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HOUSE BILL 85

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Daymon Ely and Andrea Romero

AN ACT

RELATING TO STATE AUTHORITY UNDER THE NATIONAL LABOR RELATIONS ACT; ALLOWING UNION MEMBERSHIP TO BE REQUIRED AS A CONDITION OF EMPLOYMENT; ESTABLISHING THAT THE STATE HAS EXCLUSIVE JURISDICTION TO PROHIBIT UNION SECURITY AGREEMENTS.

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

SECTION 1. [NEW MATERIAL] LABOR RELATIONS--UNION SECURITY AGREEMENTS.--

A. The purpose of this section is for the state to exercise the limited authority reserved to the states under Section 14(b) of the National Labor Relations Act.

B. An employer or labor organization anywhere in the state may execute and apply an agreement requiring membership in a labor organization as a condition of employment to the full extent allowed by federal law.

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C. The state has exclusive jurisdiction to prohibit the negotiation, execution or application of agreements requiring membership in a labor organization as a condition of employment in New Mexico.

D. A city, county, home rule municipality or other political subdivision of the state shall not adopt nor continue in effect any ordinance, rule, regulation, resolution or statute that prohibits the negotiation, execution or application of agreements requiring membership in a labor organization as a condition of employment in New Mexico.