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HOUSE BILL 96

**55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

INTRODUCED BY

Gail Chasey

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO CRIME; ENACTING THE VIOLENCE INTERVENTION PROGRAM  
ACT; CREATING THE VIOLENCE INTERVENTION PROGRAM FUND;  
ESTABLISHING APPLICATION AND REPORTING REQUIREMENTS; MAKING AN  
APPROPRIATION.

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 "Violence Intervention Program Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the  
Violence Intervention Program Act:

A. "commission" means the New Mexico sentencing  
commission;

B. "community-based service provider" means an  
entity that is eligible to be awarded a contract to provide  
services that accomplish the purposes of the Violence

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1 Intervention Program Act;

2 C. "department" means the department of health; and

3 D. "grantee" means a state agency, county,  
4 municipality or tribal government that has applied for and  
5 received funding pursuant to the Violence Intervention Program  
6 Act for the purposes of addressing gun violence and aggravated  
7 assaults in a locally focused geographic area.

8 SECTION 3. ~~[NEW MATERIAL]~~ VIOLENCE INTERVENTION PROGRAM

9 FUND--CREATED--PURPOSE.--The "violence intervention program  
10 fund" is created as a nonreverting fund in the state treasury.  
11 The fund consists of appropriations, gifts, grants and  
12 donations. The department shall administer the fund, and money  
13 in the fund is appropriated to the department to administer the  
14 provisions of the Violence Intervention Program Act and award  
15 violence intervention program grants to state agencies,  
16 counties, municipalities or tribal governments that the  
17 department finds are disproportionately impacted by violent  
18 crimes, including homicides, shootings and aggravated assaults.  
19 Expenditures from the fund shall be made on warrant of the  
20 secretary of finance and administration pursuant to vouchers  
21 signed by the secretary of health. The department may expend  
22 no more than three percent of the balance of the fund each  
23 fiscal year for administering the Violence Intervention Program  
24 Act. No money in the fund may be expended in any way except as  
25 provided by the Violence Intervention Program Act.

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1           SECTION 4. [NEW MATERIAL] VIOLENCE INTERVENTION PROGRAM

2 REQUIREMENTS.--A violence intervention program shall:

3           A. use an evidence- or research-based public health  
4 approach to reduce gun violence and aggravated assaults;

5           B. use focused deterrence, problem-oriented  
6 policing and proven law enforcement strategies to reduce gun  
7 violence and aggravated assaults;

8           C. target a population that is at high risk for  
9 victimization or retaliation that results from gun violence or  
10 aggravated assault through engaging in the cycles of violence  
11 in the community;

12           D. use data-driven methods for program development;  
13 and

14           E. use program funding in a manner that is directly  
15 related to the reduction of gun violence and aggravated  
16 assaults.

17           SECTION 5. [NEW MATERIAL] GRANT AWARDS.--

18           A. On or after July 1, 2022, the department shall  
19 receive and review applications for grants from the violence  
20 intervention program fund. The department may make grants from  
21 the fund to state agencies, counties, municipalities or tribal  
22 governments that the department finds are disproportionately  
23 impacted by violent crimes, including homicides, shootings and  
24 aggravated assaults.

25           B. The department shall make awards of grants from

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1 the fund in accordance with the following limitations:

2 (1) grant awards shall be made to at least two  
3 counties, municipalities or tribal governments with a  
4 population of fifty thousand or less according to the most  
5 recent annual university of New Mexico intercensal population  
6 estimate;

7 (2) at least twenty percent of the total  
8 annual amount appropriated to the fund shall be awarded to  
9 counties or municipalities with a population of five hundred  
10 forty thousand or greater according to the most recent federal  
11 decennial census; and

12 (3) the department of health shall utilize the  
13 funds in accordance with department of finance and  
14 administration guidelines.

15 SECTION 6. [NEW MATERIAL] APPLICATION REQUIREMENTS.--

16 A. Each application for a grant from the violence  
17 intervention program fund shall include:

18 (1) clearly defined, measurable objectives for  
19 a proposal to improve public health and safety through  
20 evidence-based violence reduction interventions;

21 (2) a comprehensive violence reduction  
22 strategic plan, including consistent quality improvement and  
23 quality assurance measures, and a description of the strategies  
24 and tasks developed by a state agency, county, municipality or  
25 tribal government describing the goals of the plan, including

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1 community-based services or joint community-based services and  
2 law enforcement intervention strategies;

3 (3) a description of how a grant award would  
4 be used if awarded; and

5 (4) a list of community-based service  
6 providers in the locally focused geographic area in which the  
7 grant funds would be used, including those with an expressed  
8 commitment to participating in a violence intervention program.

9 B. The commission shall provide state agencies,  
10 counties, municipalities and tribal governments with data  
11 relevant to grant applications.

12 C. An applicant shall notify the appropriate  
13 criminal justice coordinating council established pursuant to  
14 Section 31-28-3 NMSA 1978 of its grant application.

15 SECTION 7. [NEW MATERIAL] CONDITIONS OF GRANT.--

16 A. As a condition of each grant made pursuant to  
17 the Violence Intervention Program Act, the department shall  
18 require each grantee to use at least fifty percent of its grant  
19 for the purpose of entering into contracts with one or more  
20 community-based service providers.

21 B. Each grantee shall report to the appropriate  
22 criminal justice coordinating council established pursuant to  
23 Section 31-28-3 NMSA 1978 regarding outcomes of the grant.

24 C. A grant may be awarded to a county or  
25 municipality, but shall not be awarded to both a county and a

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1 municipality falling within the county.

2 SECTION 8. [NEW MATERIAL] RULES.--The department shall  
3 adopt rules necessary to administer the provisions of the  
4 Violence Intervention Program Act, including standardized rules  
5 pertaining to the collection and sharing of data by grantees.

6 SECTION 9. [NEW MATERIAL] REPORTS.--

7 A. Each grantee shall report to the department and  
8 the commission by November 1 of each year regarding the:

9 (1) purpose and amount of each grant received  
10 by the grantee for the previous fiscal year; and

11 (2) processes, outputs and outcomes resulting  
12 from each grant approved by the department for the previous  
13 fiscal year, including relevant data as required by department  
14 rules.

15 B. Each year through 2027, the department and the  
16 commission shall report to the legislature by December 1  
17 regarding the awards and outcomes of each grantee.

18 SECTION 10. APPROPRIATION.--Ten million dollars  
19 (\$10,000,000) is appropriated from the general fund to the  
20 violence intervention program fund for expenditure in fiscal  
21 year 2023 and subsequent fiscal years for the purposes of the  
22 fund. Any unexpended or unencumbered balance remaining at the  
23 end of a fiscal year shall not revert to the general fund.