

HOUSE LABOR, VETERANS' AND MILITARY AFFAIRS  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 438

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

AN ACT

RELATING TO EMPLOYEE BENEFITS; REQUIRING EMPLOYEES OF THE STATE  
AND POLITICAL SUBDIVISIONS OF THE STATE TO BE PROVIDED AN  
OPPORTUNITY TO EXCHANGE UNUSED COMPENSATORY LEAVE FOR  
COMPENSATION AT LEAST TWICE EACH YEAR.

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

SECTION 1. A new section of Chapter 10, Article 7 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] PAYMENT OF COMPENSATORY LEAVE.--At least  
twice each year, an employee of the state or a political  
subdivision of the state shall be provided an opportunity to  
exchange unused compensatory leave for compensation. The  
employee shall be paid the full value of all unused  
compensatory leave that is exchanged."

SECTION 2. APPLICABILITY.--To the extent any provision of  
.231413.1

underscoring material = new  
[bracketed material] = delete

1 this act conflicts with a current collective bargaining  
2 agreement negotiated pursuant to the Public Employee Bargaining  
3 Act, the provisions of this act shall not apply.

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