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SENATE BILL 186

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

William H. Payne

AN ACT

RELATING TO EMPLOYMENT LAW; REVISING A STATUTE REGARDING
EMPLOYER IMMUNITY FROM LIABILITY FOR PROVIDING A REFERENCE FOR
AN EMPLOYEE; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 50-12-1 NMSA 1978 (being Laws 1995,
Chapter 152, Section 1) is amended to read:

"50-12-1. EMPLOYER IMMUNITY FROM LIABILITY FOR
REFERENCES ON FORMER EMPLOYEE. --When requested to provide a
reference on a former or current employee, an employer acting
in good faith is immune from liability for comments about the
[former] employee's job performance. [The immunity shall not
apply when the reference information supplied was knowingly
false or deliberately misleading, was rendered with malicious
purpose or violated any civil rights of the former employee.]"

underscored material = new
[bracketed material] = delete

