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HOUSE BILL 196

**49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010**

INTRODUCED BY

Janice E. Arnold-Jones

AN ACT

RELATING TO PUBLIC MONEY; REQUIRING CERTAIN FINDINGS AND  
DISCLOSURES PRIOR TO THE ISSUANCE OF DEBT INSTRUMENTS BY THE  
STATE OR A POLITICAL SUBDIVISION OF THE STATE.

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

Section 1. DEBT OBLIGATIONS OF STATE AGENCIES AND  
POLITICAL SUBDIVISIONS--MANDATORY FINDINGS AND DISCLOSURES.--

A. Prior to issuing bonds or any other debt  
instruments, a state agency or a political subdivision of the  
state shall:

(1) using a national database widely available  
to debt issuers, make a written finding that expected interest  
rates and all costs of the issuance, including but not limited  
to legal, underwriting, advisory and consultant fees, are  
competitive with other recently issued bonds or similar

underscoring material = new  
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1 instruments issued under similar market conditions and with a  
2 comparable rating, issue size and purpose; and

3 (2) post the written finding, with all  
4 supporting data, detailed costs of the issuance and the  
5 methodology used in making the finding on the web site of the  
6 agency or political subdivision, provided that, if the agency  
7 or political subdivision does not maintain a web site, it shall  
8 submit the information to the department of finance and  
9 administration and the department shall post the information on  
10 the department's web site.

11 B. As used in this section, "state agency" means  
12 the state or any of its departments, institutions, boards,  
13 bureaus, commissions, committees, authorities or  
14 instrumentalities, including but not limited to:

- 15 (1) the New Mexico finance authority;  
16 (2) the New Mexico exposition center  
17 authority;  
18 (3) the New Mexico renewable energy  
19 transmission authority;  
20 (4) the New Mexico lottery authority;  
21 (5) the nonprofit foundation created pursuant  
22 to the Educational Assistance Act;  
23 (6) a research park corporation created  
24 pursuant to the University Research Park and Economic  
25 Development Act;

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- 1 (7) the New Mexico mortgage finance authority;
- 2 (8) the New Mexico hospital equipment loan
- 3 council;
- 4 (9) the New Mexico industrial and agricultural
- 5 finance authority; and
- 6 (10) any office or officer of an entity
- 7 included in this subsection.

8 Section 2. EFFECTIVE DATE.--The effective date of the  
9 provisions of this act is July 1, 2010.