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AN ACT

RELATING TO FIRE PROTECTION; CLARIFYING THAT MONEY FROM THE  
FIRE PROTECTION FUND MAY BE USED TO PURCHASE LAND FOR FIRE  
STATIONS AND SUBSTATIONS; ALLOWING FIRE PROTECTION FUND  
AWARDS TO ENTITIES HAVING OUTSTANDING OBLIGATIONS ASSOCIATED  
WITH PRIOR FIRE PROTECTION FUND AWARDS.

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

SECTION 1. Section 59A-53-8 NMSA 1978 (being Laws 1984,  
Chapter 127, Section 979, as amended) is amended to read:

"59A-53-8. EXPENDITURE OF FIRE PROTECTION FUND MONEY.--  
Money distributed from the fire protection fund to a  
municipality or to a county fire district:

A. may be expended only for the:

- (1) maintenance of its fire department;
- (2) purchase or refinance of land for its  
fire stations and substations;
- (3) purchase, refinance, construction,  
maintenance, repair and operation of its fire stations and  
substations;
- (4) purchase or refinance of fire apparatus  
and equipment;
- (5) payment of insurance premiums on fire  
stations, substations, fire apparatus and equipment and  
insurance premiums for injuries or deaths of firefighters as

1 otherwise provided by law;

2 (6) payment of fire department emergency  
3 medical services, except salaries; and

4 (7) payment of firefighters' attendance at  
5 fire schools and conventions approved by the marshal;

6 B. shall not, without approval by the marshal, be  
7 expended for any purpose related to:

8 (1) its water supply systems or the  
9 improvement or construction of those systems;

10 (2) the purchase, rental, installation or  
11 maintenance of fire hydrants; or

12 (3) any other appurtenance related to the  
13 distribution or use of water from its water supply system;  
14 and

15 C. shall not be expended for any public, private  
16 or other water system used for potable water supply."

17 **SECTION 2.** Section 59A-53-10 NMSA 1978 (being Laws  
18 1984, Chapter 127, Section 981, as amended) is amended to  
19 read:

20 "59A-53-10. INTEREST IN LAND FOR FIRE STATIONS OR  
21 SUBSTATIONS.--Money distributed from the fire protection fund  
22 to a municipality or to a county fire district may be  
23 expended or obligated for the construction of buildings for  
24 fire stations or substations only if:

25 A. the municipality or county fire district

1 proposing to expend or obligate for that purpose holds fee  
2 simple title, not encumbered by any lien, to the land on  
3 which it proposes to construct the building; or

4 B. the land is donated in whole or in part to the  
5 municipality or county fire district for the purpose, and use  
6 of fire protection fund money for the construction or  
7 location, where the donor has reserved right of reversion of  
8 the land under stated conditions, if the use of money is  
9 approved by the marshal in advance and after full  
10 investigation and determination that the use would be  
11 appropriate and reasonable." \_\_\_\_\_

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