

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto:billanalysis@dfa.nm.gov)**

*(Analysis must be uploaded as a PDF)*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

**Date Prepared:** 1/22/2025 *Check all that apply:*  
**Bill Number:** HB129 Original X  Correction   
 Amendment  Substitute

**Sponsor:** Reena Szczepanski and Patricia Roybal Caballero **Agency Name and Code** AOC 21800  
**Short Title:** Public Employees; Reducing Probationary Period to 180 days **Number:** \_\_\_\_\_  
**Person Writing** Paulman-Rodriguez  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
-0-	-0-		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
-0-	-0-			

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

##### Synopsis:

HB129 amends NM Stat § 10-9-13 Section 1.E., changing the probationary period for public employees\* from 1 year to 180 days, and includes clarifying language that once the employee has completed the probationary period the public employee does not have to serve another probationary period upon transfer or movement to another service assignment.

\*New Mexico Statute 10-9 is the Personnel Act, which covers public employees in the Executive Branch.

HB129 does not include an effective date, so it would become effective June 20, 2025, if signed into law.

#### **FISCAL IMPLICATIONS**

Indeterminate cost for benefits available when a state employee completes their probationary period six (6) months early.

- Tuition reimbursement, educational paid leave, and physical fitness paid leave are typically available to state employees upon completion of the probationary period. State employees who use these benefits will have six (6) additional months of use, increasing payroll and other costs.
- The Executive Branch awards state employees two (2) paid personal holidays upon completion of the probationary period. State employees will be eligible for the benefit six (6) months earlier, and the leave must be used in the calendar year in which is awarded or lost.
- Legislative compensation increases for state employees typically include language providing for a state employee to receive the increase the first full pay period after completion of the probationary period.

#### **SIGNIFICANT ISSUES**

A reduced probationary period may be viewed favorably by job applicants, thereby making state employment more competitive with private industry and resulting in improved recruitment efforts.

Reducing a state employee's opportunity to meet minimum job-related standards may result in increased turnover, which has a fiscal impact and hurts the agency or organization's overall staff morale.

**PERFORMANCE IMPLICATIONS**

**ADMINISTRATIVE IMPLICATIONS**

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

- During the 2023 legislative session, a similar bill HB502, was not passed.
- During the 2013 legislative session, a similar bill HB277, was not passed.
- NM Stat § 29-2-9 – two year probationary period for law enforcement

**TECHNICAL ISSUES**

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS**