

1 SENATE BILL 368

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 George K. Munoz

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10 AN ACT

11 RELATING TO THE VETERANS' NATIONAL CEMETERY FUND; CHANGING THE
12 NAME OF THE VETERANS' NATIONAL CEMETERY FUND TO THE VETERANS'
13 STATE CEMETERY FUND; REMOVING A REQUIREMENT THAT CERTAIN EXCESS
14 AMOUNTS IN THE FUND BE DISTRIBUTED TO THE SUBSTANCE ABUSE
15 EDUCATION FUND; REMOVING LANGUAGE FOR A CONTINGENCY THAT HAS
16 ALREADY OCCURRED; AMENDING AND REPEALING SECTIONS OF THE NMSA
17 1978.

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

20 SECTION 1. Section 7-1-6.18 NMSA 1978 (being Laws 1987,
21 Chapter 257, Section 1, as amended) is amended to read:

22 "7-1-6.18. DISTRIBUTION--VETERANS' [NATIONAL] STATE
23 CEMETERY FUND.--~~[Upon a certification by the state board of~~
24 ~~finance that the city of Santa Fe grants and conveys additional~~
25 ~~acreage for the Santa Fe national cemetery]~~ A distribution

.198874.3SA

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the
2 veterans' [~~national~~] state cemetery fund of the amounts
3 designated pursuant to Section 7-2-28 NMSA 1978 as
4 contributions to that fund [~~provided that when the sum of~~
5 ~~contributions received on or after January 1, 1988 equals one~~
6 ~~million seventy thousand dollars (\$1,070,000), any~~
7 ~~contributions received in excess of that amount shall be~~
8 ~~distributed to the substance abuse education fund]."~~

9 SECTION 2. Section 7-2-28 NMSA 1978 (being Laws 1987,
10 Chapter 257, Section 3, as amended) is amended to read:

11 "7-2-28. OPTIONAL DESIGNATION OF TAX REFUND
12 CONTRIBUTION.--

13 A. Any individual whose state income tax liability
14 in any year is lower than the amount of money held by the
15 department to the credit of such individual for that tax year
16 may designate any portion of the income tax refund due to be
17 paid into the veterans' [~~national~~] state cemetery fund. In the
18 case of a joint return, both individuals must make such
19 designation.

20 B. The secretary shall revise the state income tax
21 form to allow the designation by individual taxpayers of such
22 contributions in substantially the following form:

23 "New Mexico Veterans' [~~National~~] State Cemetery Fund--
24 Check [] if you wish to contribute a part or all of your
25 tax refund to the Veterans' [~~National~~] State Cemetery

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1 Fund. Enter here \$ _____ the amount of your
2 contribution."

3 C. The provisions of this section do not apply to
4 refund amounts intercepted under the Tax Refund Intercept
5 Program Act, and any designation under the provisions of this
6 section with respect to such intercepted refunds is void."

7 SECTION 3. Section 7-2-28.1 NMSA 1978 (being Laws 2011,
8 Chapter 42, Section 1) is amended to read:

9 "7-2-28.1. VETERANS' [~~NATIONAL~~] STATE CEMETERY FUND--
10 CREATED--The "veterans' [~~national~~] state cemetery fund" is
11 created as a nonreverting fund in the state treasury. The fund
12 consists of appropriations, gifts, grants, donations and
13 amounts designated pursuant to Section 7-2-28 NMSA 1978. Money
14 in the fund at the end of a fiscal year shall not revert to any
15 other fund. The veterans' services department shall administer
16 the fund, and money in the fund is appropriated to the
17 veterans' services department [~~to carry out the intent of~~
18 ~~Section 7-2-27 NMSA 1978~~]."

19 SECTION 4. REPEAL.--Section 7-2-27 NMSA 1978 (being Laws
20 1987, Chapter 257, Section 2) is repealed.