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HOUSE BILL 72

**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

INTRODUCED BY

Debra M. Sariñana

AN ACT

RELATING TO CYBERSECURITY; CREATING THE CYBERSECURITY FUND;  
DIRECTING RULEMAKING TO ESTABLISH REQUIREMENTS AND PROCEDURES  
FOR DISBURSEMENTS FROM THE FUND; MAKING AN APPROPRIATION.

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

**SECTION 1. [NEW MATERIAL] CYBERSECURITY FUND--CREATED--**

PURPOSE.--

A. The "cybersecurity fund" is created as a nonreverting fund in the state treasury. The fund shall be administered by the cybersecurity office, and money in the fund is appropriated to the cybersecurity office for the purposes stated in Subsection B of this section. The fund consists of appropriations, bequests, distributions, donations, gifts, grants or money that otherwise accrues to the fund.

B. Money in the cybersecurity fund shall be used

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1 for cyber attack response and recovery services of information  
2 technology systems or databases operated or owned by an agency  
3 of the executive, legislative or judicial branch of state  
4 government, a political subdivision of the state or a tribal  
5 entity.

6 C. The cybersecurity office shall promulgate rules  
7 to govern administration of the cybersecurity fund. The rules  
8 shall specify the:

9 (1) application process for disbursements from  
10 the fund;

11 (2) criteria for disbursements from the fund;

12 (3) review process for disbursement  
13 applications;

14 (4) oversight process and requirements for how  
15 disbursements are used; and

16 (5) requirements for reversions to the fund.

17 D. Disbursements from the cybersecurity fund shall  
18 be made on warrants drawn by the secretary of finance and  
19 administration pursuant to vouchers signed by the state chief  
20 information security officer.

21 SECTION 2. APPROPRIATION.--Thirty-five million dollars  
22 (\$35,000,000) is appropriated from the general fund to the  
23 cybersecurity fund for expenditure in fiscal year 2025 and  
24 subsequent fiscal years for the purposes of the cybersecurity  
25 fund. Any unexpended or unencumbered balance remaining at the

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end of a fiscal year shall not revert to the general fund.