

HOUSE BILL 129

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Reena Szczepanski and Patricia Roybal Caballero
and Eleanor Chávez and Linda M. Trujillo

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO PUBLIC EMPLOYEES; REDUCING THE PERIOD OF EMPLOYMENT PROBATION FOR PUBLIC EMPLOYEES FROM ONE YEAR TO ONE HUNDRED EIGHTY DAYS; PROHIBITING AN ADDITIONAL PROBATIONARY PERIOD IF AN EMPLOYEE ELECTS TO TRANSFER OR HGEIC→~~MOVE TO A DIFFERENT STATE~~←HGEIC HGEIC→COMMENCE ANOTHER CLASSIFIED←HGEIC SERVICE ASSIGNMENT HGEIC→; PROVIDING EXCEPTIONS←HGEIC .

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

SECTION 1. Section 10-9-13 NMSA 1978 (being Laws 1961,

.229063.1AIC February 17, 2025 (1:24pm)

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Amendments: new = →bold, blue, highlight←
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Chapter 240, Section 9, as amended) is amended to read:

"10-9-13. RULES--ADOPTION--COVERAGE.--Rules promulgated by the board shall be effective when filed as required by law. The rules shall provide, among other things, for:

- A. a classification plan for all positions in the service;
- B. a pay plan for all positions in the service;
- C. competitive entrance and promotion tests to determine the qualifications, fitness and ability of applicants to perform the duties of the position for which they apply. Such rules shall also provide for the awarding to those applicants having a passing grade of two preference points for each year of residency in New Mexico not to exceed a total of ten preference points;
- D. exemption from competitive entrance tests for those professional persons applying for classified positions in the service who possess recognized registration or certification by another state agency;
- E. a period of probation of [~~one year~~] one hundred eighty days during which a probationer may be discharged or demoted or returned to the eligible list without benefit of hearing; provided that, once an employee has completed the initial probationary period, that employee shall not be required to complete any additional probationary period upon electing to HGEIC→~~transfer or otherwise move to another service~~

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~~assignment~~ ← HGEIC HGEIC → commence another classified service assignment, unless that employee has had a break in state service of one or more days that was not the result of a reduction in force or a job-related injury or illness as provided by rule ← HGEIC ;

F. the establishment of employment lists for the certification of the highest standing candidates to the prospective employers and procedure to be followed in hiring from the lists;

G. hours of work, holiday and leave;

H. dismissal or demotion procedure for employees in the service, including presentation of written notice stating specific reasons and time for the employees to reply thereto, in writing, and appeals to the board;

I. the rejection of applicants who fail to meet reasonable requirements as to age, physical condition, training, experience or moral conduct; and

J. employment of any apparently qualified applicant for a period of not more than ninety days when an emergency condition exists and there are no applicants available on an appropriate employment list as provided in Subsection F of this section. The applicant, if employed, shall be paid at the same rate as a comparable position covered by the Personnel Act."