1	SENATE BILL 186
2	50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011
3	INTRODUCED BY
4	Carroll H. Leavell
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8	FOR THE INVESTMENTS OVERSIGHT COMMITTEE
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10	AN ACT
11	RELATING TO PUBLIC EMPLOYEES RETIREMENT; AMENDING THE PUBLIC
12	EMPLOYEES RETIREMENT ACT; REQUIRING MUNICIPAL EMPLOYEES TO MAKE
13	THE EMPLOYEE PORTION OF THE CONTRIBUTION TO THEIR RETIREMENT
14	PLAN.
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16	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
17	SECTION 1. Section 10-11-5 NMSA 1978 (being Laws 1987,
18	Chapter 253, Section 5, as amended) is amended to read:
19	"10-11-5. CREDITED SERVICEMUNICIPAL ELECTION TO MAKE
20	EMPLOYEE CONTRIBUTIONS
21	A. Except as provided in Subsection B of this
22	section, a municipal affiliated public employer may elect by
23	resolution of its governing body and in the manner prescribed
24	by the retirement board to be responsible for making
25	contributions of up to seventy-five percent of its employees'
	.183378.2

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1 member contributions as follows: 2 $[A_{\cdot}]$ (1) the resolution shall be irrevocable; 3 however, a municipal affiliated public employer may by subsequent resolution: 4 [(1)] (a) elect to increase the 5 percentage of employee member contributions for which it will 6 7 be responsible; or 8 $\left[\frac{(2)}{(2)}\right]$ (b) at the time a new coverage 9 plan is adopted, elect to be responsible for a different percentage of employee member contributions than that which it 10 elected under a previous coverage plan; 11 12 $[B_{\cdot}]$ (2) the resolution shall apply to all employees or else to specified employee divisions of the 13 14 municipal affiliated public employer and shall be effective the first pay period of the month following the filing of the 15 resolution with the retirement board; 16 $[G_{\bullet}]$ (3) the portion of the employee 17 18 contributions made by the municipal affiliated public employer on behalf of a member shall be credited to the member's 19 individual accumulated member contribution account in the 20 member contribution fund. The member shall be responsible for 21 the difference between the contributions the member would be 22 required to make if the municipal affiliated public employer 23 had not made the election provided for in this section and the 24 amount contributed by the municipal affiliated public employer 25 .183378.2

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1 [under] pursuant to the provisions of this section; 2 [D.] (4) pensions payable to members whose 3 municipal affiliated public employer makes the election provided for in this section shall be the same as if the member 4 had made the entire member contribution; and 5 [E.] (5) any municipal affiliated public 6 7 employer increasing the percentage of the employee member contributions it elects to make pursuant to this section shall 8 9 submit a resolution to the association by July 1 of the fiscal year in which the increase will take place indicating the 10 percentage of the employee member contributions that will be 11 12 made by the municipal affiliated public employer. B. A municipal affiliated public employer shall not 13 elect to be responsible for making any portion of the 14 municipality's employees' member contributions to any coverage 15 plan created on or after July 1, 2011." 16 EFFECTIVE DATE.--The effective date of the SECTION 2. 17 18 provisions of this act is July 1, 2011. 19 - 3 -20 21 22 23 24 25 .183378.2

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