

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE BILL 617

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
REQUIRING NOTICE OF THE EXPIRATION OF PUBLIC WORKS CONTRACTOR
REGISTRATION.

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

SECTION 1. Section 13-4-13.1 NMSA 1978 (being Laws 2004,
Chapter 89, Section 1, as amended) is amended to read:

"13-4-13.1. PUBLIC WORKS CONTRACTS--REGISTRATION OF
CONTRACTORS AND SUBCONTRACTORS.--

A. Except as otherwise provided in this subsection,
in order to submit a bid valued at more than sixty thousand
dollars (\$60,000) in order to respond to a request for
proposals or to be considered for award of any portion of a
public works project greater than sixty thousand dollars
(\$60,000) for a public works project that is subject to the

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1 Public Works Minimum Wage Act, the contractor, serving as a
2 prime contractor or not, shall be registered with the division.
3 Bidding documents issued or released by a state agency or
4 political subdivision of the state shall include a clear
5 notification that each contractor, prime contractor or
6 subcontractor is required to be registered pursuant to this
7 subsection. The provisions of this section do not apply to
8 vocational classes in public schools or public post-secondary
9 educational institutions.

10 B. The state or any political subdivision of the
11 state shall not accept a bid on a public works project subject
12 to the Public Works Minimum Wage Act from a prime contractor
13 that does not provide proof of required registration for
14 itself.

15 C. Contractors and subcontractors may register with
16 the division on a form provided by the division and in
17 accordance with workforce solutions department rules. The
18 division shall charge an annual registration fee of two hundred
19 dollars (\$200). The division shall issue to the applicant a
20 certificate of registration within fifteen days after receiving
21 from the applicant the completed registration form and the
22 registration fee.

23 D. No less than thirty days before the expiration
24 of a registration certificate, the division shall mail to a
25 registrant's address as reflected in the files of the division

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1 a reminder of the approaching expiration date.

2 ~~[D.]~~ E. Registration fees collected by the division
3 shall be deposited in the labor enforcement fund."

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