

1 SENATE BILL 168

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

3 INTRODUCED BY

4 Gerald Ortiz y Pino and David E. Adkins

5
6
7
8 FOR THE INVESTMENTS AND PENSIONS OVERSIGHT COMMITTEE

9
10 AN ACT

11 RELATING TO PUBLIC FINANCES; ALLOWING A MUNICIPALITY TO
12 ESTABLISH A MUNICIPAL POST-EMPLOYMENT LIFE INSURANCE BENEFITS
13 TRUST.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. [NEW MATERIAL] MUNICIPAL POST-EMPLOYMENT LIFE
17 INSURANCE BENEFITS TRUST.--

18 A. A municipal post-employment life insurance
19 benefits trust may be established, maintained and used by a
20 municipal treasurer with the advice and consent of the
21 municipal board of finance.

22 B. The municipality's contributions to the
23 municipal post-employment life insurance benefits trust shall
24 be irrevocable, and the money in the trust shall be dedicated
25 exclusively to funding post-retirement life insurance benefits

.202936.1

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

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

1 pursuant to the provisions of the trust established by the
2 municipal treasurer.

3 C. Money in a municipal post-employment life
4 insurance benefits trust shall be invested pursuant to the
5 Uniform Prudent Investor Act and the provisions of this
6 section. Earnings and income from investment of money in the
7 trust shall be credited to the trust.

8 D. The municipal treasurer shall serve as the
9 trustee and may use the services of a trust company to manage
10 the investment of money in the municipal post-employment life
11 insurance benefits trust.

12 E. As used in this section:

13 (1) "municipal post-employment life insurance
14 benefits trust" means an investment fund established,
15 maintained and used by a municipality exclusively for the
16 purposes permitted under Section 115 of the Internal Revenue
17 Code of 1986; and

18 (2) "trust company" means an individual or a
19 company, corporation, firm, partnership, state-chartered bank,
20 national bank or other legal entity that provides investment
21 services pursuant to the Trust Company Act and that agrees to
22 adhere to the provisions of the Uniform Prudent Investor Act.