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SENATE BILL 157

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

INTRODUCED BY

William P. Soules

AN ACT

RELATING TO EDUCATIONAL RETIREMENT; ALLOWING EDUCATIONAL  
RETIREMENT PROGRAM MEMBERS TO CONVERT UNUSED SICK LEAVE TO  
SERVICE CREDIT.

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

**SECTION 1.** A new section of the Educational Retirement  
Act is enacted to read:

"[NEW MATERIAL] SICK LEAVE SERVICE CREDIT.--

A. Beginning on July 1, 2020, a member who has  
acquired the minimum number of years of contributory employment  
to be eligible for retirement benefits under the Educational  
Retirement Act may pay to have unused sick leave, earned from  
the member's contributory employment and for which the member  
has otherwise not received payment, converted to earned service  
credit, up to a maximum of:

.211996.1

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1 (1) six days of unused sick leave per year of  
2 contributory employment; and

3 (2) four calendar quarters of earned service  
4 credit.

5 B. The following standards apply to the conversion  
6 of unused sick leave to earned service credit under this  
7 section:

8 (1) eight hours of sick leave equals one day  
9 of sick leave;

10 (2) thirty-eight to eighty-two days of sick  
11 leave equals one quarter of earned service credit;

12 (3) eighty-three to one hundred twenty-seven  
13 days of sick leave equals two quarters of earned service  
14 credit;

15 (4) one hundred twenty-eight to one hundred  
16 seventy-two days of sick leave equals three quarters of earned  
17 service credit; and

18 (5) one hundred seventy-three or more days of  
19 sick leave equals four quarters of service credit.

20 C. A member who elects to convert unused sick leave  
21 to earned service credit under this section shall, in  
22 accordance with rules that the board shall establish, submit to  
23 the board verification from local administrative units of the  
24 member's unused sick leave.

25 D. The cost to a member of converting unused sick

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1 leave to earned service credit is the actuarial present value,  
2 as determined by the board, of the benefit attributable to the  
3 conversion. The board shall establish rules pertaining to  
4 payments for converting unused sick leave to earned service  
5 credit."

6 SECTION 2. EFFECTIVE DATE.--The effective date of the  
7 provisions of this act is July 1, 2020.

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