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HOUSE BILL

**55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO CRIME; ENACTING THE VIOLENCE INTERVENTION PROGRAM ACT; CREATING THE VIOLENCE INTERVENTION PROGRAM FUND; ESTABLISHING APPLICATION AND REPORTING REQUIREMENTS; MAKING AN APPROPRIATION.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Violence Intervention Program Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Violence Intervention Program Act:

A. "commission" means the New Mexico sentencing commission;

B. "community-based organization" means an entity that is eligible to be awarded a contract to provide services that accomplish the purposes of the Violence Intervention

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1 Program Act;

2 C. "department" means the department of health; and

3 D. "grantee" means a county, municipality or tribal  
4 government that has applied for and receives funding pursuant  
5 to the Violence Intervention Program Act.

6 SECTION 3. [NEW MATERIAL] VIOLENCE INTERVENTION PROGRAM  
7 FUND--CREATED--PURPOSE.--The "violence intervention program  
8 fund" is created as a nonreverting fund in the state treasury.  
9 The fund consists of appropriations, gifts, grants and  
10 donations. The department shall administer the fund, and money  
11 in the fund is appropriated to the department to administer the  
12 provisions of the Violence Intervention Program Act and award  
13 violence intervention program grants to municipalities or  
14 tribal governments that the department finds are  
15 disproportionately impacted by violent crimes, including  
16 homicides, shootings and aggravated assaults. Expenditures  
17 from the fund shall be made on warrant of the secretary of  
18 finance and administration pursuant to vouchers signed by the  
19 secretary of health. The department may expend no more than  
20 three percent of the balance of the fund each fiscal year for  
21 administering the Violence Intervention Program Act. No money  
22 in the fund may be expended in any way except as provided by  
23 the Violence Intervention Program Act.

24 SECTION 4. [NEW MATERIAL] GRANT AWARDS.--

25 A. On or after July 1, 2021, the department shall

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1 receive and review applications for grants from the violence  
2 intervention program fund. The department may make grants from  
3 the fund to municipalities or tribal governments that the  
4 department finds are disproportionately impacted by violent  
5 crimes, including homicides, shootings and aggravated assaults.

6 B. The department shall make awards of grants from  
7 the fund in accordance with the following limitations:

8 (1) grant awards shall be made to at least two  
9 municipalities or tribal governments with a population of fifty  
10 thousand or less according to the most recent federal decennial  
11 census;

12 (2) at least twenty percent of the total  
13 annual amount appropriated to the fund shall be awarded to  
14 municipalities with a population of five hundred forty thousand  
15 or greater according to the most recent federal decennial  
16 census; and

17 (3) the department of health shall utilize the  
18 funds in accordance with department of finance and  
19 administration guidelines.

20 SECTION 5. [NEW MATERIAL] APPLICATION REQUIREMENTS.--

21 A. Each application for a grant from the violence  
22 intervention program fund shall include:

23 (1) clearly defined, measurable objectives for  
24 a proposal to improve public health and safety through  
25 evidence-based violence reduction interventions;

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1 (2) a comprehensive violence reduction  
2 strategic plan and a description of the strategies and tasks  
3 developed by a county, municipality or tribal government  
4 describing the goals of the plan, including community-based or  
5 joint community-based and law enforcement intervention  
6 strategies;

7 (3) a description of how a grant award would  
8 be used if awarded; and

9 (4) a list of community-based organizations in  
10 the county, municipality or tribal government applying for the  
11 grant.

12 B. The commission shall provide municipalities and  
13 tribal governments with data relevant to grant applications.

14 C. An applicant shall notify the appropriate  
15 criminal justice coordinating council established pursuant to  
16 Section 31-28-3 NMSA 1978 of its grant application.

17 SECTION 6. [NEW MATERIAL] CONDITIONS OF GRANT.--

18 A. As a condition of each grant made pursuant to  
19 the Violence Intervention Program Act, the department shall  
20 require each grantee to use at least fifty percent of its grant  
21 for the purpose of entering into contracts with one or more  
22 community-based organizations.

23 B. Each grantee shall report to the appropriate  
24 criminal justice coordinating council established pursuant to  
25 Section 31-28-3 NMSA 1978 regarding outcomes of the grant.

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1           SECTION 7. [NEW MATERIAL] RULES.--The department shall  
2 adopt rules necessary to administer the provisions of the  
3 Violence Intervention Program Act.

4           SECTION 8. [NEW MATERIAL] REPORTS.--

5           A. Each grantee shall report to the department and  
6 the commission by November 1 of each year regarding the:

7                   (1) purpose and amount of each grant received  
8 by the grantee for the previous fiscal year; and

9                   (2) processes, outputs and outcomes resulting  
10 from each grant approved by the department for the previous  
11 fiscal year.

12           B. Each year through 2026, the department and the  
13 commission shall report to the legislature by December 1  
14 regarding the awards and outcomes of each grantee.

15           SECTION 9. APPROPRIATION.--Ten million dollars  
16 (\$10,000,000) is appropriated from the general fund to the  
17 violence intervention program fund for expenditure in fiscal  
18 year 2022 and subsequent fiscal years for the purposes of the  
19 fund. Any unexpended or unencumbered balance remaining at the  
20 end of a fiscal year shall not revert to the general fund.