1	AN ACT
2	RELATING TO PUBLIC FUNDS; CREATING THE BEHAVIORAL HEALTH
3	TRUST FUND AND THE BEHAVIORAL HEALTH PROGRAM FUND.
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5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
6	SECTION 1. BEHAVIORAL HEALTH TRUST FUND
7	A. The "behavioral health trust fund" is created
8	as a nonreverting fund in the state treasury. The fund
9	consists of distributions, appropriations, gifts, grants and
10	donations. Income from investment of the fund shall be
11	credited to the fund. Money in the fund shall be expended
12	only as provided in this section.
13	B. The state investment officer shall invest money
14	in the fund in accordance with the prudent investor rule as
15	set forth in Chapter 6, Article 8 NMSA 1978 and in
16	consultation with the health care authority.
17	C. The state investment officer shall report
18	quarterly to the legislative finance committee and the state
19	investment council on the investments made pursuant to this
20	section. An annual report shall be submitted no later than
21	October 1 of each year to the legislative finance committee,
22	the revenue stabilization and tax policy committee and any
23	other appropriate interim committees.
24	D. On July 1, 2026 and each July 1 thereafter, a

distribution shall be made from the behavioral health trust

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SB l Page l fund to the behavioral health program fund in an amount equal to five percent of the average of the year-end market values of the trust fund for the immediately preceding three calendar years. If, on July 1 of a year, the trust fund has been in effect for less than three calendar years, the distribution shall be in an amount equal to five percent of the average of the year-end market values of the trust fund for the immediately preceding number of calendar years that the trust fund has been in effect. For fiscal years 2026 and 2027, any unexpended or unencumbered balance remaining after the distribution is made in that fiscal year shall be included in the calculation of state reserves.

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SECTION 2. BEHAVIORAL HEALTH PROGRAM FUND .--

The "behavioral health program fund" is created 14 Α. 15 in the state treasury. The fund consists of distributions, appropriations, gifts, grants, donations and income from 16 investment of the fund. The health care authority shall 17 administer the fund. Money in the fund is subject to 18 appropriation by the legislature to provide money for 19 20 services and programs related to behavioral health, including: 21

(1) mental health and substance misuse treatment, intervention and prevention;

(2) necessary infrastructure, technology and
workforce supports that facilitate the delivery of behavioral SB 1

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1	health services and programs;	
2	(3) matching funds for federal, local and	
3	private money and grants related to behavioral health	
4	services and programs;	
5	(4) offsetting costs incurred to comply with	
6	federal requirements related to behavioral health services	
7	and programs; and	
8	(5) implementation of regional behavioral	
9	health plans throughout the state.	
10	B. Expenditures from the fund shall be by warrant	
11	of the secretary of finance and administration pursuant to	
12	vouchers signed by the secretary of health care authority or	
13	the secretary's authorized representative. Any unexpended or	
14	unencumbered balance remaining at the end of a fiscal year	
15	shall revert to the behavioral health trust fund."	SB 1
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