impact estimates, assumptions, or calculations for fiscal year 2025 and beyond nor are there any appropriations to the Facilities Management Division for maintenance.

**SIGNIFICANT ISSUES**

The proposed bill as written proposes a sixteen million dollar (\$16,000,000) appropriation from the general fund to the purchasing division of the general services department for expenditure in fiscal year 2025 to purchase a facility in Albuquerque for the purpose of converting the facility into a long-term residential rehabilitation center. However, the purchasing division of the general services department has no statutory authority to purchase real property on behalf of the state of New Mexico; rather it's the Facilities Management Division of the General Services Department that has property control statutory authority under Section 15-3B, NMSA 1978, which provides the division the ability to acquire real property on behalf of the State of NM.

The appropriation identifies an amount but there is no analysis to determine DOH space needs and the size of a facility the DOH is needing. Therefore, it is not known whether \$16,000,000 is

enough or too much money. The bill is to purchase a facility, if there is not a building available for \$16,000,000 there are no options to construct a building.

#### **PERFORMANCE IMPLICATIONS**

No appropriation for utilities or for staff to maintain the facility.

#### **ADMINISTRATIVE IMPLICATIONS**

It is unclear who will be maintaining the facility, DOH or FMD.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

No appropriation for renovations or long-term maintenance requirements.

#### **ALTERNATIVES**

Instead, this bill could appropriate monies to the DOH to conduct a study to determine space and program requirements with an outcome of a recommendation on size of a facility and associated costs.

#### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

The DOH will remain in its current leased facility which is a build to suit based on DOH requirements.

#### **AMENDMENTS**