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AN ACT

RELATING TO ECONOMIC DEVELOPMENT; CREATING THE CREATIVE INDUSTRIES DIVISION IN THE ECONOMIC DEVELOPMENT DEPARTMENT; CREATING THE CREATIVE INDUSTRIES FUND; MAKING AN APPROPRIATION.

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

SECTION 1. Section 9-15-3 NMSA 1978 (being Laws 1983, Chapter 297, Section 3, as amended) is amended to read:

"9-15-3. DEFINITIONS.--As used in the Economic Development Department Act:

A. "commission" means the economic development commission;

B. "creative industry" means a business, organization or person engaged in creative enterprises, including performing, visual and literary arts; entertainment, media, information and broadcasting; applied arts and design, including architecture, landscape architecture, museum and gallery professions; promotion, marketing, graphics and industrial design; technology and computer system design, software design, coding and digital media; and crafts and artisan professions, including metal, wood, glass, ceramics, paper, printing, textile and culinary arts; "creative industry" does not mean a business, organization or person engaged in creative enterprises

1 involving film;

2 C. "department" means the economic development  
3 department;

4 D. "film" means filming activity supported by the  
5 New Mexico film division of the department; and

6 E. "secretary" means the secretary of economic  
7 development."

8 SECTION 2. Section 9-15-4 NMSA 1978 (being Laws 1983,  
9 Chapter 297, Section 4, as amended) is amended to read:

10 "9-15-4. DEPARTMENT ESTABLISHED.--The "economic  
11 development department" is created in the executive branch.  
12 The department shall be a cabinet department and shall  
13 consist of, but not be limited to, seven divisions as  
14 follows:

- 15 A. the administrative services division;
- 16 B. the economic development division;
- 17 C. the New Mexico film division;
- 18 D. the technology enterprise division;
- 19 E. the trade and Mexican affairs division;
- 20 F. the New Mexico outdoor recreation division; and
- 21 G. the creative industries division."

22 SECTION 3. A new section of the Economic Development  
23 Department Act is enacted to read:

24 "CREATIVE INDUSTRIES DIVISION--PURPOSE--DUTIES.--

- 25 A. The creative industries division shall:

1 (1) increase and advance creative industry-  
2 based economic development in New Mexico;

3 (2) support entrepreneurs and small  
4 businesses in creative industries;

5 (3) assist organizations that support  
6 creative industry companies and workers;

7 (4) support educational and workforce  
8 training initiatives that facilitate creative industry growth  
9 and success;

10 (5) identify and help establish public  
11 infrastructure to support creative industries;

12 (6) serve as an information clearinghouse by  
13 providing resources and opportunities to creative industry  
14 stakeholders; and

15 (7) act as a liaison between creative-  
16 industries-related businesses and organizations.

17 B. The creative industries division shall work  
18 with the department, the cultural affairs department, the  
19 Indian affairs department, the higher education department,  
20 the public education department, the tourism department and  
21 the workforce solutions department to support the division's  
22 duties as they relate to the purposes of the respective  
23 departments."

24 SECTION 4. A new section of the Economic Development  
25 Department Act is enacted to read:

1 "CREATIVE INDUSTRIES FUND--CREATED.--

2 A. The "creative industries fund" is created in  
3 the state treasury. The fund consists of appropriations,  
4 gifts, grants, donations, income from investment of the fund  
5 and money otherwise accruing to the fund. Money in the fund  
6 at the end of a fiscal year shall not revert to any other  
7 fund. The fund shall be administered by the department, and  
8 expenditures from the fund shall be by warrants signed by the  
9 secretary of finance and administration pursuant to vouchers  
10 signed by the secretary of economic development.

11 B. Money in the creative industries fund is  
12 appropriated to the department for administration by the  
13 creative industries division to provide for grants for  
14 projects or programs that promote the growth of creative  
15 industries pursuant to the criteria listed in Subsection C of  
16 this section; provided that fifty percent of the money from  
17 the fund shall be awarded to projects or programs in rural or  
18 underserved communities as defined by the division by rule.

19 C. Grants from the creative industries fund shall  
20 be awarded through a competitive process in which the project  
21 or program demonstrates the potential to stimulate community  
22 or economic development through creative industries and  
23 demonstrates or supports one or more of the following:

24 (1) broad local support, including in-kind  
25 or financial support from local governments and surrounding

1 communities or neighborhoods;

2 (2) assistance to small businesses with  
3 fewer than ten employees;

4 (3) expansion of existing creative  
5 industries; or

6 (4) the promotion of inclusion and  
7 diversity.

8 D. Grants may be awarded to a county, municipality  
9 or other political subdivision of the state; an Indian  
10 nation, tribe or pueblo; and for-profit and nonprofit  
11 organizations."

12 SECTION 5. EFFECTIVE DATE.--The effective date of the  
13 provisions of this act is July 1, 2023. \_\_\_\_\_

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