

1 HOUSE BILL 345

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

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO PUBLIC SAFETY; PROVIDING RECRUITMENT DISBURSEMENTS
12 TO NEWLY HIRED FIREFIGHTERS; CREATING A FIREFIGHTER RECRUITMENT
13 FUND; REQUIRING DISTRIBUTION AND OVERSIGHT OF THE FIREFIGHTER
14 RECRUITMENT FUND BY THE HOMELAND SECURITY AND EMERGENCY
15 MANAGEMENT DEPARTMENT; MAKING AN APPROPRIATION.

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

18 SECTION 1. [NEW MATERIAL] FIREFIGHTER RECRUITMENT FUND--
19 CREATED--RECRUITMENT STIPEND DISBURSEMENT--REPORTING.--

20 A. The "firefighter recruitment fund" is created in
21 the state treasury. The fund consists of money appropriated by
22 the legislature, federal money granted to the state for the
23 purposes of the fund, income from investment of the fund and
24 money otherwise accruing to the fund. Money in the fund shall
25 not revert to any other fund at the end of a fiscal year. The

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1 homeland security and emergency management department shall
2 administer the fund to provide:

3 (1) recruitment disbursements for firefighters
4 starting employment with a fire department; provided that the
5 recipient remains employed as a firefighter with that fire
6 department for three years; and

7 (2) support for disbursement administration
8 processes and reporting compliance.

9 B. Money in the fund shall be disbursed on warrants
10 signed by the secretary of finance and administration pursuant
11 to vouchers signed by the secretary of homeland security and
12 emergency management or the secretary's authorized
13 representative.

14 C. Contingent on the completion of reporting
15 requirements provided in Subsection E of this section, the
16 homeland security and emergency management department shall
17 determine and distribute annually to a fire department the
18 amount necessary to provide a recruitment disbursement to
19 firefighters newly employed by that fire department. A fire
20 department shall expend funding received for no other purpose
21 than that permitted by this section, and any unexpended balance
22 received by a fire department pursuant to this section at the
23 end of a fiscal year shall revert to the firefighter
24 recruitment fund. The homeland security and emergency
25 management department shall monitor the use of funding and

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1 ensure the proper reversions to the firefighter recruitment
2 fund.

3 D. A firefighter shall receive a recruitment
4 disbursement in the amount of five thousand dollars (\$5,000)
5 upon new employment with a fire department; provided that the
6 recipient remains employed as a firefighter with that
7 department for three years. If a firefighter does not remain
8 employed with the hiring fire department for three years, the
9 fire department shall be repaid the amount of the recruitment
10 disbursement, unless the homeland security and emergency
11 management department finds acceptable extenuating
12 circumstances for why the firefighter cannot continue
13 employment. If the homeland security and emergency management
14 department does not find acceptable extenuating circumstances
15 for the firefighter's failure to remain employed with the
16 hiring fire department for three years, the homeland security
17 and emergency management department shall require immediate
18 repayment of the amount of the recruitment disbursement.

19 E. To receive funding pursuant to Subsection C of
20 this section, a fire department shall make a request to the
21 homeland security and emergency management department prior to
22 June 1 of each fiscal year, and in that request, the fire
23 department shall report the following:

24 (1) the number of firefighters employed by the
25 fire department in the last year;

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1 (2) the number of firefighters that left the
2 employ of the fire department in the last year; and

3 (3) the number of applicants to the fire
4 department in the last year.

5 F. The homeland security and emergency management
6 department shall:

7 (1) provide forms, standards, procedures and
8 related training to fire departments as necessary for the fire
9 departments to report retention information;

10 (2) maintain the privacy and security of
11 information in accordance with applicable state and federal
12 laws; and

13 (3) adopt and promulgate rules as necessary to
14 implement the provisions of this section.

15 G. The homeland security and emergency management
16 department may waive reporting information required by a fire
17 department pursuant to Subsection E of this section; provided
18 that the homeland security and emergency management department
19 shall provide an explanation of its decision in writing.

20 H. The homeland security and emergency management
21 department shall submit an annual report providing information
22 collected pursuant to Subsection E of this section to the
23 governor and the legislature no later than December 15 of each
24 year.

25 I. As used in this section:

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(1) "fire department" means an organization of a county or municipality that employs firefighters and is entitled to distributions from the fire protection fund and is capable of providing fire suppression and related activities;

(2) "firefighter" means a person who is a full-time salaried public employee of a fire department, who provides fire suppression services involved in controlling and extinguishing fires and who is exposed to the dangers of heat, flame, smoke and other products of combustion, explosion or structural collapse; and

(3) "recruitment disbursement" means the amount disbursed from the firefighter recruitment fund based on the new employment of a firefighter at a fire department but is not considered salary for the purpose of calculating retirement benefits.