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HOUSE BILL 35

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

INTRODUCED BY

Carl Trujillo and Patricio Ruiloba and Debbie A. Rodella

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
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

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

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

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

7 B. A distribution pursuant to Section 7-1-6.1 NMSA
8 1978 of twenty thousand seven hundred fifty dollars (\$20,750)
9 monthly from the net receipts attributable to the liquor excise
10 tax shall be made to a municipality that is located in a class
11 A county and that has a population according to the most recent
12 federal decennial census of more than thirty thousand but less
13 than sixty thousand [~~The distribution pursuant to this~~
14 ~~subsection]~~ and shall be used by the municipality only for the
15 provision of alcohol treatment and rehabilitation services for
16 street inebriates.

17 C. [~~From July 1, 2015 through June 30, 2017]~~ A
18 distribution pursuant to Section 7-1-6.1 NMSA 1978 [~~of thirty-~~
19 ~~nine]~~ in an amount equal to five percent of the net receipts
20 attributable to the liquor excise tax shall be made to the
21 [~~lottery tuition]~~ drug court fund."

22 SECTION 2. [NEW MATERIAL] DRUG COURT FUND--CREATED.--The
23 "drug court fund" is created in the state treasury. The fund
24 consists of appropriations, distributions, gifts, grants,
25 donations and bequests made to the fund and income from

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1 investment of the fund. The administrative office of the
2 courts shall administer money in the fund to offset client
3 service costs of drug court programs, consistent with standards
4 approved by the supreme court. Money in the fund shall be
5 expended on warrants of the secretary of finance and
6 administration pursuant to vouchers signed by the director of
7 the administrative office of the courts. Balances in the fund
8 shall not revert to the general fund at the end of a fiscal
9 year.

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