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HOUSE BILL 211

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Jason C. Harper and Mark Moores

AN ACT

RELATING TO EMPLOYMENT; PREEMPTING LOCAL LAWS, POLICIES AND
RESOLUTIONS FROM REGULATING TERMS OF PRIVATE-SECTOR EMPLOYMENT;
REPEALING PROVISIONS OF LAW PERTAINING TO LOCAL MINIMUM WAGE
LAWS.

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

SECTION 1. ~~[NEW MATERIAL]~~ STATE PREEMPTION--EMPLOYMENT
REGULATION.--A political subdivision of the state, including a
home rule municipality, or institution of the state shall not
adopt or continue in effect a law, policy or resolution that:

A. regulates or attempts to regulate:

(1) the relationship between a private-sector
employer and its employees or potential employees if the law,
policy or resolution contains a requirement exceeding that
imposed by New Mexico or federal law; or

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(2) the hours, scheduling or leave that a private-sector employer provides its employees; or

B. requires or attempts to require a private-sector employer to:

(1) pay an employee a wage higher than the New Mexico minimum wage; or

(2) provide an employee:

(a) paid or unpaid leave;

(b) a fringe benefit; or

(c) a benefit for which the employer would incur an expense.

SECTION 2. REPEAL.--Section 50-4-22.1 NMSA 1978 (being Laws 2007, Chapter 47, Section 3) is repealed.