

1 AN ACT
2 RELATING TO PUBLIC FINANCE; MAKING CERTAIN LOCAL
3 GOVERNMENT-OWNED BEHAVIORAL HEALTH CARE CLINICS ELIGIBLE FOR
4 BEHAVIORAL HEALTH CAPITAL FUNDING; ALLOWING THE NEW MEXICO
5 FINANCE AUTHORITY TO RECEIVE COMPENSATION FROM THE BEHAVIORAL
6 HEALTH CAPITAL FUND FOR ITS COSTS OF ADMINISTERING THE
7 BEHAVIORAL HEALTH CAPITAL FUNDING ACT; MAKING AN
8 APPROPRIATION.

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

11 SECTION 1. Section 6-26-3 NMSA 1978 (being Laws 2004,
12 Chapter 71, Section 3) is amended to read:

13 "6-26-3. DEFINITIONS.--As used in the Behavioral Health
14 Capital Funding Act:

- 15 A. "authority" means the New Mexico finance
16 authority;
- 17 B. "capital project" means repair, renovation or
18 construction of a behavioral health facility; purchase of
19 land; or acquisition of capital equipment of a long-term
20 nature;
- 21 C. "department" means the department of health;
- 22 D. "eligible entity" means:
 - 23 (1) a nonprofit behavioral health facility
24 that is a 501(c)(3) nonprofit corporation for federal income
25 tax purposes and serves primarily sick and indigent patients;

1 or

2 (2) a behavioral health care clinic that
3 operates in a rural or other health care underserved area of
4 the state, that is owned by a county or municipality and that
5 meets department requirements for eligibility; and

6 E. "fund" means the behavioral health capital
7 fund."

8 SECTION 2. Section 6-26-4 NMSA 1978 (being Laws 2004,
9 Chapter 71, Section 4) is amended to read:

10 "6-26-4. BEHAVIORAL HEALTH CAPITAL FUND.--

11 A. The "behavioral health capital fund" is created
12 as a revolving fund in the authority. The fund shall consist
13 of appropriations, loan repayments, gifts, grants, donations
14 and interest earned on investment of the fund. Money in the
15 fund shall not revert at the end of a fiscal year.

16 B. Money in the fund is appropriated to the
17 authority for the purpose of making loans to eligible
18 entities for capital projects pursuant to the Behavioral
19 Health Capital Funding Act.

20 C. The fund shall be administered by the
21 authority. The authority may recover from the fund the costs
22 of administering the fund and originating loans up to an
23 amount equal to ten percent of original loan amounts."

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