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HOUSE BILL 2

56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024

INTRODUCED BY

Nathan P. Small

AN ACT

MAKING GENERAL APPROPRIATIONS AND AUTHORIZING EXPENDITURES BY
STATE AGENCIES REQUIRED BY LAW.

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

SECTION 1. SHORT TITLE.--This act may be cited as the
"General Appropriation Act of 2024".

SECTION 2. DEFINITIONS.--As used in the General
Appropriation Act of 2024:

A. "agency" means an office, department, agency,
institution, board, bureau, commission, court, district
attorney, council or committee of state government;

B. "efficiency" means the measure of the degree to
which services are efficient and productive and is often
expressed in terms of dollars or time per unit of output;

C. "explanatory" means information that can help

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1 users to understand reported performance measures and to
2 evaluate the significance of underlying factors that may have
3 affected the reported information;

4 D. "federal funds" means any payments by the United
5 States government to state government or agencies except those
6 payments made in accordance with the federal Mineral Leasing
7 Act;

8 E. "general fund" means that fund created by
9 Section 6-4-2 NMSA 1978 and includes federal Mineral Leasing
10 Act receipts and those payments made in accordance with the
11 federal block grant and the federal Workforce Investment Act of
12 1998 but excludes the general fund operating reserve, the
13 appropriation contingency fund, the tax stabilization reserve
14 and any other fund, reserve or account from which general
15 appropriations are restricted by law;

16 F. "interagency transfers" means revenue, other
17 than internal service funds, legally transferred from one
18 agency to another;

19 G. "internal service funds" means:

20 (1) revenue transferred to an agency for the
21 financing of goods or services to another agency on a cost-
22 reimbursement basis; and

23 (2) balances in agency internal service fund
24 accounts appropriated by the General Appropriation Act of 2024;

25 H. "other state funds" means:

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1 (1) nonreverting balances in agency accounts,
2 other than in internal service funds accounts, appropriated by
3 the General Appropriation Act of 2024;

4 (2) all revenue available to agencies from
5 sources other than the general fund, internal service funds,
6 interagency transfers and federal funds; and

7 (3) all revenue, the use of which is
8 restricted by statute or agreement;

9 I. "outcome" means the measure of the actual impact
10 or public benefit of a program;

11 J. "output" means the measure of the volume of work
12 completed or the level of actual services or products delivered
13 by a program;

14 K. "performance measure" means a quantitative or
15 qualitative indicator used to assess a program;

16 L. "quality" means the measure of the quality of a
17 good or service produced and is often an indicator of the
18 timeliness, reliability or safety of services or products
19 produced by a program;

20 M. "revenue" means all money received by an agency
21 from sources external to that agency, net of refunds and other
22 correcting transactions, other than from issue of debt,
23 liquidation of investments or as agent or trustee for other
24 governmental entities or private persons; and

25 N. "target" means the expected level of performance

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1 of a program's performance measures.

2 SECTION 3. GENERAL PROVISIONS.--

3 A. Amounts set out under column headings are
4 expressed in thousands of dollars.

5 B. Amounts set out under column headings are
6 appropriated from the source indicated by the column heading.
7 All amounts set out under the column heading "Internal Service
8 Funds/Interagency Transfers" are intergovernmental transfers
9 and do not represent a portion of total state government
10 appropriations. All information designated as "Total" or
11 "Subtotal" is provided for information and amounts are not
12 appropriations.

13 C. Amounts set out in Section 4 of the General
14 Appropriation Act of 2024, or so much as may be necessary, are
15 appropriated from the indicated source for expenditure in
16 fiscal year 2025 for the objects expressed.

17 D. Unexpended balances in agency accounts remaining
18 at the end of fiscal year 2024 shall revert to the general fund
19 by October 1, 2024 unless otherwise indicated in the General
20 Appropriation Act of 2024 or otherwise provided by law.

21 E. Unexpended balances in agency accounts remaining
22 at the end of fiscal year 2025 shall revert to the general fund
23 by October 1, 2025 unless otherwise indicated in the General
24 Appropriation Act of 2024 or otherwise provided by law.

25 F. The state budget division of the department of
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1 finance and administration shall monitor revenue received by
2 agencies from sources other than the general fund and shall
3 reduce the operating budget of any agency whose revenue from
4 such sources is not meeting projections. The state budget
5 division shall notify the legislative finance committee of any
6 operating budget reduced pursuant to this subsection.

7 G. Except as otherwise specifically stated in the
8 General Appropriation Act of 2024, appropriations are made in
9 that act for the expenditures of agencies and for other
10 purposes as required by existing law for fiscal year 2025. If
11 any other act of the second session of the fifty-sixth
12 legislature changes existing law with regard to the name or
13 responsibilities of an agency or the name or purpose of a fund
14 or distribution, the appropriation made in the General
15 Appropriation Act of 2024 shall be transferred from the agency,
16 fund or distribution to which an appropriation had been made as
17 required by existing law to the appropriate agency, fund or
18 distribution provided by the new law.

19 H. The department of finance and administration
20 shall regularly consult with the legislative finance committee
21 staff to compare fiscal year 2025 revenue collections with the
22 revenue estimate. If the analyses indicate that revenues and
23 transfers to the general fund are not expected to meet
24 appropriations, the department shall present a plan to the
25 legislative finance committee that outlines the methods by

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1 which the administration proposes to address the deficit.

2 I. Pursuant to Sections 6-3-23 through 6-3-25 NMSA
3 1978, agencies whose revenue from state board of finance loans,
4 from revenue appropriated by other acts of the legislature or
5 from gifts, grants, donations, bequests, insurance settlements,
6 refunds or payments into revolving funds exceeds specifically
7 appropriated amounts may request budget increases from the
8 state budget division. If approved by the state budget
9 division, such money is appropriated.

10 J. Except for gasoline credit cards used solely for
11 operation of official vehicles, telephone credit cards used
12 solely for official business and procurement cards used as
13 authorized by Section 6-5-9.1 NMSA 1978, none of the
14 appropriations contained in the General Appropriation Act of
15 2024 may be expended for payment of agency-issued credit card
16 invoices.

17 K. For the purpose of administering the General
18 Appropriation Act of 2024, the state shall follow the modified
19 accrual basis of accounting for governmental funds in
20 accordance with the manual of model accounting practices issued
21 by the department of finance and administration.

22 SECTION 4. FISCAL YEAR 2025 APPROPRIATIONS.--

23 A. LEGISLATIVE.--Thirty-three million eight hundred
24 ninety-two thousand eight hundred dollars (\$33,892,800) from
25 the general fund and four hundred thousand dollars (\$400,000)

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1 from other state funds is appropriated to the legislative
2 council service for allocation to legislative agencies in
3 fiscal year 2024.

4 B. JUDICIAL.--Four hundred thirty-eight million
5 four hundred sixty-three thousand four hundred dollars
6 (\$438,463,400) from the general fund, twenty-nine million four
7 hundred eighty-three thousand nine hundred dollars
8 (\$29,483,900) from other state funds, fourteen million seven
9 hundred seventy-two thousand three hundred dollars
10 (\$14,772,300) from internal service funds/interagency transfers
11 and four million seven hundred sixty-three thousand three
12 hundred dollars (\$4,763,300) from federal funds is appropriated
13 to the administrative office of the courts for allocation to
14 judicial agencies in fiscal year 2025.

15 C. GENERAL CONTROL.--Two hundred nineteen million
16 three hundred ninety-seven thousand nine hundred dollars
17 (\$219,397,900) from the general fund, one billion four hundred
18 twenty-four million seven hundred eighty-one thousand two
19 hundred dollars (\$1,424,781,200) from other state funds, one
20 hundred forty-four million one hundred twenty-seven thousand
21 dollars (\$144,127,000) from internal services funds/interagency
22 transfers and thirty-one million five hundred thirty-one
23 thousand one hundred dollars (\$31,531,100) from federal funds
24 is appropriated to the department of finance and administration
25 for allocation to general control agencies in fiscal year 2025.

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1 D. COMMERCE AND INDUSTRY.--Ninety-eight million six
2 hundred three thousand four hundred dollars (\$98,603,400) from
3 the general fund, two hundred nine million twenty-seven
4 thousand dollars (\$209,027,000) from other state funds, thirty-
5 one million five hundred forty-one thousand nine hundred
6 dollars (\$31,541,900) from internal service funds/interagency
7 transfers and one million seven hundred ninety-nine thousand
8 two hundred dollars (\$1,799,200) from federal funds is
9 appropriated to the department of finance and administration
10 for allocation to commerce and industry agencies in fiscal year
11 2025.

12 E. AGRICULTURE, ENERGY AND NATURAL RESOURCES.--One
13 hundred twenty-seven million nineteen thousand six hundred
14 dollars (\$127,019,600) from the general fund, one hundred
15 thirty-five million two hundred eleven thousand six hundred
16 dollars (\$135,211,600) from other state funds, twenty-two
17 million ninety-two thousand three hundred dollars (\$22,092,300)
18 from internal service funds/interagency transfers and one
19 hundred ten million thirty-nine thousand seven hundred dollars
20 (\$110,039,700) from federal funds is appropriated to the
21 department of finance and administration for allocation to
22 agriculture, energy and natural resources agencies in fiscal
23 year 2025.

24 F. HEALTH, HOSPITALS AND HUMAN SERVICES.--Three
25 billion one hundred seventy-eight million six hundred eighty-

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1 four thousand one hundred dollars (\$3,178,684,100) from the
2 general fund, eight hundred seventy-five million nine hundred
3 fifty-one thousand seven hundred dollars (\$875,951,700) from
4 other state funds, six hundred fifty-four million six hundred
5 thirty-four thousand dollars (\$654,634,000) from internal
6 service funds/interagency transfers and ten billion one hundred
7 fourteen million seven hundred sixty thousand five hundred
8 dollars (\$10,114,760,500) from federal funds is appropriated to
9 the department of finance and administration for allocation to
10 health, hospitals and human services agencies in fiscal year
11 2025.

12 G. PUBLIC SAFETY.--Five hundred fifty-seven million
13 three hundred fifty-three thousand three hundred dollars
14 (\$557,353,300) from the general fund, one hundred thirty-six
15 million twenty-nine thousand six hundred dollars (\$136,029,600)
16 from other state funds, twenty-eight million six hundred
17 eight thousand seven hundred dollars (\$28,608,700) from
18 internal service funds/interagency transfers and seventy-seven
19 million five hundred sixty-five thousand six hundred dollars
20 (\$77,565,600) from federal funds is appropriated to the
21 department of finance and administration for allocation to
22 public safety agencies in fiscal year 2025.

23 H. TRANSPORTATION.--Six hundred fifty million four
24 hundred eighty-nine thousand dollars (\$650,489,000) from other
25 state funds, nine million eight hundred thousand dollars

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1 (\$9,800,000) from internal service funds/interagency transfers
2 and five hundred fifty-one million six hundred seventy-six
3 thousand four hundred dollars (\$551,676,400) from federal funds
4 is appropriated to the department of finance and administration
5 for allocation to transportation agencies in fiscal year 2025.

6 I. OTHER EDUCATION.--Eighty-seven million eight
7 hundred eighty thousand five hundred dollars (\$87,880,500) from
8 the general fund, seven million three hundred seventeen
9 thousand five hundred dollars (\$7,317,500) from other state
10 funds, seven million five hundred fifty-seven thousand nine
11 hundred dollars (\$7,557,900) from internal service
12 funds/interagency transfers and thirty-one million seven
13 hundred twenty-eight thousand two hundred dollars (\$31,728,200)
14 from federal funds is appropriated to the department of finance
15 and administration for allocation to other education agencies
16 in fiscal year 2025.

17 J. HIGHER EDUCATION.--One billion three hundred
18 twenty-seven million one hundred ninety-six thousand one
19 hundred dollars (\$1,327,196,100) from the general fund, one
20 billion nine hundred ninety-six million seven hundred sixty-
21 nine thousand three hundred dollars (\$1,996,769,300) from other
22 state funds, forty-eight million nine hundred five thousand
23 eight hundred dollars (\$48,905,800) from internal service
24 funds/interagency transfers and eight hundred thirty-eight
25 million four hundred twenty-six thousand eight hundred dollars

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1 (\$838,426,800) from federal funds is appropriated to the higher
2 education department for expenditure or allocation to higher
3 education agencies in fiscal year 2025.

4 K. PUBLIC SCHOOL SUPPORT.--Four billion three
5 hundred seventy-one million ten thousand six hundred dollars
6 (\$4,371,010,600) from the general fund, seven million dollars
7 (\$7,000,000) from other state funds and five hundred seventy-
8 nine million five hundred thousand dollars (\$579,500,000) from
9 federal funds is appropriated to the public education
10 department for expenditure or allocation to public school
11 districts and charter schools in fiscal year 2025.

12 SECTION 5. FUND TRANSFERS.--Notwithstanding the
13 provisions of Sections 6-4-9 and 6-4-11 NMSA 1978 or other
14 substantive law, the department of finance and administration
15 shall transfer an amount from the tobacco settlement permanent
16 fund to the tobacco settlement program fund equal to the
17 difference between appropriations in Section 4 of the General
18 Appropriation Act of 2024 made from the tobacco settlement
19 program fund and the amount transferred to the tobacco
20 settlement program fund pursuant to Subsection B of Section
21 6-4-9 NMSA 1978 in fiscal year 2025 to fully fund
22 appropriations made from the tobacco settlement program fund
23 contained in Section 4 of the General Appropriation Act of
24 2024.

25 SECTION 6. SEVERABILITY.--If any part or application of
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1 this act is held invalid, the remainder or its application to
2 other situations or persons shall not be affected.

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