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HOUSE BILL 302

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

INTRODUCED BY

Nate Gentry

AN ACT

RELATING TO PROPERTY CRIME; ENACTING THE AUTOMOBILE THEFT PREVENTION ACT; CREATING THE AUTOMOBILE THEFT PREVENTION COMMISSION; PRESCRIBING POWERS AND DUTIES; CREATING A FUND; IMPOSING A FEE; PROVIDING AN EXCEPTION FROM THE INSPECTION OF PUBLIC RECORDS ACT; PROVIDING PENALTIES; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--Sections 1 through 14 of this act may be cited as the "Automobile Theft Prevention Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Automobile Theft Prevention Act:

A. "authorized insurer" means an insurer that offers motor vehicle insurance for sale in this state and that

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1 holds a valid and subsisting certificate of authority, issued
2 by the office of superintendent of insurance, to transact
3 insurance in this state;

4 B. "automobile" means a self-propelled vehicle that
5 is subject to registration pursuant to Section 66-3-1 NMSA
6 1978, that may be used on the public highways, that is not
7 exempt from the provisions of the Mandatory Financial
8 Responsibility Act and that has a gross vehicle weight of less
9 than twenty-six thousand pounds;

10 C. "commission" means the automobile theft
11 prevention commission;

12 D. "department" means the department of public
13 safety;

14 E. "fund" means the automobile theft prevention
15 fund;

16 F. "highway" means every road, highway,
17 thoroughfare, street or way, including toll roads, generally
18 open to the use of the public as a matter of right for the
19 purpose of motor vehicle travel regardless of whether the
20 highway is temporarily closed for the purpose of construction,
21 reconstruction, maintenance or repair;

22 G. "insurer" means every person engaged as
23 principal and as indemnitor, surety or contractor in the
24 business of entering into contracts of insurance; and

25 H. "law enforcement agency" means a law enforcement

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1 agency of the state or political subdivision of the state.

2 SECTION 3. [NEW MATERIAL] AUTOMOBILE THEFT PREVENTION
3 COMMISSION CREATED--MEMBERSHIP.--

4 A. The "automobile theft prevention commission" is
5 created and is administratively attached to the department,
6 which shall provide assistance to the commission as needed.

7 The commission shall consist of:

8 (1) the Albuquerque police chief and a police
9 chief appointed by the executive director of the New Mexico
10 municipal league;

11 (2) the Bernalillo county sheriff and a county
12 sheriff appointed by the executive director of the New Mexico
13 association of counties;

14 (3) the district attorney for the second
15 judicial district and a district attorney appointed by the New
16 Mexico district attorneys' association;

17 (4) two representatives of authorized insurers
18 appointed by the governor;

19 (5) two members of the general public
20 appointed by the governor;

21 (6) the secretary of taxation and revenue or
22 the secretary's designee; and

23 (7) the secretary of public safety or the
24 secretary's designee.

25 B. The initial appointed members of the commission

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1 shall serve staggered terms of four years or less, so that the
2 term of at least one member expires on January 1 of each year.
3 Thereafter, appointed members of the commission shall serve
4 four-year terms. After serving two four-year terms, an
5 appointed member shall not be eligible to be a member of the
6 commission until one full term has intervened.

7 C. The original appointing authority shall fill a
8 vacancy on the commission for the remainder of an unexpired
9 term. A member whose term has expired shall continue to serve
10 until a successor is appointed and qualified.

11 D. At the first meeting each year, the members
12 shall select a chair from among the members. The commission
13 shall meet not less than four times per year and at the call of
14 the chair or of seven members. A majority of the members
15 constitutes a quorum for the transaction of any business. The
16 affirmative vote of at least a majority of a quorum present
17 shall be necessary for any action to be taken by the
18 commission. A vacancy in the membership of the commission
19 shall not impair the right of a quorum to exercise all rights
20 and perform all duties of the commission.

21 E. While performing their duties, the appointed
22 members of the commission are entitled to per diem and mileage
23 as provided in the Per Diem and Mileage Act and shall receive
24 no other compensation, perquisite or allowance.

25 F. If the chair of the commission knows that

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1 potential grounds for removal of an appointed member of the
2 commission exist, the chair shall notify the member's
3 appointing authority. The appointing authority shall remove
4 the member if the appointing authority finds that the member:

5 (1) was not qualified to serve at the time of
6 the member's appointment or is no longer qualified to serve; or

7 (2) is absent from more than one-half of the
8 regularly scheduled meetings during a calendar year unless the
9 absences are excused by a majority vote of the commission.

10 SECTION 4. [NEW MATERIAL] COMMISSION POWERS AND DUTIES.--

11 A. The commission may:

12 (1) make grants to law enforcement agencies
13 for projects or programs that meet the criteria of the
14 Automobile Theft Prevention Act;

15 (2) promulgate rules in accordance with the
16 Automobile Theft Prevention Act; and

17 (3) contract for the performance of services
18 required by the Automobile Theft Prevention Act.

19 B. The commission shall:

20 (1) employ an executive director, who shall be
21 exempt from the Personnel Act;

22 (2) approve, disapprove, amend or modify the
23 annual budget prepared by the executive director; provided that
24 the commission shall not approve an annual budget in fiscal
25 year 2020 or any subsequent fiscal year that allows salary and

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1 administrative expenses to exceed ten percent of the income
2 credited to the fund for the previous fiscal year;

3 (3) study the incidence of automobile theft in
4 the state, including identifying areas of the state where the
5 incidence of automobile theft is highest;

6 (4) study methods of reducing or preventing
7 automobile theft;

8 (5) study methods of increasing the
9 effectiveness of automobile theft prosecution;

10 (6) educate and assist law enforcement
11 agencies and the public in reducing or preventing automobile
12 theft;

13 (7) annually develop, update and recommend to
14 law enforcement agencies a plan to reduce or prevent automobile
15 theft;

16 (8) establish procedures governing terms,
17 conditions and priorities for providing grants to law
18 enforcement agencies;

19 (9) monitor law enforcement agencies' use of
20 grants by reviewing annual reports submitted by those agencies
21 to the commission to ensure that grants are used consistently
22 with the agencies' grant applications; and

23 (10) report by September 30 of each year to
24 the governor and to the appropriate legislative interim
25 committee on its activities during the preceding fiscal year

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1 and plans for the current fiscal year.

2 SECTION 5. [NEW MATERIAL] EXECUTIVE DIRECTOR--DUTIES AND
3 POWERS.--The executive director shall assist the commission in
4 the performance of its duties and may employ and supervise
5 other necessary employees pursuant to the provisions of the
6 Personnel Act.

7 SECTION 6. [NEW MATERIAL] INSURANCE PREMIUM MONITORING.--
8 The superintendent of insurance shall prepare and provide to
9 the commission by September 30 of each year a report of the
10 statewide average cost for the previous fiscal year of
11 liability insurance coverage required under the Mandatory
12 Financial Responsibility Act.

13 SECTION 7. [NEW MATERIAL] GRANT RECIPIENTS--GRANT
14 APPLICATION--REQUIREMENTS.--

15 A. A law enforcement agency may submit an
16 application to the commission for a grant from the fund as
17 provided by rule and pursuant to the provisions of this
18 section.

19 B. Grants may be awarded for a project or program
20 that:

21 (1) improves or expands reporting on the
22 incidence of automobile theft in the state, including
23 identifying areas of the state where the incidence of
24 automobile theft is highest;

25 (2) reduces or prevents automobile theft;

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1 (3) increases the effectiveness of automobile
2 theft prosecution;

3 (4) educates a law enforcement agency or the
4 public on how to reduce or prevent automobile theft; or

5 (5) the commission determines addresses
6 automobile theft prevention or prosecution.

7 C. An application for a grant shall be in a form
8 and contain the information required by the commission,
9 including:

10 (1) a description of the project or program
11 and an explanation of how the project or program meets at least
12 one of the criteria set forth in Subsection B of this section;

13 (2) the amount of money requested;

14 (3) the estimated starting date and completion
15 date of the project or program;

16 (4) a schedule for project development and
17 completion, including measurable goals and time limits for
18 those goals; and

19 (5) provisions for performance review and
20 actions to be taken upon a determination that the project or
21 program has not met its goals and time limits.

22 D. A law enforcement agency awarded a grant
23 pursuant to this section shall report to the commission on the
24 status and completion of the project or program as provided by
25 rule.

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1 **SECTION 8. [NEW MATERIAL] AUTOMOBILE THEFT PREVENTION**

2 FUND--EXPENDITURES.--The "automobile theft prevention fund" is
3 created in the state treasury. The fund consists of fees
4 collected pursuant to the Automobile Theft Prevention Act,
5 appropriations, gifts, grants, donations and bequests made to
6 the fund. Money in the fund shall not revert to the general
7 fund at the end of a fiscal year. The department shall
8 administer the fund, and money in the fund is appropriated to
9 the commission to carry out the purposes of the Automobile
10 Theft Prevention Act, including providing commission-approved
11 grants to law enforcement agencies for programs for automobile
12 theft education, prevention and prosecution. Expenditures from
13 the fund shall be on warrants drawn by the secretary of finance
14 and administration pursuant to vouchers signed by the executive
15 director of the commission or the executive director's
16 designee.

17 **SECTION 9. [NEW MATERIAL] FEES.--An authorized insurer**

18 shall pay a semiannual fee of fifty cents (\$.50) for each
19 automobile that is insured under a motor vehicle liability
20 insurance policy issued by the authorized insurer. The
21 authorized insurer shall transmit the fee to the office of
22 superintendent of insurance on or before January 31 and on or
23 before July 31 of each year. The payment due on or before
24 January 31 shall include fees collected for vehicles insured
25 under policies issued during the period from July 1 through

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1 December 31 of the previous year. The payment due on or before
2 July 31 shall include fees collected for vehicles insured under
3 policies that are issued during the period from January 1
4 through June 30 of the same year. The office of superintendent
5 of insurance shall deposit the fees into the fund.

6 SECTION 10. [NEW MATERIAL] FAILURE TO PAY FEE--PENALTY.--

7 If an authorized insurer fails to pay the fee required pursuant
8 to the Automobile Theft Protection Act when due, the
9 superintendent of insurance shall suspend the authorized
10 insurer's certificate of authority to transact insurance in
11 this state or impose a civil penalty not to exceed one hundred
12 twenty percent of the fee due, or both.

13 SECTION 11. [NEW MATERIAL] INFORMATION SHARING.--

14 A. Each authorized insurer shall, at the request of
15 the commission, provide information that the authorized insurer
16 has in its possession or control relating to automobile theft
17 loss, including:

- 18 (1) an application for an insurance policy;
19 (2) policy premium payment records;
20 (3) a history of previous claims made by the
21 insured; and
22 (4) statements of any person pertaining to the
23 loss, proof of loss and any other information relating to the
24 loss.

25 B. If an authorized insurer believes an automobile

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1 theft loss in which it has an interest may be based on a false
2 or fraudulent claim, the authorized insurer shall notify the
3 commission in writing and provide to the commission all
4 information developed from the authorized insurer's inquiry
5 into the loss; provided that, if the authorized insurer
6 notifies the commission that the authorized insurer has
7 reported the loss to the office of superintendent of insurance
8 pursuant to requirements for reporting fraudulent activity, no
9 additional report is required, and the commission shall obtain
10 the information from the office of superintendent of insurance.

11 C. The commission shall disclose information
12 concerning an automobile theft loss to a law enforcement agency
13 upon request.

14 D. An authorized insurer that has provided
15 information to the commission concerning an automobile theft
16 loss may request in writing from the commission all information
17 relating to that loss. The commission shall provide the
18 information in its possession or control within thirty days.
19 The information shall not include information prohibited from
20 disclosure pursuant to the Arrest Record Information Act or
21 information that a law enforcement agency has determined the
22 release of which would be detrimental to an ongoing criminal
23 investigation.

24 SECTION 12. [NEW MATERIAL] CONFIDENTIALITY OF
25 INFORMATION.--Personal and vehicle information voluntarily

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1 submitted by a person to the commission pursuant to the
2 Automobile Theft Prevention Act, or provided by the commission
3 to an authorized insurer, law enforcement agency or the
4 commission, as defined by the Automobile Theft Prevention Act,
5 is not a public record and is not subject to disclosure
6 pursuant to the Inspection of Public Records Act.

7 SECTION 13. [NEW MATERIAL] DISCLOSURE--IMMUNITY--
8 PENALTIES.--

9 A. The commission or an authorized insurer that
10 receives information pursuant to the Automobile Theft
11 Prevention Act shall not disclose the information unless
12 authorized pursuant to the Automobile Theft Prevention Act or
13 as required pursuant to a court order; provided that the
14 commission or an authorized insurer that releases information
15 inadvertently or in good faith pursuant to the Automobile Theft
16 Prevention Act is immune from civil liability or criminal
17 penalty based on the release of the information.

18 B. A person who knowingly fails to provide
19 information to the commission upon request, or who knowingly
20 discloses information in violation of this section, is guilty
21 of a misdemeanor and shall be sentenced in accordance with the
22 provisions of Section 31-19-1 NMSA 1978.

23 SECTION 14. [NEW MATERIAL] TERMINATION OF AGENCY LIFE--
24 DELAYED REPEAL.--

25 A. The automobile theft prevention commission is

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1 terminated on July 1, 2021 pursuant to the provisions of the
2 Sunset Act. The commission shall continue to operate according
3 to the provisions of the Automobile Theft Prevention Act until
4 July 1, 2022. Effective July 1, 2022, the Automobile Theft
5 Prevention Act is repealed.

6 B. At a public hearing held pursuant to Section
7 12-9-19 NMSA 1978, the legislative finance committee shall
8 determine whether the statewide average cost of liability
9 insurance coverage required under the Mandatory Financial
10 Responsibility Act has decreased. If the statewide average
11 cost of liability insurance coverage required under the
12 Mandatory Financial Responsibility Act has decreased, the
13 legislative finance committee shall submit legislation for
14 continuation of the commission as an amendment of the delayed
15 repeal section covering the creation of the commission and its
16 related statutes.

17 SECTION 15. Section 59A-6-1 NMSA 1978 (being Laws 1984,
18 Chapter 127, Section 101, as amended) is amended to read:

19 "59A-6-1. FEE SCHEDULE.--The superintendent shall collect
20 the following fees:

21 A. insurer's certificate of authority -

22 (1) filing application for certificate of
23 authority, and issuance of certificate of authority, including
24 filing of all charter documents, financial statements, service
25 of process, power of attorney, examination reports and other

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1	documents included with and part of the application	
2	\$1,000.00
3	(2) annual continuation of certificate of	
4	authority, per kind of insurance.	200.00
5	(3) reinstatement of certificate of authority	
6	(Section 59A-5-23 NMSA 1978).	150.00
7	(4) amendment to certificate of	
8	authority	200.00
9	B. charter documents - filing amendment to any	
10	charter document (as defined in Section 59A-5-3	
11	NMSA 1978).	10.00
12	C. annual statement of insurer, filing. . .	200.00
13	D. service of process, acceptance by superintendent	
14	and issuance of certificate of service.	10.00
15	E. producer licenses and appointments -	
16	(1) filing application for original producer	
17	license and issuance of license	30.00
18	(2) biennial continuation of license . .	60.00
19	(3) appointment of producer -	
20	(a) filing appointment, per kind of	
21	insurance, each insurer	20.00
22	(b) annual continuation of appointment,	
23	per kind of insurance, each insurer	20.00
24	(4) temporary license filing	
25	application	30.00

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1	F. agency business entity license and	
2	affiliations -	
3	(1) filing application for original agency	
4	business entity license and issuance of license	30.00
5	(2) biennial continuation of license	60.00
6	(3) filing of individual affiliation	20.00
7	(4) annual continuation of individual	
8	affiliation	20.00
9	G. insurance vending machine license -	
10	(1) filing application for original license	
11	and issuance of license, each machine	25.00
12	(2) biennial continuation of license, each	
13	machine	50.00
14	H. examination for license, application for	
15	examination conducted directly by the superintendent, each	
16	grouping of kinds of insurance to be covered by the examination	
17	as provided by the superintendent's rules, and payable as to	
18	each instance of examination.	75.00
19	I. surplus lines insurer - filing application for	
20	qualification as eligible surplus lines insurer	1,000.00
21	J. surplus lines broker license -	
22	(1) filing application for original license	
23	and issuance of license	100.00
24	(2) biennial continuation of license	
25	200.00

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1	K. surplus lines brokerage business entity license	
2	and affiliations -	
3	(1) filing application for original surplus	
4	lines brokerage business entity license and issuance of license	
5	100.00
6	(2) filing of individual affiliation . .	20.00
7	(3) annual continuation of individual	
8	affiliation	20.00
9	L. adjuster license -	
10	(1) filing application for original license	
11	and issuance of license	30.00
12	(2) biennial continuation of	
13	license	60.00
14	M. insurance consultant license -	
15	(1) filing application for original license	
16	and issuance of license	50.00
17	(2) application examination	75.00
18	(3) biennial continuation of license .	100.00
19	N. viatical settlements license -	
20	(1) providers -	
21	(a) filing application for original	
22	license and issuance of license	1,000.00
23	(b) biennial continuation of	
24	license	400.00
25	(2) brokers -	

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1	(a) filing application for original	
2	license and issuance of license	100.00
3	(b) biennial continuation of	
4	license	200.00
5	(3) brokerages -	
6	(a) filing application for original	
7	business entity license and issuance of license	100.00
8	(b) biennial continuation of	
9	license	200.00
10	(c) filing of individual	
11	affiliation	20.00
12	(d) annual continuation of individual	
13	affiliation	20.00
14	0. advisory organization license -	
15	(1) filing application for license and	
16	issuance of license	100.00
17	(2) annual continuation of	
18	license	100.00
19	P. nonprofit health care plans -	
20	(1) filing application for preliminary permit	
21	and issuance of permit.	100.00
22	(2) certificate of authority, application,	
23	issuance, continuation, reinstatement, charter documents - same	
24	as for insurers	
25	(3) annual statement, filing	200.00

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- 1 Q. prepaid dental plans -
- 2 (1) certificate of authority, application,
- 3 issuance, continuation, reinstatement, charter documents - same
- 4 as for insurers
- 5 (2) annual report, filing 200.00
- 6 R. prearranged funeral insurance - application for
- 7 certificate of authority, issuance, continuation,
- 8 reinstatement, charter documents, filing annual statement,
- 9 licensing of sales representatives - same as for insurers
- 10 S. premium finance companies -
- 11 (1) filing application for original license
- 12 and issuance of license 100.00
- 13 (2) annual renewal of license 100.00
- 14 T. motor clubs -
- 15 (1) certificate of authority -
- 16 (a) filing application for original
- 17 certificate of authority and issuance of certificate of
- 18 authority 200.00
- 19 (b) annual continuation of certificate
- 20 of authority. 100.00
- 21 (2) sales representatives -
- 22 (a) filing application for registration
- 23 or license and issuance of registration or license, each
- 24 representative. 30.00
- 25 (b) biennial continuation of

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1 registration or license, each representative. 60.00

2 U. bail bondsmen -

3 (1) filing application for original license as
4 bail bondsman or solicitor, and issuance of license
5 30.00

6 (2) examination for license, each instance of
7 examination 50.00

8 (3) biennial continuation of
9 license 60.00

10 V. required filing of forms or rates - by all lines
11 of business other than property or casualty -

12 (1) rates 50.00

13 (2) major form - each new policy and each
14 package submission, which can include multiple policy forms,
15 application forms, rider forms, endorsement forms or amendment
16 forms 30.00

17 (3) incidental forms and rates - forms filed
18 for informational purposes; riders, applications, endorsements
19 and amendments filed individually; rate service organization
20 reference filings; rates filed for informational
21 purposes. 15.00

22 W. health maintenance organizations -

23 (1) filing an application for a certificate of
24 authority 1,000.00

25 (2) annual continuation of certificate of

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1	authority	200.00
2	(3) filing each annual report	200.00
3	(4) filing an amendment to organizational	
4	documents requiring approval.	200.00
5	(5) filing informational amendments	50.00
6	X. purchasing groups and foreign risk retention	
7	groups -	
8	(1) original registration	500.00
9	(2) annual continuation of	
10	registration.	200.00
11	(3) producer fees - same as for authorized	
12	insurers	
13	Y. third party administrators -	
14	(1) filing application for original business	
15	entity insurance administrator license.	100.00
16	(2) biennial continuation or renewal	
17	of license.	200.00
18	(3) examination for license, each	
19	examination	75.00
20	(4) filing of annual report	50.00
21	Z. miscellaneous fees -	
22	(1) duplicate license	30.00
23	(2) name change	30.00
24	(3) for each signature and seal of	
25	superintendent affixed to any instrument.	10.00

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- 1 AA. pharmacy benefits managers -
- 2 (1) filing an application for a
- 3 license 1,000.00
- 4 (2) annual continuation of license, each
- 5 year continued. 500.00
- 6 (3) filing each annual report 200.00
- 7 (4) filing an amendment to organizational
- 8 documents requiring approval. 200.00
- 9 (5) filing informational amendments . 100.00
- 10 BB. independent review organizations
- 11 (1) filing an application for a
- 12 license 250.00
- 13 (2) biennial continuation of license . 100.00
- 14 CC. continuing education providers
- 15 (1) filing an application for a course of
- 16 instruction 80.00
- 17 (2) biennial continuation of course of
- 18 instruction 40.00
- 19 DD. semiannual fee imposed pursuant to the
- 20 Automobile Theft Prevention Act for each automobile that is
- 21 insured under a motor vehicle liability insurance policy issued
- 22 by an authorized insurer. 0.50.

23 An insurer shall be subject to additional fees or charges,
24 termed retaliatory or reciprocal requirements, whenever form or
25 rate-filing fees in excess of those imposed by state law are

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1 charged to insurers in New Mexico doing business in another
2 state or whenever a condition precedent to the right to issue
3 policies in another state is imposed by the laws of that state
4 over and above the conditions imposed upon insurers by the laws
5 of New Mexico; in those cases, the same form or rate-filing
6 fees may be imposed upon an insurer from another state
7 transacting or applying to transact business in New Mexico so
8 long as the higher fees remain in force in the other state. If
9 an insurer does not comply with the additional retaliatory or
10 reciprocal requirement charges imposed under this subsection,
11 the superintendent may refuse to grant or may withdraw approval
12 of the tendered form or rate filing.

13 All fees are earned when paid and are not refundable."

14 SECTION 16. Section 59A-6-5 NMSA 1978 (being Laws 1984,
15 Chapter 127, Section 105, as amended) is amended to read:

16 "59A-6-5. DISTRIBUTION OF OFFICE COLLECTIONS.--

17 A. All money received by the office of
18 superintendent of insurance for fees, licenses, penalties and
19 taxes shall be paid daily by the superintendent to the state
20 treasurer and credited to the "insurance department suspense
21 fund" except as provided by the Law Enforcement Protection Fund
22 Act and the Automobile Theft Prevention Act.

23 B. The superintendent may authorize the refund of
24 money erroneously paid as fees, licenses, penalties or taxes
25 from the insurance department suspense fund under request for

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1 refund made within three years after the erroneous payment. In
2 the case of premium taxes erroneously paid or overpaid in
3 accordance with law, refund may also be requested as a credit
4 against premium taxes due in any annual or quarterly premium
5 tax return filed within three years of the erroneous or excess
6 payment.

7 C. If required by a compact to which New Mexico has
8 joined pursuant to law, the superintendent shall authorize the
9 allocation of premiums collected pursuant to Section 59A-14-12
10 NMSA 1978 to other states that have joined the compact pursuant
11 to an allocation formula agreed upon by the compacting states.

12 D. The "insurance operations fund" is created in
13 the state treasury. The fund shall consist of the
14 distributions made to it pursuant to Subsection E of this
15 section. The legislature shall annually appropriate from the
16 fund to the division those amounts necessary for the division
17 to carry out its responsibilities pursuant to the Insurance
18 Code and other laws. Any balance in the fund at the end of a
19 fiscal year shall revert to the general fund.

20 E. At the end of every month, after applicable
21 refunds are made pursuant to Subsection B of this section and
22 after any allocations have been made pursuant to Subsection C
23 of this section, the treasurer shall make the following
24 transfers from the balance remaining in the insurance
25 department suspense fund:

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1 (1) to the "fire protection fund", that part
2 of the balance derived from property and vehicle insurance
3 business;

4 (2) to the insurance operations fund, that
5 part of the balance derived from the fees imposed pursuant to
6 Subsections A and E of Section 59A-6-1 NMSA 1978 other than
7 fees derived from property and vehicle insurance business; and

8 (3) to the general fund, the balance remaining
9 in the insurance department suspense fund derived from all
10 other kinds of insurance business."

11 SECTION 17. APPROPRIATION.--One hundred fifty thousand
12 dollars (\$150,000) is appropriated from the general fund to the
13 automobile theft prevention fund for expenditure in fiscal year
14 2019 and subsequent fiscal years to carry out the provisions of
15 the Automobile Theft Prevention Act. Any unexpended or
16 unencumbered balance remaining at the end of a fiscal year
17 shall not revert to the general fund.

18 SECTION 18. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2018.