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HOUSE BILL 188

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Candy Spence Ezzell

AN ACT

RELATING TO PUBLIC WORKS CONTRACTS; PROHIBITING A STATE AGENCY  
OR LOCAL PUBLIC BODY FROM REQUIRING CONTRACTORS TO ENTER INTO  
OR ADHERE TO AN AGREEMENT WITH A LABOR ORGANIZATION;  
PROHIBITING A STATE AGENCY OR LOCAL PUBLIC BODY FROM  
PROHIBITING CONTRACTORS FROM ENTERING INTO OR ADHERING TO AN  
AGREEMENT WITH A LABOR ORGANIZATION.

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

**SECTION 1.** A new Section 13-4-2.1 NMSA 1978 is enacted to  
read:

"13-4-2.1. [NEW MATERIAL] PROHIBITING THE REQUIREMENT OR  
PROHIBITION OF AGREEMENTS WITH LABOR ORGANIZATIONS.--A state  
agency or local public body awarding a public works contract  
for the construction, repair, remodeling or demolition of a  
facility shall not, in regard to such public works contract:

.191460.1

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1           A. require a bidder, offeror, contractor or  
2 subcontractor to enter into or adhere to an agreement with a  
3 labor organization;

4           B. prohibit a bidder, offeror, contractor or  
5 subcontractor from entering into or adhering to an agreement  
6 with a labor organization; or

7           C. otherwise discriminate against a bidder,  
8 offeror, contractor or subcontractor for:

9                   (1) becoming or remaining a signatory to an  
10 agreement with one or more labor organizations;

11                   (2) refusing to become or remain a signatory  
12 to an agreement with one or more labor organizations; or

13                   (3) adhering or refusing to adhere to an  
14 agreement with one or more labor organizations."

15           **SECTION 2. EFFECTIVE DATE.**--The effective date of the  
16 provisions of this act is July 1, 2013.