

HOUSE BILL 35

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

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Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE AND
THE REVENUE STABILIZATION AND TAX POLICY COMMITTEE

AN ACT

RELATING TO TAXATION; INCREASING THE DISTRIBUTION OF THE LIQUOR
EXCISE TAX TO THE LOCAL DWI GRANT FUND; DISTRIBUTING A PORTION
OF THAT TAX TO THE DRUG COURT FUND; CREATING THE DRUG COURT
FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 7-1-6.40 NMSA 1978 (being Laws 1997,
Chapter 182, Section 1, as amended) is amended to read:

"7-1-6.40. DISTRIBUTION OF LIQUOR EXCISE TAX--LOCAL DWI
GRANT FUND--CERTAIN MUNICIPALITIES--[~~LOTTERY TUITION~~] DRUG

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COURT FUND.--

A. A distribution pursuant to Section 7-1-6.1 NMSA 1978 [~~shall be made to the local DWI grant fund~~] in an amount equal to [~~the following percentages~~] forty-five percent of the net receipts attributable to the liquor excise tax

~~[(1) prior to July 1, 2015, forty-one and one-half percent;~~

~~(2) from July 1, 2015 through June 30, 2018, forty-six percent; and~~

~~(3) on and after July 1, 2018, forty-one and one-half percent]~~ shall be made to the local DWI grant fund.

B. A distribution pursuant to Section 7-1-6.1 NMSA 1978 of twenty thousand seven hundred fifty dollars (\$20,750) monthly from the net receipts attributable to the liquor excise tax shall be made to a municipality that is located in a class A county and that has a population according to the most recent federal decennial census of more than thirty thousand but less than sixty thousand [~~The distribution pursuant to this subsection~~] and shall be used by the municipality only for the provision of alcohol treatment and rehabilitation services for street inebriates.

C. [~~From July 1, 2015 through June 30, 2017~~]
Sf1→~~A~~←Sf1 Sf1→**Beginning July 1, 2019,** ←Sf1 a distribution pursuant to Section 7-1-6.1 NMSA 1978 [~~of thirty-nine~~] in an amount equal to five percent of the net receipts attributable

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to the liquor excise tax shall be made to the [~~lottery tuition~~]
drug court fund."

SECTION 2. [NEW MATERIAL] DRUG COURT FUND--CREATED.--The
"drug court fund" is created in the state treasury. The fund
consists of appropriations, distributions, gifts, grants,
donations and bequests made to the fund and income from
investment of the fund. The administrative office of the
courts shall administer money in the fund to offset client
service costs of drug court programs, consistent with standards
approved by the supreme court. Money in the fund shall be
expended on warrants of the secretary of finance and
administration pursuant to vouchers signed by the director of
the administrative office of the courts. Balances in the fund
shall not revert to the general fund at the end of a fiscal
year.

SECTION 3. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2018.