

SENATE FLOOR SUBSTITUTE FOR
SENATE CORPORATIONS AND TRANSPORTATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 905

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
LIMITING THE PURPOSES FOR WHICH MONEY IN THE LOCAL DWI GRANT
FUND MAY BE USED; AMENDING SECTIONS OF THE LOCAL DWI GRANT
PROGRAM ACT.

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

Section 1. Section 11-6A-1 NMSA 1978 (being Laws 1993,
Chapter 65, Section 1) is amended to read:

"11-6A-1. SHORT TITLE. -- ~~[Sections 1 through 5 of this
act]~~ Chapter 11, Article 6A NMSA 1978 may be cited as the
"Local DWI Grant Program Act". "

Section 2. Section 11-6A-3 NMSA 1978 (being Laws 1993,
Chapter 65, Section 3, as amended) is amended to read:

"11-6A-3. LOCAL DWI GRANT PROGRAM - FUND. --

A. The division shall establish a local DWI grant

1 program to make grants to municipalities or counties for new,
2 innovative or model programs, services or activities to prevent
3 or reduce the incidence of DWI, alcoholism and alcohol abuse.
4 Grants shall be awarded by the council pursuant to the advice
5 and recommendations of the division.

6 B. The "local DWI grant fund" is created in the
7 state treasury and shall be administered by the division. Two
8 million dollars (\$2,000,000) of liquor excise tax revenues
9 distributed to the fund and all other money in the fund, other
10 than money appropriated for distribution pursuant to Subsection
11 C of this section and money appropriated for DWI program
12 distributions, are appropriated to the division to make grants
13 to municipalities and counties upon council approval in
14 accordance with the program established under the Local DWI
15 Grant Program Act. An amount equal to the liquor excise tax
16 revenues distributed annually to the fund less four million
17 eight hundred thousand dollars (\$4,800,000) is appropriated to
18 the division to make DWI program distributions to counties upon
19 council approval of programs in accordance with the provisions
20 of the Local DWI Grant Program Act. No more than one hundred
21 thousand dollars (\$100,000) of liquor excise tax revenues
22 distributed to the fund in any fiscal year shall be expended
23 for administration of the grant program. Balances in the fund
24 at the end of any fiscal year shall not revert to the general
25 fund.

1 C. Two million eight hundred thousand dollars
2 (\$2,800,000) of the liquor excise tax revenues distributed to
3 the local DWI grant fund is appropriated to the division for
4 distribution to the following counties in the following amounts
5 for funding of alcohol detoxification and treatment facilities:

6 (1) one million seven hundred thousand dollars
7 (\$1,700,000) to class A counties with a population of over
8 three hundred thousand persons according to the 1990 federal
9 decennial census;

10 (2) three hundred thousand dollars (\$300,000)
11 each to counties [~~classified in 2000 as class B~~] reclassified
12 in 2002 as class A counties with a population of more than
13 ninety thousand but less than one hundred thousand persons
14 according to the 1990 federal decennial census;

15 (3) two hundred thousand dollars (\$200,000) to
16 class B counties with a population of more than thirty thousand
17 but less than forty thousand persons according to the 1990
18 federal decennial census;

19 (4) one hundred fifty thousand dollars
20 (\$150,000) to class B counties with a population of more than
21 sixty-two thousand but less than sixty-five thousand persons
22 according to the 1990 federal decennial census; and

23 (5) one hundred fifty thousand dollars
24 (\$150,000) to class B counties with a population of more than
25 thirteen thousand but less than fifteen thousand persons

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1 according to the 1990 federal decennial census.

2 D. In awarding DWI grants to local communities, the
3 council:

4 (1) may fund new or existing innovative or
5 model programs, services or activities of any kind designed to
6 prevent or reduce the incidence of DWI, alcoholism or alcohol
7 abuse;

8 (2) may fund existing community-based
9 programs, services or facilities for prevention, screening and
10 treatment of alcoholism and alcohol abuse;

11 (3) shall give consideration to a broad range
12 of approaches to prevention, education, screening, treatment or
13 alternative sentencing, including programs that combine
14 incarceration, treatment and aftercare, to address the problem
15 of DWI, alcoholism or alcohol abuse; ~~and~~

16 (4) shall ~~make~~ grants only to counties or
17 municipalities in counties that have established a DWI planning
18 council and adopted a county DWI plan or are parties to a
19 multicounty DWI plan that has been approved pursuant to Chapter
20 43, Article 3 NMSA 1978 and only for programs, services or
21 activities consistent with that plan; and

22 (5) shall not fund media outreach programs or
23 law enforcement activities.

24 E. The council shall use the criteria in Subsection
25 D of this section to approve DWI programs, services or

1 activities for funding through the county DWI program
2 distribution. Sixty-five percent of the DWI grants awarded to
3 local communities shall be used for alcohol-related treatment
4 and detoxification programs. "

5 Section 3. EFFECTIVE DATE. --The effective date of the
6 provisions of this act is July 1, 2003.

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