

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILLS 356 & 578

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

AN ACT

RELATING TO EMPLOYMENT LAW; REQUIRING EMPLOYERS TO PROVIDE  
LEAVE TO CRIME VICTIMS TO ATTEND JUDICIAL PROCEEDINGS.

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

Section 1. LEAVE FOR CRIME VICTIMS.--

A. Subject to Subsection B of this section, an employer shall provide paid or unpaid leave to an employee who is a crime victim to attend any judicial proceeding that relates to a crime committed against the victim.

B. An employer may require that a request for leave pursuant to this section be supported by satisfactory evidence and the employee shall provide, in a timely manner, satisfactory evidence to the employer.

C. For purposes of this section:

(1) "crime victim" means:

.155918.1

underscoring material = new  
[bracketed material] = delete

1 (a) a person against whom a criminal  
2 offense is committed; or

3 (b) a family member or a victim's  
4 representative when the crime victim is a minor, incompetent or  
5 a homicide victim;

6 (2) "employer" means any person employing four  
7 or more persons and any person acting for an employer; and

8 (3) "satisfactory evidence" includes any  
9 police, court or official records or reports concerning a crime  
10 committed against the victim.

11 Section 2. EFFECTIVE DATE.--The effective date of the  
12 provisions of this act is July 1, 2005.