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HOUSE BILL 355

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Javier Martínez

AN ACT

RELATING TO CAPITAL EXPENDITURES; REAUTHORIZING OR
REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES,
EXTENDING EXPENDITURE PERIODS, CHANGING AGENCIES AND
ESTABLISHING CONDITIONS FOR THE REVERSION OR TRANSFER OF
UNEXPENDED BALANCES OF APPROPRIATIONS MADE BY THE LEGISLATURE
IN PRIOR YEARS; DECLARING AN EMERGENCY.

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

SECTION 1. SEVERANCE TAX BONDS--REVERSION OF PROCEEDS.--

A. Except as otherwise provided in another section
of this act:

(1) the unexpended balance from the proceeds
of severance tax bonds issued for a project that has been
reauthorized in this act shall revert to the severance tax
bonding fund:

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1 (a) at the end of the expenditure period
2 as set forth in this act, if the expenditure period is changed
3 in this act; or

4 (b) if the expenditure period is not
5 changed in this act, pursuant to the time frame set forth in
6 the law that originally authorized the severance tax bonds or
7 the time frame set forth in any law that has previously
8 reauthorized the expenditure of the proceeds, whichever is
9 later; and

10 (2) all remaining balances from the proceeds
11 of severance tax bonds issued for a project that has been
12 reauthorized in this act shall revert to the severance tax
13 bonding fund three months after the reversion date for the
14 unexpended balances.

15 B. For the purpose of this section, "unexpended
16 balance" means the remainder of an appropriation after
17 reserving for unpaid costs and expenses covered by binding
18 written obligations to third parties.

19 SECTION 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
20 REVERSIONS.--

21 A. Except as otherwise provided in another section
22 of this act:

23 (1) the unexpended balance of an appropriation
24 from the general fund or other state fund that has been changed
25 in this act shall revert:

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1 (a) at the end of the expenditure period
2 as set forth in this act, if the expenditure period is changed
3 in this act; or

4 (b) if the expenditure period is not
5 changed in this act, pursuant to the time frame set forth in
6 the law in which the original appropriation was made or the
7 time frame set forth in any law that has previously changed the
8 appropriation, whichever is later; and

9 (2) all remaining balances of an appropriation
10 from the general fund or other state fund that has been changed
11 in this act shall revert three months after the reversion date
12 for the unexpended balance.

13 B. Except as provided in Subsection C of this
14 section, the balance of an appropriation made from the general
15 fund or other state fund shall revert pursuant to Subsection A
16 of this section to the originating fund.

17 C. The balance of an appropriation made from the
18 general fund or other state fund to the Indian affairs
19 department or the aging and long-term services department for a
20 project located on lands of an Indian nation, tribe or pueblo
21 shall revert pursuant to Subsection A of this section to the
22 tribal infrastructure project fund.

23 D. For the purpose of this section, "unexpended
24 balance" means the remainder of an appropriation after
25 reserving for unpaid costs and expenses covered by binding

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1 written obligations to third parties.

2 SECTION 3. CHILDREN, YOUTH AND FAMILIES DEPARTMENT YOUTH
3 DIAGNOSTIC AND DEVELOPMENT CENTER MULTIPURPOSE CENTER

4 CONSTRUCTION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX
5 BONDS.--The capital program fund project originally authorized
6 in Subsection 3 of Section 7 of Chapter 81 of Laws 2016 to
7 plan, design, purchase and install security and code compliance
8 improvements and to convert the existing swimming pool into a
9 multi-use facility at the youth diagnostic and development
10 center in Albuquerque in Bernalillo county may include
11 planning, designing, constructing, renovating, equipping and
12 furnishing children, youth and families department facilities
13 statewide. The time of expenditure is extended through fiscal
14 year 2021.

15 SECTION 4. NATIONAL HISPANIC CULTURAL CENTER INFORMATION
16 AND WELCOME CENTER CONSTRUCTION--EXTEND TIME--SEVERANCE TAX

17 BONDS.--The time of expenditure for the cultural affairs
18 department project originally authorized in Subsection 3 of
19 Section 7 of Chapter 66 of Laws 2014 to plan, design,
20 construct, equip and furnish an information and welcome center
21 at the entrance of the national Hispanic cultural center in
22 Albuquerque in Bernalillo county and for which the time of
23 expenditure was extended in Laws 2018, Chapter 68, Section 33
24 is extended through fiscal year 2021.

25 SECTION 5. LOS PINOS ROAD WATER CROSSING IMPROVEMENTS--

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1 CHANGE TO ACEQUIA DE LA CAPILLA IMPROVEMENTS--CHANGE AGENCY--
2 EXTEND TIME--SEVERANCE TAX BONDS.--The unexpended balance of
3 the appropriation to the department of transportation in
4 Subsection 65 of Section 24 of Chapter 81 of Laws 2016 to plan,
5 design and construct improvements to the water crossing at Los
6 Pinos road in La Cienega in Santa Fe county shall not be
7 expended for the original purpose but is appropriated to the
8 interstate stream commission to plan, design and construct
9 improvements to the acequia de La Capilla in La Cienega in
10 Santa Fe county. The time of expenditure is extended through
11 fiscal year 2021.

12 SECTION 6. CHILDREN, YOUTH AND FAMILIES DEPARTMENT YOUTH
13 DIAGNOSTIC AND DEVELOPMENT CENTER MULTIPURPOSE CENTER
14 CONSTRUCTION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX
15 BONDS.--The capital program fund project originally authorized
16 in Subsection 4 of Section 7 of Chapter 81 of Laws 2016 to
17 plan, design, construct, purchase and improve the Manzano and
18 Sandia cottages at the youth diagnostic and development center
19 in Albuquerque in Bernalillo county may include planning,
20 design, construction, renovation, equipping and furnishing
21 facilities for the children, youth and families department
22 statewide. The time of expenditure is extended through fiscal
23 year 2021.

24 SECTION 7. DEPARTMENT OF PUBLIC SAFETY TEXICO PORT OF
25 ENTRY RELOCATION--EXPAND PURPOSE--EXTEND TIME--SEVERANCE TAX

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1 BONDS.--The capital program fund project in Subsection 12 of
2 Section 7 of Chapter 81 of Laws 2016 to purchase easements and
3 to plan, design, construct, equip and furnish the relocation of
4 the Texico port of entry in Texico in Curry county may include
5 planning, designing, constructing, renovating, equipping and
6 furnishing department of public safety facilities statewide.
7 The time of expenditure is extended through fiscal year 2021.

8 SECTION 8. DEPARTMENT OF PUBLIC SAFETY STATE POLICE

9 ROSWELL DISTRICT OFFICE CONSTRUCTION--EXPAND PURPOSE--EXTEND
10 TIME--SEVERANCE TAX BONDS.--The capital program fund project in
11 Subsection 5 of Section 7 of Chapter 81 of Laws 2016 to plan,
12 design, construct, renovate, furnish and equip the state police
13 district office in Roswell in Chaves county may include
14 planning, designing, constructing, renovating, equipping and
15 furnishing department of public safety facilities statewide.
16 The time of expenditure is extended through fiscal year 2021.

17 SECTION 9. EMERGENCY.--It is necessary for the public
18 peace, health and safety that this act take effect immediately.