

HOUSE BILL 144

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

INTRODUCED BY

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AN ACT

RELATING TO GUN VIOLENCE; CREATING THE OFFICE OF GUN VIOLENCE
PREVENTION AND INTERVENTION; CREATING THE DIRECTOR SELECTION
COMMITTEE; PROVIDING POWERS AND DUTIES; REQUIRING ANNUAL
REPORTS.

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

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Office of Gun Violence Prevention and
Intervention Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
Office of Gun Violence Prevention and Intervention Act:

- A. "committee" means the director selection
committee;
- B. "department" means the department of health;
- C. "director" means the director of the office;

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1 D. "office" means the office of gun violence
2 prevention and intervention; and

3 E. "resource bank" means the collection of
4 materials and resources pertaining to gun violence in New
5 Mexico as described in the Office of Gun Violence Prevention
6 and Intervention Act.

7 SECTION 3. [NEW MATERIAL] OFFICE ESTABLISHED.--There is
8 established the "office of gun violence prevention and
9 intervention" in the department.

10 SECTION 4. [NEW MATERIAL] DIRECTOR--APPOINTMENT--
11 QUALIFICATIONS.--The director shall be appointed by the
12 committee for a term of six years, except that the initial term
13 shall begin on July 1, 2024 and shall end on December 31, 2024.
14 The director may be reappointed to successive terms. An
15 appointed director shall have all the duties, responsibilities
16 and authority of that office during the period of time prior to
17 appointment of a new director. The director shall be removed
18 only for malfeasance, misfeasance or abuse of office by a
19 unanimous vote of the committee. The director shall be a
20 qualified person with previous administrative experience in
21 data collection and gun violence prevention.

22 SECTION 5. [NEW MATERIAL] DIRECTOR--POWERS AND DUTIES--
23 EMPLOYEES OF THE OFFICE.--

24 A. The director may:

25 (1) adopt and promulgate rules pertaining to

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1 the office; and

2 (2) hire and contract for such professional,
3 technical and support staff as needed to carry out the
4 functions of the office; provided that such hiring and
5 contracting be without regard to party affiliation and solely
6 on the grounds of competence and fitness to perform the duties
7 of the position. Employees of the office are subject to the
8 provisions of the Personnel Act.

9 B. The director shall:

10 (1) oversee and manage the office; and
11 (2) assign and distribute the work of the
12 office.

13 SECTION 6. [NEW MATERIAL] DIRECTOR SELECTION COMMITTEE--
14 DUTIES.--

15 A. The "director selection committee" is created
16 and consists of nine members, including:

17 (1) four members who are selected by the New
18 Mexico legislative council, no more than two of whom are from
19 the same political party;

20 (2) four members who are selected by the
21 governor, no more than two of whom are from the same political
22 party; and

23 (3) a committee chair, whom a majority of the
24 other eight members select and who is not a candidate for the
25 position of director.

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1 B. The committee shall meet exclusively for the
2 purpose of hiring a qualified person to fill a current or
3 impending vacancy in the position of director. The committee
4 shall actively solicit, accept and evaluate applications for
5 the position of director and may require applicants to submit
6 any information that the committee deems relevant to the
7 consideration of applications. Within thirty days after the
8 occurrence of a vacancy in the director position, the committee
9 shall convene and, within thirty days of convening, select a
10 qualified director from the committee's list of applicants by a
11 majority of the committee. The committee shall set the salary
12 of the director.

13 SECTION 7. [NEW MATERIAL] RESOURCE BANK.--

14 A. The office shall create and maintain a resource
15 bank of regularly updated and accurate materials and resources
16 as a repository for data, research and statistical information
17 regarding gun violence in New Mexico with a focus on public
18 health, education and racial equity. The office shall ensure
19 that all identifying information of individuals be removed
20 before any data, research or statistical information is shared.

21 B. As part of maintaining the resource bank, the
22 office shall:

- 23 (1) assist researchers who are seeking
- 24 information about gun violence in New Mexico;
- 25 (2) collaborate with research institutions,

1 hospitals, public health departments, police departments and
2 organizations that conduct gun violence research to:

3 (a) identify gaps in available data
4 needed for gun violence prevention research and develop
5 strategies to improve relevant data collection in New Mexico;

6 (b) gather and analyze data regarding
7 petitions filed under the Extreme Risk Firearm Protection Order
8 Act;

9 (c) use existing available research to
10 enhance evidence-based gun violence prevention tools and
11 resources available to New Mexico communities; and

12 (d) improve the understanding of
13 disproportionate barriers to safety from gun violence by
14 encouraging disaggregation of data by race and ethnicity when
15 research is conducted;

16 (3) promote new and relevant research
17 regarding gun violence prevention and make this research
18 accessible to researchers and the public;

19 (4) facilitate coordination among state
20 agencies, localities and nongovernmental organizations to
21 address gun violence comprehensively;

22 (5) conduct gun violence prevention awareness
23 and outreach campaigns;

24 (6) outline best practices for preventing gun
25 violence and provide tools and resources for addressing the

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1 different types of gun violence within the state; and

2 (7) collaborate with the New Mexico law
3 enforcement academy to assist with gun violence prevention
4 education and training for officers.

5 SECTION 8. [NEW MATERIAL] FEDERAL AND OTHER GRANTS.--

6 A. The office shall identify and apply for
7 available federal grants and other funding to gather and
8 disseminate data and information regarding gun violence in New
9 Mexico with a focus on public health, education and racial and
10 economic equity. The office may work in collaboration with
11 other state departments and partners to identify and apply for
12 federal grants and other funding.

13 B. The office may, at the discretion of the
14 director, provide funding from grants and other funding to
15 outside organizations to further the directives of the office.

16 SECTION 9. [NEW MATERIAL] REPORT.--The office shall make
17 a report to the legislature of its findings and
18 recommendations. The report and suggested legislation shall be
19 made available to the New Mexico legislative council on or
20 before December 15 of each year. The office shall make the
21 report publicly available on the office's website or, if the
22 office does not have a dedicated website, on the office's web
23 page of the department's website.

24 SECTION 10. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2024.

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