

1 HOUSE BILL 501

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO PUBLIC EMPLOYEE PENSIONS; INCREASING PUBLIC
12 EMPLOYER AND LOCAL ADMINISTRATIVE UNIT CONTRIBUTIONS TO THE
13 FUNDS INCLUDED UNDER THE PUBLIC EMPLOYEES RETIREMENT ACT AND
14 THE EDUCATIONAL RETIREMENT FUND.

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

17 SECTION 1. Section 10-11-26.6 NMSA 1978 (being Laws 1994,
18 Chapter 128, Section 7, as amended) is amended to read:

19 "10-11-26.6. STATE GENERAL MEMBER COVERAGE PLAN 3--STATE
20 CONTRIBUTION RATE.--The state shall contribute [~~sixteen and~~
21 ~~ninety-nine~~] seventeen and forty-nine hundredths percent of the
22 salary of each member covered by state general member coverage
23 plan 3 starting with the first pay period that ends within the
24 calendar month in which state general member coverage plan 3
25 becomes applicable to the member [~~except that, from July 1,~~

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1 ~~2013 through June 30, 2014, the state contribution rate shall~~
2 ~~be sixteen and fifty-nine hundredths percent of the salary of~~
3 ~~each member]."~~

4 SECTION 2. Section 10-11-38.6 NMSA 1978 (being Laws 1994,
5 Chapter 128, Section 14, as amended) is amended to read:

6 "10-11-38.6. JUVENILE CORRECTIONAL OFFICER MEMBER
7 COVERAGE PLAN 2--STATE CONTRIBUTION RATE.--The state shall
8 contribute twenty-six and ~~[twelve]~~ sixty-two hundredths percent
9 of the salary of each member covered by juvenile correctional
10 officer member coverage plan 2 starting with the first pay
11 period that ends within the calendar month in which juvenile
12 correctional officer member coverage plan 2 becomes applicable
13 to the member ~~[except that, from July 1, 2013 through June 30,~~
14 ~~2014, the state contribution rate shall be twenty-five and~~
15 ~~seventy-two hundredths percent of the salary of each member]."~~

16 SECTION 3. Section 10-11-49 NMSA 1978 (being Laws 1987,
17 Chapter 253, Section 49, as amended) is amended to read:

18 "10-11-49. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--
19 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated
20 public employer shall contribute seven and ~~[four-tenths]~~ nine-
21 tenths percent of the salary of each member it employs and who
22 is covered under municipal general member coverage plan 1
23 ~~[except that, from July 1, 2013 through June 30, 2014, the~~
24 ~~affiliated public employer contribution rate shall be seven~~
25 ~~percent of the salary of each member]."~~

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1 SECTION 4. Section 10-11-55 NMSA 1978 (being Laws 1987,
2 Chapter 253, Section 55, as amended) is amended to read:

3 "10-11-55. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--
4 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated
5 public employer shall contribute [~~nine and fifty-five~~] ten and
6 five-hundredths percent of the salary of each member it employs
7 and who is covered under municipal general member coverage plan
8 2 [~~except that, from July 1, 2013 through June 30, 2014, the~~
9 ~~affiliated public employer contribution rate shall be nine and~~
10 ~~fifteen-hundredths percent of the salary of each member~~]."

11 SECTION 5. Section 10-11-55.6 NMSA 1978 (being Laws 1993,
12 Chapter 58, Section 6, as amended) is amended to read:

13 "10-11-55.6. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--
14 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated
15 public employer shall contribute [~~nine and fifty-five~~] ten and
16 five-hundredths percent of the salary of each member it employs
17 and who is covered under municipal general member coverage plan
18 3 [~~except that, from July 1, 2013 through June 30, 2014, the~~
19 ~~affiliated public employer contribution rate shall be nine and~~
20 ~~fifteen-hundredths percent of the salary of each member~~]."

21 SECTION 6. Section 10-11-55.12 NMSA 1978 (being Laws
22 1998, Chapter 106, Section 6, as amended) is amended to read:

23 "10-11-55.12. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--
24 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated
25 public employer shall contribute twelve and [~~five~~] fifty-five

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1 hundredths percent of the salary of each member it employs and
2 who is covered under municipal general member coverage plan 4
3 [~~except that, from July 1, 2013 through June 30, 2014, the~~
4 ~~affiliated public employer contribution rate shall be eleven~~
5 ~~and sixty-five hundredths percent of the salary of each~~
6 ~~member~~]."

7 SECTION 7. Section 10-11-61 NMSA 1978 (being Laws 1987,
8 Chapter 253, Section 61, as amended) is amended to read:

9 "10-11-61. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--
10 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
11 public employer shall contribute ten and [~~four~~] nine-tenths
12 percent of the salary of each member it employs and who is
13 covered under municipal police member coverage plan 1 [~~except~~
14 ~~that, from July 1, 2013 through June 30, 2014, the affiliated~~
15 ~~public employer contribution rate shall be ten percent of the~~
16 ~~salary of each member~~]."

17 SECTION 8. Section 10-11-67 NMSA 1978 (being Laws 1987,
18 Chapter 253, Section 67, as amended) is amended to read:

19 "10-11-67. MUNICIPAL POLICE MEMBER COVERAGE PLAN 2--
20 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
21 public employer shall contribute fifteen and [~~four~~] nine-tenths
22 percent of the salary of each member it employs and who is
23 covered under municipal police member coverage plan 2 [~~except~~
24 ~~that, from July 1, 2013 through June 30, 2014, the affiliated~~
25 ~~public employer contribution rate shall be fifteen percent of~~

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1 ~~the salary of each member]."~~

2 SECTION 9. Section 10-11-73 NMSA 1978 (being Laws 1987,
3 Chapter 253, Section 73, as amended) is amended to read:

4 "10-11-73. MUNICIPAL POLICE MEMBER COVERAGE PLAN 3--
5 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
6 public employer shall contribute [~~eighteen and nine-tenths~~]
7 nineteen and four-tenths percent of the salary of each member
8 it employs and who is covered under municipal police member
9 coverage plan 3 [~~except that, from July 1, 2013 through June~~
10 ~~30, 2014, the affiliated public employer contribution rate~~
11 ~~shall be eighteen and one-half percent of the salary of each~~
12 ~~member]."~~

13 SECTION 10. Section 10-11-79 NMSA 1978 (being Laws 1987,
14 Chapter 253, Section 79, as amended) is amended to read:

15 "10-11-79. MUNICIPAL POLICE MEMBER COVERAGE PLAN 4--
16 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
17 public employer shall contribute [~~eighteen and nine-tenths~~]
18 nineteen and four-tenths percent of the salary of each member
19 it employs and who is covered under municipal police member
20 coverage plan 4 [~~except that, from July 1, 2013 through June~~
21 ~~30, 2014, the affiliated public employer contribution rate~~
22 ~~shall be eighteen and one-half percent of the salary of each~~
23 ~~member]."~~

24 SECTION 11. Section 10-11-85 NMSA 1978 (being Laws 1987,
25 Chapter 253, Section 85, as amended) is amended to read:

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1 "10-11-85. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--
2 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
3 public employer shall contribute [~~eighteen and nine-tenths~~]
4 nineteen and four-tenths percent of the salary of each member
5 it employs and who is covered under municipal police member
6 coverage plan 5 [~~except that, from July 1, 2013 through June~~
7 ~~30, 2014, the affiliated public employer contribution rate~~
8 ~~shall be eighteen and one-half percent of the salary of each~~
9 ~~member~~]."

10 SECTION 12. Section 10-11-91 NMSA 1978 (being Laws 1987,
11 Chapter 253, Section 91, as amended) is amended to read:

12 "10-11-91. MUNICIPAL FIRE MEMBER COVERAGE PLAN 1--
13 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
14 public employer shall contribute eleven and [~~four~~] nine-tenths
15 percent of the salary of each member it employs and covers
16 under municipal fire member coverage plan 1 [~~except that, from~~
17 ~~July 1, 2013 through June 30, 2014, the affiliated public~~
18 ~~employer contribution rate shall be eleven percent of the~~
19 ~~salary of each member~~]."

20 SECTION 13. Section 10-11-97 NMSA 1978 (being Laws 1987,
21 Chapter 253, Section 97, as amended) is amended to read:

22 "10-11-97. MUNICIPAL FIRE MEMBER COVERAGE PLAN 2--
23 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
24 public employer shall contribute [~~seventeen and nine-tenths~~]
25 eighteen and four-tenths percent of the salary of each member

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1 it employs and covers under municipal fire member coverage plan
2 ~~2 [except that, from July 1, 2013 through June 30, 2014, the~~
3 ~~affiliated public employer contribution rate shall be seventeen~~
4 ~~and one-half percent of the salary of each member]."~~

5 SECTION 14. Section 10-11-103 NMSA 1978 (being Laws 1987,
6 Chapter 253, Section 103, as amended) is amended to read:

7 "10-11-103. MUNICIPAL FIRE MEMBER COVERAGE PLAN 3--
8 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
9 public employer shall contribute [~~twenty-one and sixty-five~~
10 twenty-two and fifteen-hundredths percent of the salary of each
11 member it employs and covers under municipal fire member
12 coverage plan 3 ~~[except that, from July 1, 2013 through June~~
13 ~~30, 2014, the affiliated public employer contribution rate~~
14 ~~shall be twenty-one and twenty-five hundredths percent of the~~
15 ~~salary of each member]."~~

16 SECTION 15. Section 10-11-109 NMSA 1978 (being Laws 1987,
17 Chapter 253, Section 109, as amended) is amended to read:

18 "10-11-109. MUNICIPAL FIRE MEMBER COVERAGE PLAN 4--
19 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
20 public employer shall contribute [~~twenty-one and sixty-five~~
21 twenty-two and fifteen-hundredths percent of the salary of each
22 member it employs and covers under municipal fire member
23 coverage plan 4 ~~[except that, from July 1, 2013 through June~~
24 ~~30, 2014, the affiliated public employer contribution rate~~
25 ~~shall be twenty-one and twenty-five hundredths percent of the~~

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1 ~~salary of each member]."~~

2 SECTION 16. Section 10-11-115 NMSA 1978 (being Laws 1987,
3 Chapter 253, Section 115, as amended) is amended to read:

4 "10-11-115. MUNICIPAL FIRE MEMBER COVERAGE PLAN 5--
5 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated
6 public employer shall contribute [~~twenty-one and sixty-five~~]
7 twenty-two and fifteen-hundredths percent of the salary of each
8 member it employs and covers under municipal fire member
9 coverage plan 5 [~~except that, from July 1, 2013 through June~~
10 ~~30, 2014, the affiliated public employer contribution rate~~
11 ~~shall be twenty-one and twenty-five hundredths percent of the~~
12 ~~salary of each member]."~~

13 SECTION 17. Section 10-11-115.6 NMSA 1978 (being Laws
14 2003, Chapter 268, Section 7, as amended) is amended to read:

15 "10-11-115.6. MUNICIPAL DETENTION OFFICER MEMBER COVERAGE
16 PLAN 1--EMPLOYER CONTRIBUTION RATE.--The affiliated public
17 employer shall contribute seventeen and [~~five~~] fifty-five
18 hundredths percent of the salary of each member under municipal
19 detention officer member coverage plan 1 starting with the
20 first pay period that ends within the calendar month in which
21 municipal detention officer member coverage plan 1 becomes
22 applicable to the member [~~except that, from July 1, 2013~~
23 ~~through June 30, 2014, the affiliated public employer~~
24 ~~contribution rate shall be sixteen and sixty-five hundredths~~
25 ~~percent of the salary of each member]."~~

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1 SECTION 18. Section 22-11-21 NMSA 1978 (being Laws 1967,
2 Chapter 16, Section 144, as amended) is amended to read:

3 "22-11-21. CONTRIBUTIONS--MEMBERS--LOCAL ADMINISTRATIVE
4 UNITS.--

5 A. Except as provided in Subsection D of this
6 section, for a member whose annual salary is greater than
7 twenty thousand dollars (\$20,000), the member shall make
8 contributions to the fund [~~according to the following schedule:~~

9 ~~(1) from July 1, 2013 through June 30, 2014,~~
10 ~~the member contribution rate shall be ten and one-tenth percent~~
11 ~~of the member's annual salary; and~~

12 ~~(2) on and after July 1, 2014, the member~~
13 ~~contribution rate shall be] in an amount equal to ten and~~
14 seven-tenths percent of the member's annual salary.

15 B. On and after July 1, 2008, for a member whose
16 annual salary is twenty thousand dollars (\$20,000) or less, the
17 member contribution rate shall be seven and nine-tenths percent
18 of the member's annual salary.

19 C. Except as provided in Subsection D of this
20 section, each local administrative unit shall make an annual
21 contribution to the fund [~~according to the following schedule:~~

22 ~~(1) from July 1, 2013 through June 30, 2014, a~~
23 ~~sum equal to thirteen and fifteen-hundredths percent of the~~
24 ~~annual salary of each member employed by the local~~
25 ~~administrative unit; and~~

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1 ~~(2) on and after July 1, 2014, a sum equal to~~
2 ~~thirteen and nine-tenths]~~ in an amount equal to fourteen and
3 four-tenths percent of the annual salary of each member
4 employed by the local administrative unit.

5 D. If, in a calendar year, the salary of a member,
6 initially employed by a local administrative unit on or after
7 July 1, 1996, equals the annual compensation limit set pursuant
8 to Section 401(a)(17) of the Internal Revenue Code of 1986, as
9 amended, then:

10 (1) for the remainder of that calendar year,
11 no additional member contributions or local administrative unit
12 contributions for that member shall be made pursuant to this
13 section; provided that no member shall be denied service credit
14 solely because contributions are not made by the member or on
15 behalf of the member pursuant to the provisions of this
16 subsection; and

17 (2) the amount of the annual compensation
18 limit shall be divided into four equal portions, and, for
19 purposes of attributing contributory employment and crediting
20 service credit, each portion shall be attributable to one of
21 the four quarters of the calendar year."

22 **SECTION 19. EFFECTIVE DATE.**--The effective date of the
23 provisions of this act is July 1, 2019.