

ANNOTATIONS

Repeals. — Laws 1987, ch. 264, § 25A repealed 7-1-6.17 NMSA 1978, as enacted by Laws 1986, ch. 112, § 1, relating to distribution of tobacco products tax, effective July 1, 1987.

7-1-6.18. Distribution; veterans' state cemetery fund.

A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the veterans' state cemetery fund of the amounts designated pursuant to Section 7-2-28 NMSA 1978 as contributions to that fund after the city of Santa Fe has received the balance of tax refund contributions in the amount of one million seventy thousand dollars (\$1,070,000).

History: 1978 Comp., § 7-1-6.18, enacted by Laws 1987, ch. 257, § 1; 2011, ch. 42, § 2; 2016, ch. 7, § 1.

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The 2016 amendment, effective May 18, 2016, changed the name of the veterans' national cemetery fund to the veterans' state cemetery fund, removed a contingency on a distribution to the veterans' state cemetery fund that already occurred, and removed a requirement that certain excess amounts in the veterans' state cemetery fund be distributed to the substance abuse education fund; in the catchline, after "veterans'", deleted "national" and added "state"; deleted "Upon a certification by the state board of finance that the city of Santa Fe grants and conveys additional acreage for the Santa Fe national cemetery", after "veterans'", deleted "national" and added "state", after "contributions to that fund", deleted "provided that when the sum of contributions received on or after January 1, 1988 equals one million seventy thousand dollars (\$1,070,000), any contributions received in excess of that amount shall be distributed to the substance abuse education fund" and added "after the city of Santa Fe has received the balance of tax refund contributions in the amount of one million seventy thousand dollars (\$1,070,000)".

The 2011 amendment, effective June 17, 2011, eliminated the provision that permitted distributions to the substance abuse education fund if House Bill 103 of the first session of the thirty-eighth legislature became law.

7-1-6.19. Distribution; county government road fund created.

A. There is created in the state treasury the "county government road fund".

B. A distribution pursuant to Section 7-1-6.1 NMSA 1978 shall be made to the county government road fund in an amount equal to five and seventy-six hundredths percent of the net receipts attributable to the gasoline tax.

History: 1978 Comp., § 7-1-6.19, enacted by Laws 1991, ch. 9, § 15; 1993, ch. 357, § 5; 1994, ch. 5, § 9; 1995, ch. 6, § 5.

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Repeals and reenactments. — Laws 1991, ch. 9, § 15 repealed former 7-1-6.19 NMSA 1978, as enacted by Laws 1987, ch. 347, § 10, and enacted a new section, effective July 1, 1992.

Compiler's notes. — Subsection A of Laws 1995, ch. 6, § 20 repealed 7-1-6.19 NMSA 1978, as enacted by Laws 1994, ch. 5, § 10, relating to the creation of and distributions to county government road fund and which was to become effective August 1, 1997, effective June 16, 1995. For provisions of former section, see the 1994 NMSA 1978 on *NMOneSource.com*.

The 1995 amendment, effective August 1, 1995, substituted "five and seventy-six hundredths percent" for "four and nine tenth percent" in Subsection B.

The 1994 amendment, effective August 1, 1994, substituted "four and nine-tenths" for "four and forty-six hundredths" in Subsection B.

The 1993 amendment, effective August 1, 1993, substituted "four and forty-six hundredths percent" for "six and thirteen-hundredths percent" in Subsection B.

7-1-6.20. Identification of money in extraction taxes suspense fund; distribution.

A. Except as provided in Subsection B of this section, after the necessary disbursements have been made from the extraction taxes suspense fund, the money remaining in the suspense fund as of the last day of the month shall be identified by tax source and distributed or transferred in accordance with the provisions of Sections 7-1-6.21 through 7-1-6.23 and 7-1-6.61 NMSA 1978. After the necessary distributions and transfers, any balance, except for remittances unidentified as to source or disposition, shall be transferred to the general fund.

B. Payments on assessments issued by the department pursuant to the Oil and Gas Conservation Tax Act [Chapter 7, Article 30 NMSA 1978], the Oil and Gas Emergency School Tax Act [Chapter 7, Article 31 NMSA 1978], the Oil and Gas Ad Valorem Production Tax Act [Chapter 7, Article 32 NMSA 1978] and the Oil and Gas Severance Tax Act [Chapter 7, Article 29 NMSA 1978] shall be held in the extraction taxes suspense fund until the secretary determines that there is no substantial risk of protest or other litigation, whereupon after the necessary disbursements have been made from the extraction taxes suspense fund, the money remaining in the suspense fund as of the last day of the month attributed to these payments shall be identified by tax source and distributed or transferred in accordance with the provisions of Sections 7-1-6.21 through 7-1-6.23 and 7-1-6.61 NMSA 1978. After the necessary distributions and transfers, any