

AN ACT

RELATING TO MUNICIPALITIES; AUTHORIZING A MUNICIPALITY TO INCLUDE IN-KIND SERVICES AS PART OF THE CONSIDERATION FOR A HOSPITAL LEASE.

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

Section 1. Section 3-44-1 NMSA 1978 (being Laws 1965, Chapter 300, Section 14-45-1, as amended) is amended to read:

"3-44-1. HOSPITALS--AUTHORITY.--A municipality may:

- A. control and regulate hospitals;
- B. construct hospitals and medical dispensaries;
- C. contribute to the support of any county

hospital located within the municipality;

- D. own, maintain and operate hospitals;
- E. charge for hospital services rendered;
- F. lease the hospital, sanitarium or other

institution upon such terms and conditions as the governing body may determine to any person, corporation or association for the operation and maintenance of the hospital; provided that the lease may be terminated by the governing body of the municipality without cause upon one hundred eighty days' notice after the first three years of the lease; and further provided that a person, association or corporation demonstrating a consistent history of service to sick and indigent persons may include the value of in-kind services

provided to the municipality as a portion of consideration due on any lease for the use of hospital facilities owned by the municipality. The lease agreement must set forth the respective value of services being provided to residents and the relative value of the use of property provided by the municipality;

G. contract with the human services department or the board of county commissioners for the care of sick or indigent persons;

H. accept grants for constructing, equipping and maintaining the hospital; and

I. perform any act or adopt any regulation necessary or expedient to carry out the provisions of this section."

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