

FIFTY-SEVENTH LEGISLATURE
FIRST SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

January 30, 2025

Madam Chair:

I propose to the HOUSE COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE the following amendments to

HOUSE BILL 59

1. On page 4, line 5, strike "tip,".
2. On page 4, line 6, strike "or other donation".
3. On page 10, line 15, after "Mexico", insert ", if any".
4. On page 11, line 18, after "any", insert ", or if complaints remain unresolved".
5. On page 22, line 16, strike "TIPS,".
6. On page 22, line 17, strike "OR OTHER DONATIONS".
7. On page 23, line 16, strike ", charges".
8. On page 23, line 17, strike "tip," and strike "or other donation".
9. On page 23, line 21, strike "tip," and strike "or other donation".
10. On page 23, line 22, after "voluntary", insert "and the provider's program default shall be set at zero".

11. On page 23, line 25, strike "tips," and strike "or donations".
12. On page 24, line 4, strike "pays any tip," and insert in lieu thereof "provides a" and strike "or".
13. On page 24, line 5, strike the first occurrence of "donation", strike "tip," and strike "or donation".
14. On page 24, line 11, strike "tips," and strike "or donations".
15. On page 24, line 23, strike "tips," and strike "or other donations".
16. On page 25, line 6, after "fees", strike the comma and insert in lieu thereof "or", strike "tips," and strike "or other donations".
17. On page 25, line 14, after "fees", strike the comma and insert in lieu thereof "or", strike "tips," and strike "or other donations".
18. On page 25, line 18, after "fees", strike the comma and insert in lieu thereof "or", strike "tips," and strike "or other" and on line 19, strike "donations".
19. On page 25, line 23, after "fees", strike the comma and insert in lieu thereof "or", strike "tips," and strike "or other donations".
20. On page 25, line 25, after "fees", strike the comma and insert in lieu thereof "or" and strike "tips,".
21. On page 26, line 1, strike "or other donations".
22. On page 26, line 7, after "fees", strike the comma and insert in lieu thereof "or".
23. On page 26, line 8, strike "tips," and strike "or other donations".

24. On page 26, line 10, strike ", charges".
25. On page 26, line 11, strike "tips," and strike "or other donations".
26. On page 26, line 13, strike "tips," and strike "or other donations".
27. On page 26, line 15, after "of", insert a colon and the subparagraph designation "(a)".
28. On page 26, line 17, after "in", insert "Paragraph (1) of".
29. On page 26, line 18, strike the period and insert in lieu thereof:

"; provided that no other fee shall be charged for a transaction;
and

 (b) three dollars fifty cents (\$3.50) per
transaction if the provider charges a subscription or membership fee
as provided in Paragraph (2) of Subsection K of Section 58-34-2 NMSA
1978.".
30. On page 32, line 11, after "APPLICABILITY", insert "--
GRANDFATHER CLAUSE".
31. On page 32, line 13, after the period, insert:

"A person doing business as an earned wage access services
provider in New Mexico as of June 20, 2025 may continue to act as an
unlicensed provider if the person applies for licensure within six
months of the date the financial institutions division of the
regulation and licensing department makes an application available
to potential applicants and, upon application, complies with the
provisions of the Earned Wage Access Services Act until such time as
the division grants or denies the person's application for licensure
pursuant to that act.".

Respectfully submitted,

Micaela Lara Cadena