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HOUSE BILL 239

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

INTRODUCED BY

Patricio Ruiloba

AN ACT

RELATING TO LAW ENFORCEMENT PERSONNEL; ALLOWING THE LAW
ENFORCEMENT PROTECTION FUND TO BE USED BY MUNICIPALITIES AND
COUNTIES FOR FIVE YEARS FOR LUMP-SUM PAYMENTS TO RETAIN
CERTIFIED, UNIFORMED LAW ENFORCEMENT OFFICERS.

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

SECTION 1. Section 29-13-7 NMSA 1978 (being Laws 1983,
Chapter 289, Section 7, as amended) is amended to read:

"29-13-7. EXPENDITURE LIMITATION--CONTROL.--

A. Amounts distributed from the fund shall be
expended only for the following:

(1) the repair and purchase of law enforcement
apparatus and equipment, including the financing and
refinancing thereof, that meet minimum nationally recognized
standards;

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1 (2) the purchase of law enforcement equipment,
2 including protective vests, for police dogs;

3 (3) expenses associated with advanced law
4 enforcement planning and training;

5 (4) maintaining the balance of the peace
6 officers' survivors fund at a minimum amount of three hundred
7 fifty thousand dollars (\$350,000);

8 (5) complying with match or contribution
9 requirements for the receipt of federal funds relating to
10 criminal justice programs; ~~and~~

11 (6) no more than fifty percent of the
12 replacement salaries of municipal and county law enforcement
13 personnel of municipalities or counties rated as Class 1 in
14 Paragraph (1) of Subsection B of Section 29-13-4 NMSA 1978
15 participating in basic law enforcement training; or

16 (7) until June 30, 2021, lump-sum payments
17 that:

18 (a) are requested by a municipality or
19 county for the purpose of retaining uniformed law enforcement
20 officers who: 1) perform patrol duties; 2) are certified
21 pursuant to the Law Enforcement Training Act; and 3) have
22 twenty or more years of actual service credit earned under a
23 municipal police coverage plan as determined by the public
24 employees retirement association;

25 (b) are received by a law enforcement

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1 officer pursuant to the provisions of this paragraph in an
2 amount that is matched by a municipal or county payment to the
3 law enforcement officer; and

4 (c) shall not constitute base salaries
5 or wages or be considered to be salary or be used for
6 determining pensions under the Public Employees Retirement Act.

7 B. Amounts distributed from the fund shall be
8 expended only pursuant to approved budgets and upon duly
9 executed vouchers approved as required by law."

10 SECTION 2. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2016.