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**HOUSE BILL 550**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Antonio Lujan**

**AN ACT**

**RELATING TO PUBLIC EMPLOYMENT; AUTHORIZING PAYMENT FOR WORK  
PERFORMED BY ONE PUBLIC EMPLOYEE FOR ANOTHER PUBLIC EMPLOYEE  
WHEN APPROVED BY THE EMPLOYER.**

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

**Section 1. Section 30-23-2 NMSA 1978 (being Laws 1963,  
Chapter 303, Section 23-2) is amended to read:**

**"30-23-2. PAYING OR RECEIVING PUBLIC MONEY FOR SERVICES  
NOT RENDERED. --Paying or receiving public money for services  
not rendered consists of knowingly making or receiving payment  
or causing payment to be made from public funds where such  
payment purports to be for wages, salary or remuneration for  
personal services which have not in fact been rendered.**

**Nothing in this section shall be construed to prevent the  
payment of public funds where such payments are intended to**

underscored material = new  
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1 cover lawful remuneration to public officers or public  
2 employees for vacation periods, [øæ] absences from employment  
3 because of sickness, work performed voluntarily by one public  
4 employee substituting for another public employee in  
5 circumstances approved by the employer or for other lawfully  
6 authorized purposes.

7 **Whoever commits paying or receiving public money for**  
8 **services not rendered is guilty of a fourth degree felony. "**

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