

1 HOUSE BILL 215

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO INSURANCE; DIRECTING THE WORKFORCE SOLUTIONS
12 DEPARTMENT TO STUDY AND PROVIDE RECOMMENDATIONS ON ISSUES
13 RELATED TO PROVIDING UNEMPLOYMENT INSURANCE OR WAGE REPLACEMENT
14 TO UNEMPLOYED WORKERS WHO ARE INELIGIBLE FOR INSURANCE
15 BENEFITS; MAKING AN APPROPRIATION.

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

18 SECTION 1. TEMPORARY PROVISIONS--WORKFORCE SOLUTIONS
19 DEPARTMENT--WAGE REPLACEMENT AND INCOME ASSISTANCE STUDY.--

20 A. As used in this section, "excluded workers"
21 means unemployed workers who are ineligible for state or
22 federal unemployment insurance benefits.

23 B. The workforce solutions department shall study
24 and prepare a report with recommendations by December 1, 2023
25 on the feasibility of providing income assistance or wage

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1 replacement to excluded workers or workers who have lost
2 employment or income due to the downsizing of an extractive
3 industry. A copy of the report shall be provided to the
4 governor and presented to the sustainable economy task force of
5 the economic development department, the legislative finance
6 committee, the legislative health and human services committee
7 and the revenue stabilization and tax policy committee.

8 C. The workforce solutions department shall
9 coordinate with relevant state agencies, the office of the
10 governor, nongovernmental organizations, the United States
11 department of labor, organizations that represent workers
12 ineligible for existing unemployment insurance programs and
13 other stakeholders to study and report on the following:

14 (1) the types of workers who are currently
15 ineligible for unemployment insurance due to immigration status
16 or status as self-employed independent contractors, including
17 undocumented immigrant workers, domestic workers, workers in
18 extractive industries, bona fide self-employed workers in low-
19 wage industries, home health care workers and child care
20 providers;

21 (2) the costs and potential funding sources to
22 provide excluded workers and workers who recently lost
23 employment or income with unemployment benefits or wage
24 replacement;

25 (3) with regard to excluded workers:

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1 (a) the reasons excluded workers are
2 excluded from the state's unemployment insurance program,
3 whether legal or otherwise;

4 (b) the economic insecurity and impact
5 to excluded workers' families and communities;

6 (c) the legislative or administrative
7 changes needed to include excluded workers in the state's
8 unemployment insurance program;

9 (d) the eligibility criteria and
10 documents necessary to prove eligibility if the excluded
11 workers were to be included under state law; and

12 (e) the ways to provide excluded workers
13 with unemployment insurance; and

14 (4) technological, staffing and administrative
15 costs for the workforce solutions department to expand
16 unemployment benefits to excluded workers and workers who have
17 lost employment or income due to the downsizing of an
18 extractive industry.

19 D. To ensure involvement of various stakeholders,
20 the workforce solutions department shall hold at least three
21 focus groups in three geographically distinct communities on
22 the study's subject matter to collect different experiences and
23 perspectives from excluded workers. In conducting the study
24 and preparing the report, the department shall incorporate the
25 expertise of external stakeholders, including:

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- 1 (1) immigrant advocacy organizations;
- 2 (2) organizations that represent workers who
- 3 are currently excluded from the state's unemployment insurance
- 4 program;
- 5 (3) labor unions;
- 6 (4) representatives from the business
- 7 community;
- 8 (5) nongovernmental organizations that focus
- 9 on the economic well-being of the state's low-income families
- 10 and children; and
- 11 (6) organizations that provide services to
- 12 immigrants who are independent contractors to ensure their
- 13 economic success and integration.

14 SECTION 2. APPROPRIATION.--Two hundred thousand dollars
15 (\$200,000) is appropriated from the general fund to the
16 workforce solutions department for expenditure in fiscal year
17 2024 to study and prepare a report on the opportunities for and
18 barriers to extending unemployment insurance to workers who are
19 currently excluded from unemployment insurance. Any unexpended
20 or unencumbered balance remaining at the end of fiscal year
21 2024 shall revert to the general fund.