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HOUSE BILL 21

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Nate Gentry and Patricio Ruiloba and William "Bill" R. Rehm

AN ACT

RELATING TO PUBLIC SAFETY; PROVIDING FOR DISTRIBUTIONS FROM THE
LAW ENFORCEMENT PROTECTION FUND FOR THREE YEARS FOR RETENTION
PAYMENTS TO CERTAIN LAW ENFORCEMENT OFFICERS; REQUIRING
MATCHING FUNDS FROM A MUNICIPALITY OR A COUNTY.

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. Except as provided for the academy in Subsection
B of this section, 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

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1 standards;

2 (2) the purchase of law enforcement equipment,
3 including protective vests, for police dogs;

4 (3) expenses associated with advanced law
5 enforcement planning and training;

6 (4) maintaining the balance of the peace
7 officers', New Mexico mounted patrol members' and reserve
8 police officers' survivors fund at a minimum amount of three
9 hundred fifty thousand dollars (\$350,000);

10 (5) complying with match or contribution
11 requirements for the receipt of federal funds relating to
12 criminal justice programs; ~~and~~

13 (6) no more than fifty percent of the
14 replacement salaries of municipal and county law enforcement
15 personnel of municipalities or counties rated as class 1 in
16 Paragraph (1) of Subsection C of Section 29-13-4 NMSA 1978
17 participating in basic law enforcement training; and

18 (7) until June 30, 2021, a law enforcement
19 officer retention payment in the amount of seven thousand five
20 hundred dollars (\$7,500); provided that:

21 (a) the distribution is requested by a
22 municipality or county law enforcement agency with a staffing
23 vacancy rate of at least ten percent to retain a law
24 enforcement officer who: 1) is certified in accordance with
25 the Law Enforcement Training Act; 2) performs primarily patrol

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1 duties; 3) has at least twenty years of actual service credit
2 earned under a municipal police member coverage plan as
3 determined by the public employees retirement association while
4 working for the agency that made the request; and 4) has not
5 previously received a retention payment provided for in this
6 section;

7 (b) the municipality or county law
8 enforcement agency provides seven thousand five hundred dollars
9 (\$7,500) in matching funds to the law enforcement officer; and

10 (c) the distribution and the matching
11 funds paid to a law enforcement officer shall not constitute
12 the officer's base salary or wages and shall not be considered
13 to be salary or otherwise be used to determine a pension for
14 the purposes of the Public Employees Retirement Act.

15 B. For the academy, amounts distributed from the
16 fund shall be expended only for providing tourniquet and trauma
17 kits and training on the use of tourniquet and trauma kits
18 pursuant to Section [~~1 of this 2017 act~~] 29-7-7.7 NMSA 1978.

19 C. Amounts distributed from the fund shall be
20 expended only pursuant to approved budgets and upon duly
21 executed vouchers approved as required by law."

22 SECTION 2. EFFECTIVE DATE.--The effective date of the
23 provisions of this act is July 1, 2018.