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AN ACT

RELATING TO PUBLIC PENSIONS; INCREASING THE MAXIMUM AMOUNT OF PENSION THAT A MEMBER IS PERMITTED TO EARN PURSUANT TO THE PUBLIC EMPLOYEES RETIREMENT ACT.

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

**SECTION 1.** Section 10-11-26.3 NMSA 1978 (being Laws 1994, Chapter 128, Section 4, as amended) is amended to read:

"10-11-26.3. STATE GENERAL MEMBER COVERAGE PLAN 3--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under state general member coverage plan 3:

A. for a member with age and service requirements provided under Paragraph (1) or (3) of Subsection A of Section 10-11-26.2 NMSA 1978, the amount of pension under form of payment A is equal to three percent of final average salary multiplied by service credit. The amount shall not exceed one hundred percent of the final average salary; and

B. for a member with age and service requirements provided under Paragraph (2) of Subsection A of Section 10-11-26.2 NMSA 1978, the amount of pension under form of payment A is equal to two and one-half percent of the final average salary multiplied by service credit. The amount shall not exceed one hundred percent of the final average salary."

**SECTION 2.** Section 10-11-29 NMSA 1978 (being Laws 1987, HB 106 Page 1

1 Chapter 253, Section 29, as amended) is amended to read:

2 "10-11-29. STATE POLICE MEMBER, CORRECTIONAL OFFICER  
3 MEMBER AND PROBATION AND PAROLE OFFICER MEMBER COVERAGE PLAN  
4 1--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under state police  
5 member, correctional officer member and probation and parole  
6 officer member coverage plan 1, the amount of pension under  
7 form of payment A is equal to three percent of final average  
8 salary multiplied by credited service. The amount shall not  
9 exceed one hundred percent of the final average salary."

10 SECTION 3. Section 10-11-38.3 NMSA 1978 (being Laws  
11 1994, Chapter 128, Section 11, as amended) is amended to  
12 read:

13 "10-11-38.3. JUVENILE CORRECTIONAL OFFICER MEMBER  
14 COVERAGE PLAN 2--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under  
15 juvenile correctional officer member coverage plan 2, the  
16 amount of pension under form of payment A is equal to three  
17 percent of final average salary multiplied by service credit.  
18 The amount shall not exceed one hundred percent of the final  
19 average salary."

20 SECTION 4. Section 10-11-46 NMSA 1978 (being Laws 1987,  
21 Chapter 253, Section 46, as amended) is amended to read:

22 "10-11-46. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--  
23 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
24 general member coverage plan 1, the amount of pension under  
25 form of payment A is equal to two percent of the final

1 average salary multiplied by credited service. The amount  
2 shall not exceed one hundred percent of the final average  
3 salary."

4 SECTION 5. Section 10-11-52 NMSA 1978 (being Laws 1987,  
5 Chapter 253, Section 52, as amended) is amended to read:

6 "10-11-52. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--  
7 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
8 general member coverage plan 2:

9 A. for a member with age and service requirements  
10 provided in Subsection A of Section 10-11-51 NMSA 1978, the  
11 amount of pension under form of payment A is equal to two and  
12 one-half percent of the final average salary multiplied by  
13 credited service. The amount shall not exceed one hundred  
14 percent of the final average salary; and

15 B. for a member with age and service requirements  
16 provided in Subsection B of Section 10-11-51 NMSA 1978, the  
17 amount of pension under form of payment A is equal to two  
18 percent of the final average salary multiplied by service  
19 credit. The amount shall not exceed one hundred percent of  
20 the final average salary."

21 SECTION 6. Section 10-11-55.3 NMSA 1978 (being Laws  
22 1993, Chapter 58, Section 3, as amended) is amended to read:

23 "10-11-55.3. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--  
24 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
25 general member coverage plan 3:

1           A. for a member with age and service requirements  
2 provided under Subsection A of Section 10-11-55.2 NMSA 1978,  
3 the amount of pension under form of payment A is equal to  
4 three percent of the final average salary multiplied by  
5 credited service. The amount shall not exceed one hundred  
6 percent of the final average salary; and

7           B. for a member with age and service requirements  
8 provided under Subsection B of Section 10-11-55.2 NMSA 1978,  
9 the amount of pension under form of payment A is equal to two  
10 and one-half percent of the final average salary multiplied  
11 by credited service. The amount shall not exceed one hundred  
12 percent of the final average salary."

13           **SECTION 7.** Section 10-11-55.9 NMSA 1978 (being Laws  
14 1998, Chapter 106, Section 3, as amended) is amended to read:

15           "10-11-55.9. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--  
16 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
17 general member coverage plan 4:

18           A. for a member with age and service requirements  
19 provided under Subsection A of Section 10-11-55.8 NMSA 1978,  
20 the amount of pension under form of payment A is equal to  
21 three percent of the final average salary multiplied by  
22 credited service. The amount shall not exceed one hundred  
23 percent of the final average salary; and

24           B. for a member with age and service requirements  
25 provided under Subsection B of Section 10-11-55.8 NMSA 1978,

1 the amount of pension under form of payment A is equal to two  
2 and one-half percent of the final average salary multiplied  
3 by credited service. The amount shall not exceed one hundred  
4 percent of the final average salary."

5 SECTION 8. Section 10-11-58 NMSA 1978 (being Laws 1987,  
6 Chapter 253, Section 58, as amended) is amended to read:

7 "10-11-58. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--  
8 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police  
9 member coverage plan 1, the amount of pension under form of  
10 payment A is equal to two percent of the final average salary  
11 multiplied by credited service. The amount shall not exceed  
12 one hundred percent of the final average salary."

13 SECTION 9. Section 10-11-64 NMSA 1978 (being Laws 1987,  
14 Chapter 253, Section 64, as amended) is amended to read:

15 "10-11-64. MUNICIPAL POLICE MEMBER COVERAGE PLAN 2--  
16 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police  
17 member coverage plan 2:

18 A. for a member with age and service requirements  
19 provided under Subsection A of Section 10-11-63 NMSA 1978,  
20 the amount of pension under form of payment A is equal to two  
21 and one-half percent of the final average salary multiplied  
22 by credited service. The amount shall not exceed one hundred  
23 percent of the final average salary; and

24 B. for a member with age and service requirements  
25 provided under Subsection B of Section 10-11-63 NMSA 1978,

1 the amount of pension under form of payment A is equal to two  
2 percent of the final average salary multiplied by credited  
3 service. The amount shall not exceed one hundred percent of  
4 the final average salary."

5 SECTION 10. Section 10-11-70 NMSA 1978 (being Laws  
6 1987, Chapter 253, Section 70, as amended) is amended to  
7 read:

8 "10-11-70. MUNICIPAL POLICE MEMBER COVERAGE PLAN  
9 3--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
10 police member coverage plan 3:

11 A. for a member with age and service requirements  
12 provided under Subsection A of Section 10-11-69 NMSA 1978,  
13 the amount of pension under form of payment A is equal to two  
14 and one-half percent of the final average salary multiplied  
15 by credited service. The amount shall not exceed one hundred  
16 percent of the final average salary; and

17 B. for a member with age and service requirements  
18 provided under Subsection B of Section 10-11-69 NMSA 1978,  
19 the amount of pension under form of payment A is equal to two  
20 percent of the final average salary multiplied by credited  
21 service. The amount shall not exceed one hundred percent of  
22 the final average salary."

23 SECTION 11. Section 10-11-76 NMSA 1978 (being Laws  
24 1987, Chapter 253, Section 76, as amended) is amended to  
25 read:

1 "10-11-76. MUNICIPAL POLICE MEMBER COVERAGE PLAN

2 4--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
3 police member coverage plan 4:

4 A. for a member with age and service requirements  
5 provided under Subsection A of Section 10-11-75 NMSA 1978,  
6 the amount of pension under form of payment A is equal to  
7 three percent of the final average salary multiplied by  
8 credited service. The amount shall not exceed one hundred  
9 percent of the final average salary; and

10 B. for a member with age and service requirements  
11 provided under Subsection B of Section 10-11-75 NMSA 1978,  
12 the amount of pension under form of payment A is equal to two  
13 and one-half percent of the final average salary multiplied  
14 by credited service. The amount shall not exceed one hundred  
15 percent of the final average salary."

16 SECTION 12. Section 10-11-82 NMSA 1978 (being Laws  
17 1987, Chapter 253, Section 82, as amended) is amended to  
18 read:

19 "10-11-82. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--  
20 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police  
21 member coverage plan 5:

22 A. for a member with age and service requirements  
23 provided under Subsection A of Section 10-11-81 NMSA 1978,  
24 the amount of pension under form of payment A is equal to  
25 three and one-half percent of the final average salary

1 multiplied by credited service. The amount shall not exceed  
2 one hundred percent of the final average salary; and

3 B. for a member with age and service requirements  
4 provided under Subsection B of Section 10-11-81 NMSA 1978,  
5 the amount of pension under form of payment A is equal to  
6 three percent of the final average salary multiplied by  
7 credited service. The amount shall not exceed one hundred  
8 percent of the final average salary."

9 SECTION 13. Section 10-11-88 NMSA 1978 (being Laws  
10 1987, Chapter 253, Section 88, as amended) is amended to  
11 read:

12 "10-11-88. MUNICIPAL FIRE MEMBER COVERAGE PLAN 1--  
13 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal fire  
14 member coverage plan 1, the amount of pension under form of  
15 payment A is equal to two percent of the final average salary  
16 multiplied by credited service. The amount shall not exceed  
17 one hundred percent of the final average salary."

18 SECTION 14. Section 10-11-94 NMSA 1978 (being Laws  
19 1987, Chapter 253, Section 94, as amended) is amended to  
20 read:

21 "10-11-94. MUNICIPAL FIRE MEMBER COVERAGE PLAN 2--  
22 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal fire  
23 member coverage plan 2:

24 A. for a member with age and service requirements  
25 provided under Subsection A of Section 10-11-93 NMSA 1978,



1 the amount of pension under form of payment A is equal to two  
2 and one-half percent of the final average salary multiplied  
3 by credited service. The amount shall not exceed one hundred  
4 percent of the final average salary; and

5 B. for a member with age and service requirements  
6 provided under Subsection B of Section 10-11-93 NMSA 1978,  
7 the amount of pension under form of payment A is equal to two  
8 percent of the final average salary multiplied by credited  
9 service. The amount shall not exceed one hundred percent of  
10 the final average salary."

11 SECTION 15. Section 10-11-100 NMSA 1978 (being Laws  
12 1987, Chapter 253, Section 100, as amended) is amended to  
13 read:

14 "10-11-100. MUNICIPAL FIRE MEMBER COVERAGE PLAN  
15 3--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
16 fire member coverage plan 3:

17 A. for a member with age and service requirements  
18 provided under Subsection A of Section 10-11-99 NMSA 1978,  
19 the amount of pension under form of payment A is equal to two  
20 and one-half percent of the final average salary multiplied  
21 by credited service. The amount shall not exceed one hundred  
22 percent of the final average salary; and

23 B. for a member with age and service requirements  
24 provided under Subsection B of Section 10-11-99 NMSA 1978,  
25 the amount of pension under form of payment A is equal to two

1 percent of the final average salary multiplied by credited  
2 service. The amount shall not exceed one hundred percent of  
3 the final average salary."

4 SECTION 16. Section 10-11-106 NMSA 1978 (being Laws  
5 1987, Chapter 253, Section 106, as amended) is amended to  
6 read:

7 "10-11-106. MUNICIPAL FIRE MEMBER COVERAGE PLAN  
8 4--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
9 fire member coverage plan 4:

10 A. for a member with age and service requirements  
11 provided under Subsection A of Section 10-11-105 NMSA 1978,  
12 the amount of pension under form of payment A is equal to  
13 three percent of the final average salary multiplied by  
14 credited service. The amount shall not exceed one hundred  
15 percent of the final average salary; and

16 B. for a member with age and service requirements  
17 provided under Subsection B of Section 10-11-105 NMSA 1978,  
18 the amount of pension under form of payment A is equal to two  
19 and one-half percent of the final average salary multiplied  
20 by credited service. The amount shall not exceed one hundred  
21 percent of the final average salary."

22 SECTION 17. Section 10-11-112 NMSA 1978 (being Laws  
23 1987, Chapter 253, Section 112, as amended) is amended to  
24 read:

25 "10-11-112. MUNICIPAL FIRE MEMBER COVERAGE PLAN

1 5--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
2 fire member coverage plan 5:

3 A. for a member with age and service requirements  
4 provided under Subsection A of Section 10-11-111 NMSA 1978,  
5 the amount of pension under form of payment A is equal to  
6 three and one-half percent of the final average salary  
7 multiplied by credited service. The amount shall not exceed  
8 one hundred percent of the final average salary; and

9 B. for a member with age and service requirements  
10 provided under Subsection B of Section 10-11-111 NMSA 1978,  
11 the amount of pension under form of payment A is equal to  
12 three percent of the final average salary multiplied by  
13 credited service. The amount shall not exceed one hundred  
14 percent of the final average salary."

15 SECTION 18. Section 10-11-115.3 NMSA 1978 (being Laws  
16 2003, Chapter 268, Section 4, as amended) is amended to read:

17 "10-11-115.3. MUNICIPAL DETENTION OFFICER MEMBER  
18 COVERAGE PLAN 1--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under  
19 municipal detention officer member coverage plan 1, the  
20 amount of pension under form of payment A is equal to three  
21 percent of the final average salary multiplied by credited  
22 service. The amount shall not exceed one hundred percent of  
23 the final average salary."

24 SECTION 19. APPLICABILITY.--The provisions of this act  
25 apply to credited service performed after the effective date

1 of this act. Any credited service performed or amount of  
2 pension earned prior to the effective date of this act shall  
3 not be calculated or adjusted to conform to the provisions of  
4 this act. \_\_\_\_\_

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