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HOUSE BILL 8

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

Matthew McQueen and Brian Egolf and Kristina Ortez and
Roger E. Montoya and Andrea Romero

AN ACT

RELATING TO GOVERNMENT FINANCING; CREATING THE LAND GRANT-
MERCED ASSISTANCE FUND; PRESCRIBING DUTIES; PROVIDING FOR
DISTRIBUTIONS PURSUANT TO THE TAX ADMINISTRATION ACT; MAKING AN
APPROPRIATION.

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

SECTION 1. A new section of the Tax Administration Act is
enacted to read:

"[NEW MATERIAL] DISTRIBUTION--LAND GRANT-MERCED ASSISTANCE
FUND.--A distribution pursuant to Section 7-1-6.1 NMSA 1978
shall be made to the land grant-merced assistance fund in an
amount equal to five-hundredths percent of the net receipts
attributable to the gross receipts tax after distributions have
been made pursuant to Sections 7-1-6.46 and 7-1-6.47 NMSA
1978."

.221965.3

underscored material = new
~~[bracketed material]~~ = delete

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1 SECTION 2. A new section of Chapter 49 NMSA 1978 is
2 enacted to read:

3 "[NEW MATERIAL] LAND GRANT-MERCED ASSISTANCE FUND
4 CREATED--DISTRIBUTION.--

5 A. The "land grant-merced assistance fund" is
6 created in the state treasury and shall be administered by the
7 department of finance and administration. The fund consists of
8 gifts, grants, donations, appropriations to the fund and
9 distributions to the fund made pursuant to the Tax
10 Administration Act.

11 B. On or before September 1, 2022 and on or before
12 September 1 of each subsequent year, the state auditor shall
13 provide a list to the land grant council of the land grants-
14 mercedes that are in compliance with the Audit Act and the
15 category of compliance required for each land grant-merced
16 pursuant to Subsection B of Section 12-6-3 NMSA 1978.

17 C. Within fifteen days of the receipt of the list
18 of Audit-Act-compliant land grants-mercedes and their Audit Act
19 compliance levels from the state auditor pursuant to Subsection
20 B of this section, the land grant council shall provide a list
21 of assistance-qualified land grants-mercedes, including their
22 assistance distribution categories pursuant to Subsection D of
23 this section, to the department of finance and administration
24 and the state treasurer.

25 D. An assistance-qualified land grant-merced with
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underscoring material = new
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1 an annual revenue, calculated on a cash basis of accounting,
2 exclusive of capital outlay funds or federal or private grants
3 disbursed directly by an administrating agency or previous year
4 distributions from the land grant-merced assistance fund, shall
5 receive an annual distribution amount starting in fiscal year
6 2023 and continuing in each subsequent fiscal year in
7 accordance with the following:

8 (1) less than fifty thousand dollars
9 (\$50,000), the assistance-qualified land grant-merced shall
10 receive a full distribution;

11 (2) at least fifty thousand dollars (\$50,000)
12 but not more than two hundred fifty thousand dollars
13 (\$250,000), the assistance-qualified land grant-merced shall
14 receive seventy-five percent of a full distribution;

15 (3) at least two hundred fifty thousand
16 dollars (\$250,000) but not more than five hundred thousand
17 dollars (\$500,000), the assistance-qualified land grant-merced
18 shall receive fifty percent of a full distribution; and

19 (4) five hundred thousand dollars (\$500,000)
20 or more, the assistance-qualified land grant-merced shall
21 receive twenty-five percent of a full distribution.

22 E. Within thirty days of receiving the list of
23 assistance-qualified land grants-mercedes pursuant to
24 Subsection C of this section, the state treasurer shall
25 distribute to each assistance-qualified land grant-merced the

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underscored material = new
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1 amount determined pursuant to Subsections C and D of this
2 section. If the balance in the fund as of the preceding June
3 30 exceeds the sum of certified amounts distributed, the
4 difference shall revert to the general fund.

5 F. As used in this section:

6 (1) "assistance-qualified land grant-merced"
7 means a land grant-merced that has a board of trustees that has
8 been elected pursuant to the requirements of Chapter 49,
9 Article 1 or 4 NMSA 1978 and that is in compliance with the
10 Audit Act; and

11 (2) "full distribution" means an amount equal
12 to the annual amount of money in the land grant-merced
13 assistance fund at the start of a fiscal year divided by the
14 total number of assistance-qualified land grants-mercedes
15 certified by the state auditor for that fiscal year pursuant to
16 this section."

17 SECTION 3. EFFECTIVE DATE.--The effective date of the
18 provisions of this act is July 1, 2022.