

FIFTY-SEVENTH LEGISLATURE
SECOND SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 16, 2026

Mr. Chair:

I propose to the SENATE FINANCE COMMITTEE the following amendments to

HOUSE APPROPRIATIONS AND FINANCE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 4

1. On page 1, line 12, before the period, insert "AND THE BEHAVIORAL HEALTH PROGRAM FUND; REQUIRING UNEXPENDED MONEY IN THE BEHAVIORAL HEALTH PROGRAM FUND TO REVERT TO THE HEALTH CARE AFFORDABILITY FUND AT THE END OF A FISCAL YEAR."
2. On page 1, line 18, before the period, insert "--BEHAVIORAL HEALTH PROGRAM FUND" and before "A", insert the subsection designation "A."
3. On page 2, line 4, strike the subsection designation "A." and insert in lieu thereof the paragraph designation "(1)".
4. On page 2, line 6, strike the subsection designation "B." and insert in lieu thereof the paragraph designation "(2)".
5. On page 2, line 8, strike the subsection designation "C." and insert in lieu thereof the paragraph designation "(3)" and strike "one hundred" and insert in lieu thereof "ninety-five".
6. On page 2, line 9, strike the closing quotation mark and between lines 9 and 10, insert:

"B. Beginning September 1, 2028, a distribution pursuant

to Section 7-1-6.1 NMSA 1978 shall be made to the behavioral health program fund in an amount equal to five percent of the net receipts attributable to the health insurance premium surtax; provided that if the rate of the health insurance premium surtax is reduced pursuant to Subsection F of Section 7-40-3 NMSA 1978, no distribution pursuant to this section shall be made."

SECTION 2. Section 24A-3-6 NMSA 1978 (being Laws 2025, Chapter 2, Section 2) is amended to read:

"24A-3-6. BEHAVIORAL HEALTH PROGRAM FUND.--

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

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

(2) necessary infrastructure, technology and workforce supports that facilitate the delivery of behavioral health services and programs;

(3) matching funds for federal, local and private money and grants related to behavioral health services and programs;

(4) offsetting costs incurred to comply with federal requirements related to behavioral health services and programs; and

(5) implementation of regional behavioral health plans throughout the state.

B. Expenditures from the fund shall be by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of health care authority or the secretary's authorized representative. Any unexpended [~~or unencumbered~~] balance remaining at the end of a fiscal year shall revert to the [~~behavioral health trust~~] health care affordability fund.""

Respectfully submitted,
