

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 119

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

INTRODUCED BY

George K. Munoz

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;

underscored material = new  
~~[bracketed material] = delete~~

underscored material = new  
[bracketed material] = delete

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

underscored material = new  
~~[bracketed material] = delete~~

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.