

HOUSE BILL 124

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Candie G. Sweetser and Gail Armstrong

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.

ENDORSED BY THE NEW MEXICO FINANCE AUTHORITY

OVERSIGHT COMMITTEE

AN ACT

RELATING TO FIRE PROTECTION; CLARIFYING THAT MONEY FROM THE FIRE PROTECTION FUND MAY BE USED TO PURCHASE LAND FOR FIRE STATIONS AND SUBSTATIONS; ALLOWING FIRE PROTECTION FUND AWARDS TO ENTITIES HAVING OUTSTANDING OBLIGATIONS ASSOCIATED WITH PRIOR FIRE PROTECTION FUND AWARDS.

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

**SECTION 1.** Section 59A-53-8 NMSA 1978 (being Laws 1984, Chapter 127, Section 979, as amended) is amended to read:

"59A-53-8. EXPENDITURE OF FIRE PROTECTION FUND MONEY.--

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[~~Any amount~~] Money distributed from the fire protection fund to a municipality or to a county fire district [~~shall~~]:

A. may be expended only for the:

(1) maintenance of its fire department; [~~the~~]

(2) purchase or refinance of land for its fire stations and substations;

(3) purchase, refinance, construction, maintenance, repair and operation of its fire stations [~~including~~] and substations;

(4) purchase or refinance of fire apparatus and equipment [~~and the financing or refinancing thereof the~~];

(5) payment of insurance premiums on fire stations, substations, fire apparatus and equipment and insurance premiums for injuries or deaths of firefighters as otherwise provided by law; [~~and~~]

(6) payment of fire department emergency medical services, except salaries [~~provided, however, that no money shall be expended from the fund for any purpose relating to the water supply systems of a municipality or county fire district or for the improvement or construction of the systems or for purchase, rental, installation or maintenance of fire hydrants or for any other appurtenances relating to the distribution or use of the water supply system. Funds distributed from the fire protection fund to an incorporated municipality or a county fire district may also be expended for~~]

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~~the expense of firefighters for attending]; and~~

(7) payment of firefighters' attendance at fire schools and conventions approved by the marshal;

HLLC→and←HLLC

B. shall not HLLC→, without approval by the marshal,←HLLC be expended for any purpose related to:

(1) its water supply systems or the improvement or construction of those systems;

(2) the purchase, rental, installation or maintenance of fire hydrants; or

(3) any other appurtenance related to the distribution or use of water from its water supply system

HLLC→."←HLLC HLLC→; and←HLLC

HLLC→C. shall not be expended for any public, private or other water system used for potable water supply."←HLLC

SECTION 2. Section 59A-53-10 NMSA 1978 (being Laws 1984, Chapter 127, Section 981, as amended) is amended to read:

"59A-53-10. [~~PURCHASE OF~~] INTEREST IN LAND [~~OR BUILDINGS~~] FOR FIRE STATIONS OR SUBSTATIONS.-- [~~No amount so~~] Money distributed from the fire protection fund to a municipality or to [~~any~~] a county fire district [~~shall be expended or obligated for the purchase of land or the construction of buildings for fire stations or substations unless all obligations previously incurred for those purposes and to be paid from money distributed from the fire protection fund by the municipality~~

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~~or county fire district have been fully paid and satisfied; and  
no amount shall]~~ may be expended or obligated for the  
construction of buildings for fire stations or substations  
~~[unless]~~ only if:

A. the municipality or county fire district  
proposing to expend or obligate for that purpose ~~[money  
distributed from the fire protection fund]~~ holds fee simple  
title, not encumbered by any lien, to the land on which it  
proposes to construct ~~[any such]~~ the building ~~[provided,  
however, that this provision shall not prohibit construction or  
location of a fire station or substation on]; or~~

B. the land is donated in whole or in part to the  
municipality or county fire district for the purpose, and use  
of fire protection fund money for the construction or location,  
where the donor has reserved right of reversion of the land  
under stated conditions, if the use of money is approved by the  
marshal in advance and after full investigation and  
determination that the use would be appropriate and  
reasonable."