

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 144

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

INTRODUCED BY

Dayan Hochman-Vigil

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;

underscoring material = new  
[bracketed material] = delete

underscoring material = new  
[bracketed material] = delete

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

underscoring material = new  
[bracketed material] = delete

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.

.227133.1

underscoring material = new  
~~[bracketed material] = delete~~

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,

.227133.1

underscoring material = new  
~~[bracketed material] = delete~~

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

.227133.1

underscored material = new  
[bracketed material] = delete

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.

.227133.1