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HOUSE BILL 379

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Max Coll

FOR THE LEGISLATIVE FINANCE COMMITTEE

AN ACT

RELATING TO PUBLIC FINANCE; AMENDING A SECTION OF THE SEVERANCE TAX BONDING ACT CONCERNING RESTRICTIONS ON CERTAIN SUPPLEMENTAL SEVERANCE TAX BONDS.

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

Section 1. Section 7-27-14 NMSA 1978 (being Laws 1961, Chapter 5, Section 11, as amended) is amended to read:

"7-27-14. AMOUNT OF TAX--SECURITY FOR BONDS. --

A. The legislature shall provide for the continued assessment, levy, collection and deposit into the severance tax bonding fund of the tax or taxes upon natural resource products severed and saved from the soil of the state that, together with such other income as may be deposited to the fund, will be sufficient to produce an amount that is at least the amount necessary to meet annual debt service charges on

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1 all outstanding severance tax bonds and supplemental severance
2 tax bonds.

3 B. The state board of finance shall issue no
4 severance tax bonds unless the aggregate amount of severance
5 tax bonds outstanding, and including the issue proposed, can
6 be serviced with not more than fifty percent of the annual
7 deposits into the severance tax bonding fund, as determined by
8 the deposits during the preceding fiscal year.

9 C. The state board of finance shall issue no
10 supplemental severance tax bonds with a term that extends
11 beyond the fiscal year in which the bonds are issued unless
12 the aggregate amount of severance tax bonds and supplemental
13 severance tax bonds outstanding, and including the issue
14 proposed, can be serviced with not more than sixty-two and
15 one-half percent of the annual deposits into the severance tax
16 bonding fund, as determined by the deposits during the
17 preceding fiscal year.

18 D. The state board of finance may issue
19 supplemental severance tax bonds with a term that does not
20 extend beyond the fiscal year in which they are issued if the
21 debt service on such supplemental severance tax bonds when
22 added to the debt service previously paid or scheduled to be
23 paid during that fiscal year on severance tax bonds and
24 supplemental severance tax bonds does not exceed eighty-seven
25 and one-half percent of either the deposits into the severance

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1 tax bonding fund during the preceding fiscal year or the
2 estimated deposits into the severance tax bonding fund during
3 the current fiscal year, whichever is greater.

4 E. The provisions of this section shall not be
5 modified by the terms of any severance tax bonds or
6 supplemental severance tax bonds hereafter issued. "

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