HOUSE BILL 1

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SPECIAL SESSION, 2025

INTRODUCED BY

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AN ACT

RELATING TO GENERAL APPROPRIATIONS; MAKING APPROPRIATIONS FROM LEGISLATIVE CASH BALANCES FOR NECESSARY EXPENSES OF THE SECOND SPECIAL SESSION OF THE FIFTY-SEVENTH LEGISLATURE; MAKING AN APPROPRIATION TO THE ADMINISTRATIVE OFFICE OF THE COURTS FOR ENHANCED SECURITY PROTOCOLS, EQUIPMENT AND INFRASTRUCTURE; MAKING AN APPROPRIATION TO THE INCOME SUPPORT DIVISION OF THE HEALTH CARE AUTHORITY TO PROVIDE STATE NUTRITION ASSISTANCE BENEFITS TO THOSE ELIGIBLE FOR FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS; REVERTING CERTAIN BALANCES FROM CERTAIN GENERAL FUND APPROPRIATIONS; PROVIDING FOR TRANSFERS FROM THE GENERAL FUND OPERATING RESERVE TO THE APPROPRIATION CONTINGENCY FUND AND THE MEDICAID TRUST FUND; PROVIDING A TRANSFER AUTHORITY IF REVENUE AND TRANSFERS TO THE GENERAL FUND AT THE END OF FISCAL YEAR 2025 ARE NOT SUFFICIENT TO MEET APPROPRIATIONS.

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

SECTION 1. SPECIAL SESSION--APPROPRIATIONS.--

A. The following amounts are appropriated from legislative cash balances for expenditure in fiscal year 2026 for the following expenses of the second special session of the fifty-seventh legislature. Any unexpended balance remaining at the end of fiscal year 2026 shall revert to legislative cash balances:

(1) for the expense of the house of representatives, thirty-two thousand dollars ($32,000) to be disbursed on vouchers signed by the speaker and the chief clerk of the house of representatives or the chief clerk's designee;

(2) for the expense of the senate, twenty-six thousand dollars ($26,000) to be disbursed on vouchers signed by the chair of the committees' committee and the chief clerk of the senate or the chief clerk's designee; and

(3) for the expense of the legislative council service, seventeen thousand dollars ($17,000) to be disbursed on vouchers signed by the director of the legislative council service or the director's designee.

B. Following adjournment of the second special session of the fifty-seventh legislature, expenditures authorized in this section shall be disbursed on vouchers signed by the director of the legislative council service or

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

the director's designee.

SECTION 2. APPROPRIATION--ADMINISTRATIVE OFFICE OF THE COURTS.--One hundred thousand dollars ($100,000) is appropriated from the general fund to the administrative office of the courts for expenditure in fiscal year 2026 for enhanced security protocols, equipment and infrastructure. Any unexpended balance remaining at the end of fiscal year 2026 shall revert to the general fund.

SECTION 3. APPROPRIATIONS--GENERAL FUND OPERATING RESERVE--INCOME SUPPORT DIVISION OF THE HEALTH CARE AUTHORITY.--

A. Subject to the contingencies pursuant to Subsection B of this section, beginning on the effective date of this act and each week thereafter through the week of January 19, 2026, twenty million dollars ($20,000,000) is appropriated from the general fund operating reserve to the income support division of the health care authority for expenditure in each of those weeks to provide state nutrition assistance benefits to those who would have otherwise been eligible for federal supplemental nutrition assistance program benefits in an amount not to exceed the amount that would have been provided but for the failure of the federal government to provide funding for those federal benefits, less any federal funds provided for that purpose.

B. Each weekly appropriation made by this section is contingent on:

(1) the expenditure of the balance of the money transferred by Subsection A of Section 7 of Chapter 2 of Laws 2025 (1st S.S.);

(2) the expenditure of the balance of money appropriated pursuant to Subsection A of this section in a previous week; and

(3) the failure of the federal government to provide sufficient funding to pay full benefits for an applicable weekly expenditure period provided by Subsection A of this section.

C. Any unexpended balance remaining at the end of a weekly expenditure period described in Subsection A of this section, or when the federal government does provide sufficient funding to pay full benefits for an expenditure period, shall revert to the general fund operating reserve.

SECTION 4. REVERSION OF BALANCES FROM CERTAIN GENERAL FUND APPROPRIATIONS.--On the effective date of this act, the following shall revert to the general fund operating reserve:

A. forty-six million three hundred sixty-five thousand three hundred sixteen dollars ($46,365,316) of the unexpended balance of the appropriation to the human services department for the medical assistance program in the other category as provided in Laws 2022, Chapter 54, Section 4;

B. twenty-one million three hundred thirty-nine thousand three hundred ninety-one dollars ($21,339,391) of the unexpended balances of appropriations made from the general fund to the department of health for the developmental disabilities support program for fiscal years 2019 through 2021 and scheduled to revert pursuant to Item 131 of Section 5 of Chapter 210 of Laws 2023;

C. eighty-nine million seven hundred forty-three thousand eight hundred dollars ($89,743,800) of the unexpended balance of the appropriation to the human services department for the medical assistance program in the other category as provided in Laws 2023, Chapter 210, Section 4;

D. two million nine hundred ninety thousand eight hundred dollars ($2,990,800) of the unexpended balance of the appropriation to the health care authority department for the developmental disabilities support program in the other financing uses category as provided in Laws 2024, Chapter 69, Section 4 and scheduled to revert pursuant to that section;

E. six hundred eighty-five thousand two hundred sixty dollars ($685,260) of the unexpended balance of the appropriation to the health care authority department for the medical assistance program in the other category as provided in Laws 2024, Chapter 69, Section 4; and

F. one million three hundred seventy-eight thousand two hundred four dollars ($1,378,204) of the unexpended balance of the appropriation to the health care authority department for the Epi Duran regional recovery center as provided in Laws 2024, Chapter 69, Section 5.

SECTION 5. TRANSFERS--GENERAL FUND OPERATING RESERVE TO APPROPRIATION CONTINGENCY FUND AND MEDICAID TRUST FUND.--

A. Thirty million dollars ($30,000,000) is transferred from the general fund operating reserve to the appropriation contingency fund.

B. If, on January 23, 2026, the total amount of reversions to the general fund operating reserve made pursuant to Section 4 of this act exceeds one hundred thirty-seven million dollars ($137,000,000), the excess amount shall be transferred from the general fund operating reserve to the medicaid trust fund.

C. If, beginning January 24, 2026 until May 1, 2026, the balance of the general fund operating reserve exceeds one hundred thirty-seven million dollars ($137,000,000), any money received by the state from the federal government to repay or reimburse state funds used beginning November 1, 2025 to provide supplemental nutrition assistance program benefits shall be transferred to the medicaid trust fund.

SECTION 6. TRANSFER AUTHORITY.--If revenue and transfers to the general fund at the end of fiscal year 2025 are not sufficient to meet appropriations, the governor, with state board of finance approval, may transfer to the appropriation account of the general fund the amount necessary to meet that fiscal year's obligations from the general fund operating reserve; provided that the total amount transferred pursuant to this section shall not exceed sixty million dollars ($60,000,000).