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HOUSE BILL 850

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

INTRODUCED BY

Ben Lujan

AN ACT

RELATING TO WORKERS' COMPENSATION; REQUIRING INSURANCE COVERAGE
FOR NEWSPAPER VENDORS; AMENDING A SECTION OF THE NMSA 1978.

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

Section 1. Section 52-1-22 NMSA 1978 (being Laws 1965,
Chapter 295, Section 15, as amended) is amended to read:

"52-1-22. WORK NOT CASUAL EMPLOYMENT.--As used in the
Workers' Compensation Act, unless the context otherwise
requires, where any employer procures any work to be done
wholly or in part for him by a contractor other than an
independent contractor and the work so procured to be done is a
part or process in the trade or business or undertaking of
[~~such~~] the employer, then [~~such~~] the employer shall be liable
to pay all compensation under the Workers' Compensation Act to
the same extent as if the work were done without the

.152764.2

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

underscoring material = new
[bracketed material] = delete

1 intervention of [~~such~~] the contractor. A vendor who sells
2 newspapers along or in a public thoroughfare shall not be
3 considered an independent contractor for purposes of coverage
4 under the Workers' Compensation Act. The work so procured to
5 be done shall not be construed to be "casual employment".

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