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HOUSE BILL 2

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

INTRODUCED BY

Nathan P. Small

AN ACT

MAKING GENERAL APPROPRIATIONS AND AUTHORIZING EXPENDITURES BY  
STATE AGENCIES REQUIRED BY LAW.

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

SECTION 1. SHORT TITLE.--This act may be cited as the  
"General Appropriation Act of 2024".

SECTION 2. DEFINITIONS.--As used in the General  
Appropriation Act of 2024:

A. "agency" means an office, department, agency,  
institution, board, bureau, commission, court, district  
attorney, council or committee of state government;

B. "efficiency" means the measure of the degree to  
which services are efficient and productive and is often  
expressed in terms of dollars or time per unit of output;

C. "explanatory" means information that can help

1 users to understand reported performance measures and to  
2 evaluate the significance of underlying factors that may have  
3 affected the reported information;

4 D. "federal funds" means any payments by the United  
5 States government to state government or agencies except those  
6 payments made in accordance with the federal Mineral Leasing  
7 Act;

8 E. "general fund" means that fund created by  
9 Section 6-4-2 NMSA 1978 and includes federal Mineral Leasing  
10 Act receipts and those payments made in accordance with the  
11 federal block grant and the federal Workforce Investment Act of  
12 1998 but excludes the general fund operating reserve, the  
13 appropriation contingency fund, the tax stabilization reserve  
14 and any other fund, reserve or account from which general  
15 appropriations are restricted by law;

16 F. "interagency transfers" means revenue, other  
17 than internal service funds, legally transferred from one  
18 agency to another;

19 G. "internal service funds" means:

20 (1) revenue transferred to an agency for the  
21 financing of goods or services to another agency on a cost-  
22 reimbursement basis; and

23 (2) balances in agency internal service fund  
24 accounts appropriated by the General Appropriation Act of 2024;

25 H. "other state funds" means:

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1 (1) nonreverting balances in agency accounts,  
2 other than in internal service funds accounts, appropriated by  
3 the General Appropriation Act of 2024;

4 (2) all revenue available to agencies from  
5 sources other than the general fund, internal service funds,  
6 interagency transfers and federal funds; and

7 (3) all revenue, the use of which is  
8 restricted by statute or agreement;

9 I. "outcome" means the measure of the actual impact  
10 or public benefit of a program;

11 J. "output" means the measure of the volume of work  
12 completed or the level of actual services or products delivered  
13 by a program;

14 K. "performance measure" means a quantitative or  
15 qualitative indicator used to assess a program;

16 L. "quality" means the measure of the quality of a  
17 good or service produced and is often an indicator of the  
18 timeliness, reliability or safety of services or products  
19 produced by a program;

20 M. "revenue" means all money received by an agency  
21 from sources external to that agency, net of refunds and other  
22 correcting transactions, other than from issue of debt,  
23 liquidation of investments or as agent or trustee for other  
24 governmental entities or private persons; and

25 N. "target" means the expected level of performance

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1 of a program's performance measures.

2 SECTION 3. GENERAL PROVISIONS.--

3 A. Amounts set out under column headings are  
4 expressed in thousands of dollars.

5 B. Amounts set out under column headings are  
6 appropriated from the source indicated by the column heading.  
7 All amounts set out under the column heading "Internal Service  
8 Funds/Interagency Transfers" are intergovernmental transfers  
9 and do not represent a portion of total state government  
10 appropriations. All information designated as "Total" or  
11 "Subtotal" is provided for information and amounts are not  
12 appropriations.

13 C. Amounts set out in Section 4 of the General  
14 Appropriation Act of 2024, or so much as may be necessary, are  
15 appropriated from the indicated source for expenditure in  
16 fiscal year 2025 for the objects expressed.

17 D. Unexpended balances in agency accounts remaining  
18 at the end of fiscal year 2024 shall revert to the general fund  
19 by October 1, 2024 unless otherwise indicated in the General  
20 Appropriation Act of 2024 or otherwise provided by law.

21 E. Unexpended balances in agency accounts remaining  
22 at the end of fiscal year 2025 shall revert to the general fund  
23 by October 1, 2025 unless otherwise indicated in the General  
24 Appropriation Act of 2024 or otherwise provided by law.

25 F. The state budget division of the department of  
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1 finance and administration shall monitor revenue received by  
2 agencies from sources other than the general fund and shall  
3 reduce the operating budget of any agency whose revenue from  
4 such sources is not meeting projections. The state budget  
5 division shall notify the legislative finance committee of any  
6 operating budget reduced pursuant to this subsection.

7 G. Except as otherwise specifically stated in the  
8 General Appropriation Act of 2024, appropriations are made in  
9 that act for the expenditures of agencies and for other  
10 purposes as required by existing law for fiscal year 2025. If  
11 any other act of the second session of the fifty-sixth  
12 legislature changes existing law with regard to the name or  
13 responsibilities of an agency or the name or purpose of a fund  
14 or distribution, the appropriation made in the General  
15 Appropriation Act of 2024 shall be transferred from the agency,  
16 fund or distribution to which an appropriation had been made as  
17 required by existing law to the appropriate agency, fund or  
18 distribution provided by the new law.

19 H. The department of finance and administration  
20 shall regularly consult with the legislative finance committee  
21 staff to compare fiscal year 2025 revenue collections with the  
22 revenue estimate. If the analyses indicate that revenues and  
23 transfers to the general fund are not expected to meet  
24 appropriations, the department shall present a plan to the  
25 legislative finance committee that outlines the methods by

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1 which the administration proposes to address the deficit.

2 I. Pursuant to Sections 6-3-23 through 6-3-25 NMSA  
3 1978, agencies whose revenue from state board of finance loans,  
4 from revenue appropriated by other acts of the legislature or  
5 from gifts, grants, donations, bequests, insurance settlements,  
6 refunds or payments into revolving funds exceeds specifically  
7 appropriated amounts may request budget increases from the  
8 state budget division. If approved by the state budget  
9 division, such money is appropriated.

10 J. Except for gasoline credit cards used solely for  
11 operation of official vehicles, telephone credit cards used  
12 solely for official business and procurement cards used as  
13 authorized by Section 6-5-9.1 NMSA 1978, none of the  
14 appropriations contained in the General Appropriation Act of  
15 2024 may be expended for payment of agency-issued credit card  
16 invoices.

17 K. For the purpose of administering the General  
18 Appropriation Act of 2024, the state shall follow the modified  
19 accrual basis of accounting for governmental funds in  
20 accordance with the manual of model accounting practices issued  
21 by the department of finance and administration.

22 SECTION 4. FISCAL YEAR 2025 APPROPRIATIONS.--

23 A. LEGISLATIVE.--Thirty-three million eight hundred  
24 ninety-two thousand eight hundred dollars (\$33,892,800) from  
25 the general fund and four hundred thousand dollars (\$400,000)

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1 from other state funds is appropriated to the legislative  
2 council service for allocation to legislative agencies in  
3 fiscal year 2024.

4 B. JUDICIAL.--Four hundred thirty-eight million  
5 four hundred sixty-three thousand four hundred dollars  
6 (\$438,463,400) from the general fund, twenty-nine million four  
7 hundred eighty-three thousand nine hundred dollars  
8 (\$29,483,900) from other state funds, fourteen million seven  
9 hundred seventy-two thousand three hundred dollars  
10 (\$14,772,300) from internal service funds/interagency transfers  
11 and four million seven hundred sixty-three thousand three  
12 hundred dollars (\$4,763,300) from federal funds is appropriated  
13 to the administrative office of the courts for allocation to  
14 judicial agencies in fiscal year 2025.

15 C. GENERAL CONTROL.--Two hundred nineteen million  
16 three hundred ninety-seven thousand nine hundred dollars  
17 (\$219,397,900) from the general fund, one billion four hundred  
18 twenty-four million seven hundred eighty-one thousand two  
19 hundred dollars (\$1,424,781,200) from other state funds, one  
20 hundred forty-four million one hundred twenty-seven thousand  
21 dollars (\$144,127,000) from internal services funds/interagency  
22 transfers and thirty-one million five hundred thirty-one  
23 thousand one hundred dollars (\$31,531,100) from federal funds  
24 is appropriated to the department of finance and administration  
25 for allocation to general control agencies in fiscal year 2025.

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1           D. COMMERCE AND INDUSTRY.--Ninety-eight million six  
2 hundred three thousand four hundred dollars (\$98,603,400) from  
3 the general fund, two hundred nine million twenty-seven  
4 thousand dollars (\$209,027,000) from other state funds, thirty-  
5 one million five hundred forty-one thousand nine hundred  
6 dollars (\$31,541,900) from internal service funds/interagency  
7 transfers and one million seven hundred ninety-nine thousand  
8 two hundred dollars (\$1,799,200) from federal funds is  
9 appropriated to the department of finance and administration  
10 for allocation to commerce and industry agencies in fiscal year  
11 2025.

12           E. AGRICULTURE, ENERGY AND NATURAL RESOURCES.--One  
13 hundred twenty-seven million nineteen thousand six hundred  
14 dollars (\$127,019,600) from the general fund, one hundred  
15 thirty-five million two hundred eleven thousand six hundred  
16 dollars (\$135,211,600) from other state funds, twenty-two  
17 million ninety-two thousand three hundred dollars (\$22,092,300)  
18 from internal service funds/interagency transfers and one  
19 hundred ten million thirty-nine thousand seven hundred dollars  
20 (\$110,039,700) from federal funds is appropriated to the  
21 department of finance and administration for allocation to  
22 agriculture, energy and natural resources agencies in fiscal  
23 year 2025.

24           F. HEALTH, HOSPITALS AND HUMAN SERVICES.--Three  
25 billion one hundred seventy-eight million six hundred eighty-

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1 four thousand one hundred dollars (\$3,178,684,100) from the  
2 general fund, eight hundred seventy-five million nine hundred  
3 fifty-one thousand seven hundred dollars (\$875,951,700) from  
4 other state funds, six hundred fifty-four million six hundred  
5 thirty-four thousand dollars (\$654,634,000) from internal  
6 service funds/interagency transfers and ten billion one hundred  
7 fourteen million seven hundred sixty thousand five hundred  
8 dollars (\$10,114,760,500) from federal funds is appropriated to  
9 the department of finance and administration for allocation to  
10 health, hospitals and human services agencies in fiscal year  
11 2025.

12 G. PUBLIC SAFETY.--Five hundred fifty-seven million  
13 three hundred fifty-three thousand three hundred dollars  
14 (\$557,353,300) from the general fund, one hundred thirty-six  
15 million twenty-nine thousand six hundred dollars (\$136,029,600)  
16 from other state funds, twenty-eight million six hundred  
17 eight thousand seven hundred dollars (\$28,608,700) from  
18 internal service funds/interagency transfers and seventy-seven  
19 million five hundred sixty-five thousand six hundred dollars  
20 (\$77,565,600) from federal funds is appropriated to the  
21 department of finance and administration for allocation to  
22 public safety agencies in fiscal year 2025.

23 H. TRANSPORTATION.--Six hundred fifty million four  
24 hundred eighty-nine thousand dollars (\$650,489,000) from other  
25 state funds, nine million eight hundred thousand dollars

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1 (\$9,800,000) from internal service funds/interagency transfers  
2 and five hundred fifty-one million six hundred seventy-six  
3 thousand four hundred dollars (\$551,676,400) from federal funds  
4 is appropriated to the department of finance and administration  
5 for allocation to transportation agencies in fiscal year 2025.

6 I. OTHER EDUCATION.--Eighty-seven million eight  
7 hundred eighty thousand five hundred dollars (\$87,880,500) from  
8 the general fund, seven million three hundred seventeen  
9 thousand five hundred dollars (\$7,317,500) from other state  
10 funds, seven million five hundred fifty-seven thousand nine  
11 hundred dollars (\$7,557,900) from internal service  
12 funds/interagency transfers and thirty-one million seven  
13 hundred twenty-eight thousand two hundred dollars (\$31,728,200)  
14 from federal funds is appropriated to the department of finance  
15 and administration for allocation to other education agencies  
16 in fiscal year 2025.

17 J. HIGHER EDUCATION.--One billion three hundred  
18 twenty-seven million one hundred ninety-six thousand one  
19 hundred dollars (\$1,327,196,100) from the general fund, one  
20 billion nine hundred ninety-six million seven hundred sixty-  
21 nine thousand three hundred dollars (\$1,996,769,300) from other  
22 state funds, forty-eight million nine hundred five thousand  
23 eight hundred dollars (\$48,905,800) from internal service  
24 funds/interagency transfers and eight hundred thirty-eight  
25 million four hundred twenty-six thousand eight hundred dollars

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1 (\$838,426,800) from federal funds is appropriated to the higher  
2 education department for expenditure or allocation to higher  
3 education agencies in fiscal year 2025.

4 K. PUBLIC SCHOOL SUPPORT.--Four billion three  
5 hundred seventy-one million ten thousand six hundred dollars  
6 (\$4,371,010,600) from the general fund, seven million dollars  
7 (\$7,000,000) from other state funds and five hundred seventy-  
8 nine million five hundred thousand dollars (\$579,500,000) from  
9 federal funds is appropriated to the public education  
10 department for expenditure or allocation to public school  
11 districts and charter schools in fiscal year 2025.

12 SECTION 5. FUND TRANSFERS.--Notwithstanding the  
13 provisions of Sections 6-4-9 and 6-4-11 NMSA 1978 or other  
14 substantive law, the department of finance and administration  
15 shall transfer an amount from the tobacco settlement permanent  
16 fund to the tobacco settlement program fund equal to the  
17 difference between appropriations in Section 4 of the General  
18 Appropriation Act of 2024 made from the tobacco settlement  
19 program fund and the amount transferred to the tobacco  
20 settlement program fund pursuant to Subsection B of Section  
21 6-4-9 NMSA 1978 in fiscal year 2025 to fully fund  
22 appropriations made from the tobacco settlement program fund  
23 contained in Section 4 of the General Appropriation Act of  
24 2024.

25 SECTION 6. SEVERABILITY.--If any part or application of  
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1 this act is held invalid, the remainder or its application to  
2 other situations or persons shall not be affected.

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