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HOUSE BILL 88

49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010

INTRODUCED BY

Dennis J. Roch

AN ACT

REQUIRING A STATE AGENCY TO REVIEW ALL FEDERAL MANDATES THAT THE AGENCY IS REQUIRED TO ADMINISTER OR ENFORCE AND FOR WHICH FEDERAL FUNDING IS NOT AVAILABLE; REQUIRING THAT A STATE AGENCY NOT COMPLY WITH ANY FEDERAL MANDATE FOR WHICH FEDERAL FUNDING IS UNAVAILABLE.

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

Section 1. STATE AGENCIES--ADMINISTRATION OF FEDERAL MANDATES--NONCOMPLIANCE WHEN FUNDING UNAVAILABLE.--

A. A state agency that is required to administer or enforce provisions of federal law shall review all such federal mandates and determine whether the costs of administering or enforcing the federal law are paid for by federal revenue.

B. If a state agency finds that the costs of administering or enforcing a federal law are not paid for by

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1 federal revenue, the agency shall not expend any state funds
2 for the enforcement or administration of the provisions of that
3 federal law.

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