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AN ACT
RELATING TO PENSIONS; AMENDING THE PUBLIC EMPLOYEES
RETIREMENT ACT; REDUCING THE COST-OF-LIVING ADJUSTMENTS FOR
ALL RETIREES; DELAYING THE COST-OF-LIVING ADJUSTMENT FOR
CERTAIN FUTURE RETIREES; SUSPENDING THE COST-OF-LIVING
ADJUSTMENTS FOR CERTAIN RETURN-TO-WORK RETIREES; PROVIDING
FOR AN INCREASE IN EMPLOYEE CONTRIBUTIONS FOR EMPLOYEES
EARNING MORE THAN TWENTY THOUSAND DOLLARS (\$20,000) IN SALARY
ANNUALLY AND AN INCREASE IN EMPLOYER CONTRIBUTIONS;
CLARIFYING DEFINITIONS; PROVIDING THAT MUNICIPAL EMPLOYERS
WILL NOT PAY ANY PORTION OF THE ONE AND ONE-HALF PERCENT
INCREASE IN EMPLOYEE CONTRIBUTIONS EFFECTIVE JULY 1, 2013
WITHOUT PASSING A RESOLUTION OR EXECUTING A COLLECTIVE
BARGAINING AGREEMENT; PROVIDING THAT MUNICIPALITIES MAY BY
SUBSEQUENT RESOLUTION OR AGREEMENT ELECT TO PAY A PORTION OF
EMPLOYEE CONTRIBUTION INCREASES THAT MAY OCCUR AFTER
JULY 1, 2013; CLARIFYING HOW SERVICE CREDIT EARNED UNDER
MULTIPLE COVERAGE PLANS WILL BE CALCULATED; CHANGING THE
BENEFITS FOR MEMBERS INITIALLY EMPLOYED AFTER JUNE 30, 2013
BY REDUCING THE MULTIPLIER AND INCREASING THE NUMBER OF YEARS
USED TO CALCULATE THE FINAL AVERAGE SALARY, INCREASING THE
VESTING PERIOD, INCREASING AGE AND SERVICE REQUIREMENTS FOR
NORMAL RETIREMENT AND INCREASING THE MAXIMUM PENSION BENEFIT;
LIMITING PLAN ENHANCEMENTS; RECONCILING MULTIPLE AMENDMENTS
TO THE SAME SECTION OF LAW IN LAWS 2003; AMENDING, REPEALING

1 AND ENACTING SECTIONS OF THE NMSA 1978.

2
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

4 SECTION 1. Section 10-11-2 NMSA 1978 (being Laws 1987,
5 Chapter 253, Section 2, as amended) is amended to read:

6 "10-11-2. DEFINITIONS.--As used in the Public Employees
7 Retirement Act:

8 A. "accumulated member contributions" means the
9 amounts deducted from the salary of a member and credited to
10 the member's individual account, together with interest, if
11 any, credited to that account;

12 B. "affiliated public employer" means the state
13 and any public employer affiliated with the association as
14 provided in the Public Employees Retirement Act, but does not
15 include an employer pursuant to the Magistrate Retirement
16 Act, the Judicial Retirement Act or the Educational
17 Retirement Act;

18 C. "association" means the public employees
19 retirement association established under the Public Employees
20 Retirement Act;

21 D. "disability retired member" means a retired
22 member who is receiving a pension pursuant to the disability
23 retirement provisions of the Public Employees Retirement Act;

24 E. "disability retirement pension" means the
25 pension paid pursuant to the disability retirement provisions

1 of the Public Employees Retirement Act;

2 F. "educational retirement system" means that
3 retirement system provided for in the Educational Retirement
4 Act;

5 G. "employee" means any employee of an affiliated
6 public employer;

7 H. "federal social security program" means that
8 program or those programs created and administered pursuant
9 to the act of congress approved August 14, 1935,
10 Chapter 531, 49 Stat. 620, as that act may be amended;

11 I. "final average salary" means the final average
12 salary calculated in accordance with the provisions of the
13 applicable coverage plan;

14 J. "form of payment" means the applicable form of
15 payment of a pension provided for in Section 10-11-117 NMSA
16 1978;

17 K. "former member" means a person who was
18 previously employed by an affiliated public employer, who has
19 terminated that employment and who has received a refund of
20 member contributions;

21 L. "fund" means the funds included under the
22 Public Employees Retirement Act;

23 M. "member" means a currently employed,
24 contributing employee of an affiliated public employer, or a
25 person who has been but is not currently employed by an

1 affiliated public employer, who has not retired and who has
2 not received a refund of member contributions; "member" also
3 includes the following:

4 (1) "adult correctional officer member"
5 means a member who is employed as an adult correctional
6 officer or an adult correctional officer specialist by a
7 state correctional facility of the corrections department or
8 its successor agency;

9 (2) "juvenile correctional officer member"
10 means a member who is employed as a juvenile correctional
11 officer by the children, youth and families department or its
12 successor agency;

13 (3) "municipal detention officer member"
14 means a member who is employed by an affiliated public
15 employer other than the state and who has inmate custodial
16 responsibilities at a facility used for the confinement of
17 persons charged with or convicted of a violation of a law or
18 ordinance;

19 (4) "municipal fire member" means any member
20 who is employed as a full-time nonvolunteer firefighter by an
21 affiliated public employer and who has taken the oath
22 prescribed for firefighters;

23 (5) "municipal police member" means any
24 member who is employed as a police officer by an affiliated
25 public employer, other than the state, and who has taken the

1 oath prescribed for police officers; and

2 (6) "state police member" means any member
3 who is an officer of the New Mexico state police and who has
4 taken the oath prescribed for such officers;

5 N. "membership" means membership in the
6 association;

7 O. "pension" means a series of monthly payments to
8 a retired member or survivor beneficiary as provided in the
9 Public Employees Retirement Act;

10 P. "public employer" means the state, any
11 municipality, city, county, metropolitan arroyo flood control
12 authority, economic development district, regional housing
13 authority, soil and water conservation district, entity
14 created pursuant to a joint powers agreement, council of
15 government, conservancy district, irrigation district, water
16 and sanitation district, water district and metropolitan
17 water board, including the boards, departments, bureaus and
18 agencies of a public employer, so long as these entities fall
19 within the meaning of governmental plan as that term is used
20 in Section 414(d) of the Internal Revenue Code of 1986, as
21 amended;

22 Q. "refund beneficiary" means a person designated
23 by the member, in writing, in the form prescribed by the
24 association, as the person who would be refunded the member's
25 accumulated member contributions payable if the member dies

1 and no survivor pension is payable or who would receive the
2 difference between pension paid and accumulated member
3 contributions if the retired member dies before receiving in
4 pension payments the amount of the accumulated member
5 contributions;

6 R. "retire" means to:

7 (1) terminate employment with all employers
8 covered by any state system or the educational retirement
9 system; and

10 (2) receive a pension from a state system or
11 the educational retirement system;

12 S. "retired member" means a person who has met all
13 requirements for retirement and who is receiving a pension
14 from the fund;

15 T. "retirement board" means the retirement board
16 provided for in the Public Employees Retirement Act;

17 U. "salary" means the base salary or wages paid a
18 member, including longevity pay, for personal services
19 rendered an affiliated public employer. "Salary" shall not
20 include overtime pay, allowances for housing, clothing,
21 equipment or travel, payments for unused sick leave, unless
22 the unused sick leave payment is made through continuation of
23 the member on the regular payroll for the period represented
24 by that payment, and any other form of remuneration not
25 specifically designated by law as included in salary for

1 Public Employees Retirement Act purposes. Salary in excess
2 of the limitations set forth in Section 401(a) (17) of the
3 Internal Revenue Code of 1986, as amended, shall be
4 disregarded. The limitation on compensation for eligible
5 employees shall not be less than the amount that was allowed
6 to be taken into account under the state retirement system
7 acts in effect on July 1, 1993. For purposes of this
8 subsection, "eligible employee" means an individual who was a
9 member of a state system before the first plan year beginning
10 after December 31, 1995;

11 V. "state system" means the retirement programs
12 provided for in the Public Employees Retirement Act, the
13 Magistrate Retirement Act and the Judicial Retirement Act;

14 W. "state retirement system acts" means
15 collectively the Public Employees Retirement Act, the
16 Magistrate Retirement Act, the Judicial Retirement Act and
17 the Volunteer Firefighters Retirement Act; and

18 X. "survivor beneficiary" means a person who
19 receives a pension or who has been designated to be paid a
20 pension as a result of the death of a member or retired
21 member."

22 SECTION 2. Section 10-11-4 NMSA 1978 (being Laws 1987,
23 Chapter 253, Section 4, as amended) is amended to read:

24 "10-11-4. SERVICE CREDIT--REQUIREMENTS FOR--
25 FORFEITURE--REINSTATEMENT.--

1 A. Personal service rendered an affiliated public
2 employer by a member shall be credited to the member's
3 service credit account in accordance with retirement board
4 rules and regulations. Service shall be credited to the
5 nearest month. In no case shall any member be credited with
6 a year of service for less than twelve months of service in
7 any calendar year or more than a month of service for all
8 service in any calendar month or more than a year of service
9 for all service in any calendar year. In no case shall any
10 member be allowed to purchase service credit unless the
11 purchase is authorized in the Public Employees Retirement
12 Act.

13 B. Personal service rendered an affiliated public
14 employer prior to August 1, 1947 shall be credited to a
15 member if the member acquires one year of service credit for
16 personal service rendered an affiliated public employer.

17 C. Personal service rendered an affiliated public
18 employer after July 31, 1947 but prior to the date the public
19 employer became an affiliated public employer is prior
20 service and shall be credited to a member if:

21 (1) the member has the applicable minimum
22 number of years of service credit required for normal
23 retirement. As used in this paragraph, "service credit"
24 means only the service credit earned by the member during
25 periods of employment with an affiliated public employer; and

1 (2) the member pays the association the
2 amount determined in accordance with Subsection D of this
3 section.

4 D. The purchase cost for each month of service
5 credit purchased under the provisions of this section is
6 equal to the member's final average salary multiplied by the
7 sum of the member contribution rate and employer contribution
8 rate determined in accordance with the coverage plan
9 applicable to the member at the time of the written election
10 to purchase. Full payment shall be made in a single lump-sum
11 amount in accordance with the procedures established by the
12 retirement board. The portion of the purchase cost derived
13 from the employer contribution rate shall be credited to the
14 employers accumulation fund and shall not be refunded to the
15 member in the event of cessation of membership. In no case
16 shall any member be credited with a month of service for less
17 than the purchase cost as defined in this section.

18 E. Service credit shall be forfeited if a member
19 terminates employment with an affiliated public employer and
20 withdraws the member's accumulated member contributions.

21 F. A member or former member who is a member of
22 another state system or the educational retirement system and
23 who has forfeited service credit by withdrawal of member
24 contributions may reinstate the forfeited service credit by
25 repaying the amount withdrawn plus compound interest from the

1 date of withdrawal to the date of repayment at the rate set
2 by the retirement board. Withdrawn member contributions may
3 be repaid in increments of one year in accordance with the
4 procedures established by the retirement board. Full payment
5 of each one-year increment shall be made in a single lump-sum
6 amount in accordance with procedures established by the
7 retirement board."

8 SECTION 3. Section 10-11-5 NMSA 1978 (being Laws 1987,
9 Chapter 253, Section 5, as amended) is amended to read:

10 "10-11-5. CREDITED SERVICE--MUNICIPAL ELECTION TO MAKE
11 EMPLOYEE CONTRIBUTIONS.--A municipal affiliated public
12 employer may elect by resolution of its governing body or by
13 execution of a collective bargaining agreement and in the
14 manner prescribed by the retirement board to be responsible
15 for making contributions of up to seventy-five percent of its
16 employees' member contributions as follows:

17 A. the resolution or collective bargaining
18 agreement shall be irrevocable; except that:

19 (1) if the resolution is passed or the
20 collective bargaining agreement is executed on or before
21 June 30, 2013, the percentage of the employee contributions
22 that the municipal affiliated public employer elects to be
23 responsible for making shall apply to the statutory employee
24 contribution rate in effect on June 30, 2013 and shall not
25 apply to any increase in the statutory employee contribution

1 rate that may occur after that date; and

2 (2) if the resolution is passed or the
3 collective bargaining agreement is executed on or after
4 July 1, 2013, the percentage of the employee contributions
5 that the municipal affiliated public employer elects to be
6 responsible for making shall apply to the statutory employee
7 contribution rate in effect on the date that the resolution
8 is passed or the collective bargaining agreement is executed
9 and shall not apply to any increases in the statutory
10 employee contribution rate that may occur after that date;
11 provided, however, that, if the statutory employee
12 contribution rate is decreased after the date that the
13 resolution is passed or the collective bargaining agreement
14 is executed, the percentage of the employee contributions
15 that the municipal public affiliated employer is responsible
16 for making shall apply to the decreased statutory employee
17 contribution rate;

18 B. a municipal affiliated public employer may by
19 subsequent resolution or collective bargaining agreement:

20 (1) elect to increase the percentage of
21 employee member contributions for which it will be
22 responsible;

23 (2) elect to be responsible for a percentage
24 of any increase to the statutory employee contribution rate
25 in effect after the passing of an earlier resolution or the

1 execution of an earlier collective bargaining agreement; or

2 (3) at the time a new coverage plan is
3 adopted, elect to be responsible under the new coverage plan
4 for making a different percentage of employee member
5 contributions than that which it elected under a previous
6 coverage plan;

7 C. the resolution or executed collective
8 bargaining agreement shall apply to all employees or else to
9 specified employee divisions of the municipal affiliated
10 public employer and shall be effective the first pay period
11 of the month following the filing of the resolution with the
12 retirement board;

13 D. the portion of the employee contributions made
14 by the municipal affiliated public employer on behalf of a
15 member shall be credited to the member's individual
16 accumulated member contribution account in the member
17 contribution fund. The member shall be responsible for the
18 difference between the contributions the member would be
19 required to make if the municipal affiliated public employer
20 had not made the election provided for in this section and
21 the amount contributed by the municipal affiliated public
22 employer pursuant to the provisions of this section;

23 E. pensions payable to members whose municipal
24 affiliated public employer makes the election provided for in
25 this section shall be the same as if the member had made the

1 entire member contribution; and

2 F. any municipal affiliated public employer
3 increasing the percentage of the employee member
4 contributions it elects to make pursuant to this section
5 shall submit a resolution or executed collective bargaining
6 agreement to the association by July 1 of the fiscal year in
7 which the increase will take place indicating the percentage
8 of the employee member contributions that will be made by the
9 municipal affiliated public employer."

10 SECTION 4. Section 10-11-7 NMSA 1978 (being Laws 1987,
11 Chapter 253, Section 7, as amended) is amended to read:

12 "10-11-7. SERVICE CREDIT--PURCHASE OF SERVICE.--

13 A. A member who entered a uniformed service of the
14 United States may purchase service credit for periods of
15 active duty in the uniformed services subject to the
16 following conditions:

17 (1) the member pays the association the
18 purchase cost determined according to Subsection E of this
19 section;

20 (2) the member has the applicable minimum
21 number of years of service credit required for normal
22 retirement. As used in this paragraph, "service credit"
23 means only the service credit earned by the member during
24 periods of employment with an affiliated public employer;

25 (3) the aggregate amount of service credit

1 purchased pursuant to this subsection does not exceed five
2 years reduced by any period of service credit acquired for
3 military service pursuant to any other provision of the
4 Public Employees Retirement Act;

5 (4) service credit may not be purchased for
6 periods of service in the uniformed services that are used to
7 obtain or increase a benefit from another retirement program;
8 and

9 (5) the member must not have received a
10 discharge or separation from uniformed service under other
11 than honorable conditions.

12 B. A member who was a civilian prisoner of war
13 captured while in service to the United States as an employee
14 of the federal government or as an employee of a contractor
15 with the federal government may purchase service credit for
16 the period of internment as a civilian prisoner of war,
17 provided that:

18 (1) the member provides proof of employment
19 with the federal government or as a contractor to the federal
20 government in a form acceptable to the association;

21 (2) the member provides proof of the period
22 of internment in a form acceptable to the association;

23 (3) the member has the applicable minimum
24 number of years of service credit required for normal
25 retirement. As used in this paragraph, "service credit"

1 means only the service credit earned by the member during
2 periods of employment with an affiliated public employer;

3 (4) the aggregate amount of service credit
4 purchased pursuant to this subsection does not exceed five
5 years reduced by any period of service credit acquired for
6 military service pursuant to any other provision of the
7 Public Employees Retirement Act;

8 (5) service credit may not be purchased for
9 periods of service in internment as a civilian prisoner of
10 war if such periods are used to obtain or increase a benefit
11 from another retirement program; and

12 (6) the member pays the association the
13 purchase cost determined according to Subsection E of this
14 section.

15 C. A member who was employed by a utility company,
16 library, museum, transit company or nonprofit organization
17 administering federally funded public service programs, which
18 utility company, library, museum, transit company or
19 nonprofit organization administering federally funded public
20 service programs or federally funded public service programs
21 administered by a nonprofit organization are subsequently
22 taken over by an affiliated public employer, or a member who
23 was employed by an entity created pursuant to a joint powers
24 agreement between two or more affiliated public employers for
25 the purpose of administering or providing drug or alcohol

1 addiction treatment services irrespective of whether the
2 entity is subsequently taken over by an affiliated public
3 employer, may purchase service credit for the period of
4 employment subject to the following conditions:

5 (1) the member pays the association the
6 purchase cost determined according to Subsection E of this
7 section;

8 (2) the member has the applicable minimum
9 number of years of service credit required for normal
10 retirement. As used in this paragraph, "service credit"
11 means only the service credit earned by the member during
12 periods of employment with an affiliated public employer; and

13 (3) the aggregate amount of service credit
14 purchased pursuant to this subsection does not exceed five
15 years.

16 D. A member who was appointed to participate in a
17 cooperative work study training program established jointly
18 by a state agency and a state post-secondary educational
19 institution may purchase service credit for the period of
20 participation subject to the following conditions:

21 (1) the member pays the association the full
22 actuarial present value of the amount of the increase in the
23 employee's pension as a consequence of the purchase as
24 determined by the association;

25 (2) the member pays the full cost of the

1 purchase within sixty days of the date the member is informed
2 of the amount of the payment;

3 (3) the member has the applicable minimum
4 number of years of service credit required for normal
5 retirement. As used in this paragraph, "service credit"
6 means only the service credit earned by the member during
7 periods of employment with an affiliated public employer; and

8 (4) the aggregate amount of service credit
9 purchased pursuant to this subsection does not exceed five
10 years.

11 E. Except for service to be used under a state
12 legislator coverage plan, the purchase cost for each month of
13 service credit purchased pursuant to the provisions of this
14 section is equal to the member's final average salary
15 multiplied by the sum of the member contribution rate and
16 employer contribution rate, determined in accordance with the
17 coverage plan applicable to the member at the time of the
18 written election to purchase. The purchase cost for each
19 year of service credit to be used under a state legislator
20 coverage plan is equal to three times the normal member
21 contribution per year of service credit under the state
22 legislator coverage plan applicable to the member. Full
23 payment shall be made in a single lump sum within sixty days
24 of the date the member is informed of the amount of the
25 payment. The portion of the purchase cost derived from the

1 employer contribution rate shall be credited to the
2 employer's accumulation fund and shall not be paid out of the
3 association in the event of cessation of membership. In no
4 case shall a member be credited with a month of service for
5 less than the purchase cost as defined in this section.

6 F. A member shall be refunded, upon written
7 request filed with the association, the portion of the
8 purchase cost of service credit purchased pursuant to this
9 section that the association determines to have been
10 unnecessary to provide the member with the maximum pension
11 applicable to the member. The association shall not pay
12 interest on the portion of the purchase cost refunded to the
13 member.

14 G. A member of the magistrate retirement system
15 who during the member's service as a magistrate was eligible
16 to become a member of the public employees retirement system
17 and elected not to become a member of that system may
18 purchase service credit pursuant to the public employees
19 retirement system for the period for which the magistrate
20 elected not to become a public employees retirement system
21 member by paying the amount of the increase in the actuarial
22 present value of the magistrate pension as a consequence of
23 the purchase as determined by the association. Full payment
24 shall be made in a single lump-sum amount in accordance with
25 procedures established by the retirement board. Except as

1 provided in Subsection F of this section, seventy-five
2 percent of the purchase cost shall be considered to be
3 employer contributions and shall not be refunded to the
4 member in the event of cessation of membership.

5 H. At any time prior to retirement, any member may
6 purchase service credit in monthly increments, subject to the
7 following conditions:

8 (1) the member has the applicable minimum
9 number of years of service credit required for normal
10 retirement. As used in this paragraph, "service credit"
11 means only the service credit earned by the member during
12 periods of employment with an affiliated public employer;

13 (2) the aggregate amount of service credit
14 purchased pursuant to this subsection does not exceed one
15 year;

16 (3) the member pays full actuarial present
17 value of the amount of the increase in the employee's pension
18 as a consequence of the purchase as determined by the
19 association;

20 (4) the member pays the full cost of the
21 purchase within sixty days of the date the member is informed
22 of the amount of the payment; and

23 (5) the purchase of service credit under
24 this subsection cannot be used to determine the final average
25 salary or the pension factor or be used to exceed the pension

1 maximum.

2 I. A member receiving service credit under this
3 section who enrolls in the retiree health care authority
4 shall make contributions pursuant to Subsection C of
5 Section 10-7C-15 NMSA 1978."

6 SECTION 5. Section 10-11-8 NMSA 1978 (being Laws 1987,
7 Chapter 253, Section 8, as amended) is amended to read:

8 "10-11-8. NORMAL RETIREMENT--RETURN TO EMPLOYMENT--
9 BENEFITS CONTINUED--CONTRIBUTIONS.--

10 A. A member may retire upon fulfilling the
11 following requirements prior to the selected date of
12 retirement:

13 (1) a written application for normal
14 retirement, in the form prescribed by the association, is
15 filed with the association;

16 (2) employment is terminated with all
17 employers covered by any state system or the educational
18 retirement system;

19 (3) the member selects an effective date of
20 retirement that is the first day of a calendar month; and

21 (4) the member meets the age and service
22 credit requirement for normal retirement specified in the
23 coverage plan applicable to the member.

24 B. The amount of normal retirement pension is
25 determined in accordance with the coverage plan applicable to

1 the member.

2 C. Except as provided in Subsection E of this
3 section, on or after July 1, 2010, a retired member may be
4 subsequently employed by an affiliated public employer only
5 pursuant to the following provisions:

6 (1) the retired member has not been employed
7 as an employee of an affiliated public employer or retained
8 as an independent contractor by the affiliated public
9 employer from which the retired member retired for at least
10 twelve consecutive months from the date of retirement to the
11 commencement of employment or reemployment with an affiliated
12 public employer;

13 (2) the previously retired member's pension
14 shall be suspended upon commencement of the employment;

15 (3) except as provided in Subsection G of
16 this section, the previously retired member shall not become
17 a member and thus the previously retired member shall not
18 accrue service credit and the previously retired member and
19 that person's affiliated public employer shall not make
20 contributions under any coverage plan pursuant to the Public
21 Employees Retirement Act; and

22 (4) upon termination of the subsequent
23 employment, the previously retired member's pension shall
24 resume in accordance with the provisions of Subsection A of
25 this section.

1 D. Notwithstanding the provisions of Subsection B
2 of Section 10-11-118 NMSA 1978, on and after July 1, 2013, if
3 a retired member becomes employed with an employer pursuant
4 to the Educational Retirement Act:

5 (1) the retired member's cost-of-living
6 pension adjustment shall be suspended upon commencement of
7 the employment; and

8 (2) upon termination of the employment, the
9 retired member's suspended cost-of-living pension adjustment
10 shall be reinstated as provided under Subsection B of
11 Section 10-11-118 NMSA 1978.

12 E. The provisions of Subsections C and H of this
13 section do not apply to:

14 (1) a retired member employed by the
15 legislature for legislative session work;

16 (2) a retired member employed temporarily as
17 a precinct board member for a municipal election or an
18 election covered by the Election Code; or

19 (3) a retired member who is elected to serve
20 a term as an elected official; provided that:

21 (a) the retired member files an
22 irrevocable exemption from membership with the association
23 within thirty days of taking office; and

24 (b) the irrevocable exemption shall be
25 for the elected official's term of office.

1 F. A retired member who returns to employment
2 during retirement pursuant to Subsection E of this section is
3 entitled to receive retirement benefits but is not entitled
4 to accrue service credit or to acquire or purchase service
5 credit in the future for the period of the previously retired
6 member's reemployment with an affiliated public employer.

7 G. At any time during a previously retired
8 member's subsequent employment pursuant to Subsection C of
9 this section, the previously retired member may elect to
10 become a member and the following conditions shall apply:

11 (1) the previously retired member and the
12 subsequent affiliated public employer shall make the required
13 employee and employer contributions, and the previously
14 retired member shall accrue service credit for the period of
15 subsequent employment; and

16 (2) when the previously retired member
17 terminates the subsequent employment with an affiliated
18 public employer, the previously retired member shall retire
19 according to the provisions of the Public Employees
20 Retirement Act, subject to the following conditions:

21 (a) payment of the pension shall resume
22 in accordance with the provisions of Subsection A of this
23 section;

24 (b) unless the previously retired
25 member accrued at least three years of service credit on

1 account of the subsequent employment, the recalculation of
2 pension shall: 1) employ the form of payment selected by the
3 previously retired member at the time of the first
4 retirement; and 2) use the provisions of the coverage plan
5 applicable to the member on the date of the first retirement;
6 and

7 (c) the recalculated pension shall not
8 be less than the amount of the suspended pension.

9 H. A previously retired member who returned to
10 work with an affiliated public employer prior to July 1, 2010
11 shall be subject to the provisions of this section in effect
12 on the date the previously retired member returned to work;
13 provided that:

14 (1) on and after July 1, 2010, the
15 previously retired member shall pay the employee contribution
16 in an amount specified in the Public Employees Retirement Act
17 for the position in which the previously retired member is
18 employed;

19 (2) notwithstanding the provisions of
20 Subsection B of Section 10-11-118 NMSA 1978, on and after
21 July 1, 2013, the previously retired member's cost-of-living
22 pension adjustment shall be suspended; and

23 (3) upon termination of the employment with
24 an affiliated public employer, the previously retired
25 member's cost-of-living pension adjustment shall be

1 reinstated as provided in Subsection B of Section 10-11-118
2 NMSA 1978.

3 I. The pension of a member who has earned service
4 credit under more than one coverage plan shall be determined
5 as follows:

6 (1) the pension of a member who has three or
7 more years of service credit earned on or before June 30,
8 2013 under each of two or more coverage plans shall be
9 determined in accordance with the coverage plan that produces
10 the highest pension;

11 (2) the pension of a member who has service
12 credit earned on or before June 30, 2013 under two or more
13 coverage plans but who has three or more years of service
14 credit under only one of those coverage plans shall be
15 determined in accordance with the coverage plan in which the
16 member has three or more years of service credit. If the
17 service credit is acquired under two different coverage plans
18 applied to the same affiliated public employer as a
19 consequence of an election by the members, adoption by the
20 affiliated public employer or a change in the law that
21 results in the application of a coverage plan with a greater
22 pension, the greater pension shall be paid a member retiring
23 from the affiliated public employer under which the change in
24 coverage plan took place regardless of the amount of service
25 credit under the coverage plan producing the greater pension;

1 provided that the member has three or more years of
2 continuous employment with that affiliated public employer
3 immediately preceding or immediately preceding and
4 immediately following the date the coverage plan changed;

5 (3) the pension of a member who has service
6 credit earned on or before June 30, 2013 under each of two or
7 more coverage plans and who has service credit earned under
8 any coverage plan on or after July 1, 2013 shall be equal to
9 the sum of:

10 (a) the pension attributable to the
11 service credit earned on or before June 30, 2013 determined
12 pursuant to Paragraph (1) or (2) of this subsection; and

13 (b) the pension attributable to the
14 service credit earned under each coverage plan on or after
15 July 1, 2013;

16 (4) the pension of a member who has service
17 credit earned only on and after July 1, 2013 shall be equal
18 to the sum of the pension attributable to the service credit
19 the member has accrued under each coverage plan; and

20 (5) the provisions of each coverage plan for
21 the purpose of this subsection shall be those in effect at
22 the time the member ceased to be covered by the coverage
23 plan. "Service credit", for the purposes of this subsection,
24 shall be only personal service rendered an affiliated public
25 employer and credited to the member under the provisions of

1 Subsection A of Section 10-11-4 NMSA 1978. Service credited
2 under any other provision of the Public Employees Retirement
3 Act shall not be used to satisfy the three-year service
4 credit requirement of this subsection."

5 SECTION 6. Section 10-11-10.1 NMSA 1978 (being Laws
6 1993, Chapter 160, Section 3) is amended to read:

7 "10-11-10.1. DISABILITY RETIREMENT.--

8 A. There is created a "disability review
9 committee" of the retirement board. The disability review
10 committee shall consist of at least three but not more than
11 five retirement board members and at least one physician
12 licensed in New Mexico appointed by the retirement board.
13 The disability review committee shall review all applications
14 for disability retirement, review reports required under this
15 section and approve or deny applications for disability
16 retirement.

17 B. The disability review committee may retire a
18 member on account of disability before the time the member
19 would otherwise be eligible for retirement if the following
20 requirements are satisfied:

21 (1) the member applying for disability
22 retirement was a member at the time the disability was
23 incurred;

24 (2) a written application for disability
25 retirement, in the form and containing the information

1 prescribed by the association, has been filed with the
2 association by the member or by the member's affiliated
3 public employer;

4 (3) employment is terminated within
5 forty-five days of the date of approval of the application
6 for disability retirement;

7 (4) if:

8 (a) the member has the applicable
9 minimum number of years of service credit required for normal
10 retirement. For the purposes of this subparagraph, "service
11 credit" means only the service credit earned by the member
12 during periods of employment with an affiliated public
13 employer; or

14 (b) the disability review committee
15 finds the disability to have been the natural and proximate
16 result of causes arising solely and exclusively out of and in
17 the course of the member's performance of duty with an
18 affiliated public employer;

19 (5) the member submits to all medical
20 examinations and tests and furnishes copies of all medical
21 reports requested by the association or disability review
22 committee; provided that if the disability review committee
23 requires independent medical or other examinations, those
24 examinations shall be performed at the association's expense;
25 and

1 (6) the disability review committee makes
2 the determination required under Subsection C of this
3 section.

4 C. The disability review committee shall review
5 applications for disability retirement to determine whether:

6 (1) if the member is a currently employed,
7 contributing employee of an affiliated public employer:

8 (a) the member is mentally or
9 physically totally incapacitated for continued employment
10 with an affiliated public employer; and

11 (b) the incapacity is likely to be
12 permanent; or

13 (2) if the member is not a currently
14 employed, contributing employee of an affiliated public
15 employer:

16 (a) the member is mentally or
17 physically totally incapacitated for any gainful employment;
18 and

19 (b) the incapacity is likely to be
20 permanent.

21 D. The disability retirement pension shall be paid
22 for a period of one year after approval of the initial
23 application unless the disability review committee for good
24 cause shown grants disability retirement for a longer period
25 of time. After approval, payment shall be effective

1 commencing the first of the month following submission of the
2 initial application and termination of employment.

3 E. At the end of the first year that a disability
4 retirement pension is paid, the disability retired member's
5 condition shall be reevaluated to determine eligibility for
6 continuation of payment of a disability retirement pension.
7 If the disability retired member has applied for disability
8 benefits under the federal social security program, the
9 member shall submit copies of the member's application. The
10 association shall continue payment of the state disability
11 retirement pension if the disability retired member presents
12 a written final determination from the federal social
13 security administration that the disability retired member
14 qualifies, based on the same conditions as presented in the
15 application for a state disability retirement pension, for
16 federal disability benefits.

17 F. If the disability retired member applied for
18 federal disability benefits within thirty days of receiving
19 approval for a state disability retirement pension but the
20 federal social security administration has not made a written
21 final determination of entitlement by the end of the first
22 year that the disability retired member has received a state
23 disability retirement pension, eligibility for continued
24 payment of the state disability retirement pension shall be
25 determined by the disability review committee. The state

1 disability retirement pension shall be discontinued if the
2 disability review committee finds that the disability retired
3 member is capable of any gainful employment.

4 G. The disability retired member shall notify the
5 association of the federal social security administration's
6 final determination within fifteen working days of the date
7 of issuance of the final written determination. If the
8 federal social security administration denies federal
9 disability benefits, the state disability retirement pension
10 shall be discontinued effective the first of the month
11 following the month in which the written final determination
12 of the federal social security administration was issued. If
13 the federal social security administration grants federal
14 disability benefits, the state disability retirement pension
15 shall be continued so long as the disability retired member
16 provides annually, on or before the anniversary date of
17 commencement of payment of the state disability retirement
18 pension, written evidence of continuation of payment of
19 federal disability benefits. If the disability review
20 committee has denied continuation of payment of a state
21 disability retirement pension and the disability retired
22 member is later granted federal disability benefits, the
23 state disability retirement pension shall be reinstated
24 effective the first of the month following the month in which
25 the state disability retirement pension was discontinued.

1 H. If, at the time of reevaluation under
2 Subsection E of this section, the disability retired member
3 has applied for and has qualified for federal disability
4 benefits, but for a different condition than was reviewed by
5 the disability review committee, the disability review
6 committee shall review the disability retired member's
7 condition as described by the application for federal
8 disability benefits. The process set forth in Subsection I
9 of this section shall be followed to determine whether
10 payment of a state disability retirement pension should be
11 continued.

12 I. If the disability retired member is not
13 eligible to apply for federal disability benefits or is not a
14 member of the federal social security program, the disability
15 review committee annually shall determine eligibility for
16 continuation of payment of a state disability retirement
17 pension. To make its determination of continued entitlement,
18 the disability review committee shall use the guidelines
19 established by the federal social security administration for
20 determination of eligibility for federal disability benefits.
21 The determination shall be based on:

22 (1) the medical and all other information
23 provided by the disability retired member;

24 (2) at least one independent medical or
25 other examination performed at the association's expense if

1 required by the disability review committee; and

2 (3) any medical, vocational or other
3 information related to the disability compiled during the
4 period of disability by any medical or other practitioner
5 consulted by the disability retired member regarding the
6 disability which was not paid for by the association.

7 J. Each disability retired member annually shall
8 submit to the association, prior to July 1, a statement of
9 earnings from gainful employment during the preceding
10 calendar year. The statement of earnings shall be in the
11 form prescribed by the association. Payment of the state
12 disability retirement pension shall be discontinued if the
13 amount of earnings from gainful employment is one hundred
14 percent or more of the amount that causes a decrease or
15 suspension of an old age benefit under the federal social
16 security program, or fifteen thousand dollars (\$15,000),
17 whichever is less. Payment of the state disability
18 retirement pension shall be discontinued starting with the
19 month of July if the statement of earnings is not received by
20 the association prior to July 1.

21 K. Upon prior approval by the association, a
22 disability retired member may return to employment with an
23 affiliated public employer or other employer for a trial
24 period not to exceed one hundred twenty calendar days without
25 becoming a member or causing suspension or discontinuation of

1 payment of a state disability retirement pension. If the
2 trial period of employment is successfully completed, payment
3 of the disability retirement pension shall be discontinued
4 beginning the first of the month following the one hundred
5 twentieth day of the trial period of employment. Trial
6 periods of employment shall be limited to two in any
7 five-year period following disability retirement.

8 L. If the disability retired member meets the
9 minimum age and service credit requirements for normal
10 retirement while receiving a disability retirement pension,
11 the disability retirement pension shall be reclassified by
12 the association as a normal retirement pension and no further
13 determinations of eligibility for continuation of payment of
14 the disability retirement pension shall be made. Upon
15 reclassification as a normal retirement pension, all the
16 provisions of the Public Employees Retirement Act regarding
17 normal retirement shall be applicable.

18 M. If the disability review committee found the
19 disability to be the natural and proximate result of causes
20 arising solely and exclusively out of and in the course of
21 the member's employment with an affiliated public employer,
22 service credit shall continue to accrue during the disability
23 retirement period as though the disability retired member was
24 actively employed.

25 N. The amount of a disability retirement pension

1 shall be calculated according to the provisions of the
2 coverage plan applicable to the member at the time of
3 application, except that the service credit requirement shall
4 be waived and the actual amount of service credit shall be
5 used instead. If the disability is the natural and proximate
6 result of causes arising solely and exclusively out of and in
7 the course of the member's performance of duty for an
8 affiliated public employer, the amount of disability
9 retirement pension shall be calculated according to the
10 provisions of the coverage plan applicable to the member,
11 imputing the amount of service credit necessary to meet the
12 minimum service credit requirements for normal retirement.

13 O. For the purposes of this section, the following
14 definitions apply:

15 (1) "continued employment with the
16 affiliated public employer" means the ability of the member
17 to fulfill the required duties of the position in which the
18 member was last employed by an affiliated public employer;

19 (2) "gainful employment" means remunerative
20 employment or self-employment that is commensurate with the
21 applicant's background, age, education, experience and any
22 new skills or training the applicant may have acquired after
23 terminating public employment or incurring the disability;

24 (3) "state disability retirement pension"
25 means the pension paid pursuant to the provisions of this

1 section; and

2 (4) "federal disability benefits" means
3 those benefits paid by the federal social security program."

4 SECTION 7. Section 10-11-14.5 NMSA 1978 (being Laws
5 1993, Chapter 160, Section 4, as amended) is amended to read:

6 "10-11-14.5. DEATH BEFORE RETIREMENT--SURVIVOR PENSIONS.--

7 A. A survivor pension may be paid to certain
8 persons related to or designated by a member who dies before
9 normal or disability retirement if a written application for
10 the pension, in the form prescribed by the association, is
11 filed with the association by the potential survivor
12 beneficiary or beneficiaries within one year of the death of
13 the member. Applications may be filed on behalf of the
14 potential survivor beneficiary or beneficiaries or by a
15 person legally authorized to represent them.

16 B. If there is no designated survivor beneficiary
17 and the retirement board finds the death to have been the
18 natural and proximate result of causes arising solely and
19 exclusively out of and in the course of the member's
20 performance of duty with an affiliated public employer, a
21 survivor pension shall be payable to the eligible surviving
22 spouse. The amount of the survivor pension shall be the
23 greater of:

24 (1) the amount as calculated under the
25 coverage plan applicable to the deceased member at the time

1 of death as though the deceased member had retired the day
2 preceding death under form of payment B using the actual
3 amount of service credit attributable to the deceased member
4 at the time of death; or

5 (2) fifty percent of the deceased member's
6 final average salary.

7 C. A survivor pension shall also be payable to
8 eligible surviving children if there is no designated
9 survivor beneficiary and the retirement board finds the death
10 to have been the natural and proximate result of causes
11 arising solely and exclusively out of and in the course of
12 the member's performance of duty with an affiliated public
13 employer. The total amount of survivor pension payable for
14 all eligible surviving children shall be either:

15 (1) fifty percent of the deceased member's
16 final average salary if an eligible surviving spouse is not
17 paid a pension; or

18 (2) twenty-five percent of the deceased
19 member's final average salary if an eligible surviving spouse
20 is paid a pension.

21 The total amount of survivor pension shall be divided
22 equally among all eligible surviving children. If there is
23 only one eligible child, the amount of pension shall be
24 twenty-five percent of the deceased member's final average
25 salary.

1 D. If the member had the applicable minimum number
2 of years of service credit required for normal retirement,
3 but the retirement board did not find the death to have been
4 the natural and proximate result of causes arising solely and
5 exclusively out of and in the course of the member's
6 performance of duty with an affiliated public employer and
7 there is no designated survivor beneficiary, a survivor
8 pension shall be payable to the eligible surviving spouse.
9 The amount of the survivor pension shall be the greater of:

10 (1) the amount as calculated under the
11 coverage plan applicable to the deceased member at the time
12 of death as though the deceased member had retired the day
13 preceding death under form of payment B using the total
14 amount of actual service credit attributable to the deceased
15 member at the time of death; or

16 (2) thirty percent of the deceased member's
17 final average salary.

18 E. If the member had the applicable minimum number
19 of years of service credit required for normal retirement,
20 but the retirement board did not find the death to have been
21 the natural and proximate result of causes arising solely and
22 exclusively out of and in the course of the member's
23 performance of duty with an affiliated public employer and
24 there is no designated survivor beneficiary, and if there is
25 no eligible surviving spouse at the time of death, a survivor

1 pension shall be payable to and divided equally among all
2 eligible surviving children, if any. The total amount of
3 survivor pension payable for all eligible surviving children
4 shall be the greater of:

5 (1) the amount as calculated under the
6 coverage plan applicable to the deceased member at the time
7 of death as though the deceased member had retired the day
8 preceding death under form of payment B with the oldest
9 eligible surviving child as the survivor beneficiary using
10 the total amount of actual service credit attributable to the
11 deceased member at the time of death; or

12 (2) thirty percent of the deceased member's
13 final average salary.

14 F. An eligible surviving spouse is the spouse to
15 whom the deceased member was married at the time of death.

16 An eligible surviving child is a child under the age of
17 eighteen years and who is an unmarried, natural or adopted
18 child of the deceased member.

19 G. An eligible surviving spouse's pension shall
20 terminate upon death. An eligible surviving child's pension
21 shall terminate upon death or marriage or reaching age
22 eighteen years, whichever comes first.

23 H. If there is no designated survivor beneficiary
24 and there is no eligible surviving child, the eligible
25 surviving spouse may elect to be refunded the deceased

1 member's accumulated member contributions instead of
2 receiving a survivor pension.

3 I. A member may designate a survivor beneficiary
4 to receive a pre-retirement survivor pension, subject to the
5 following conditions:

6 (1) a written designation, in the form
7 prescribed by the association, is filed by the member with
8 the association;

9 (2) if the member is married at the time of
10 designation, the designation shall only be made with the
11 consent of the member's spouse, in the form prescribed by the
12 association;

13 (3) if the member is married subsequent to
14 the time of designation, any prior designations shall
15 automatically be revoked upon the date of the marriage;

16 (4) if the member is divorced subsequent to
17 the time of designation, any prior designation of the former
18 spouse as survivor beneficiary shall automatically be revoked
19 upon the date of divorce; and

20 (5) a designation of survivor beneficiary
21 may be changed, with the member's spouse's consent if the
22 member is married, by the member at any time prior to the
23 member's death.

24 J. If there is a designated survivor beneficiary
25 and the retirement board finds the death to have been the

1 natural and proximate result of causes arising solely and
2 exclusively out of and in the course of the member's
3 performance of duty with an affiliated public employer, a
4 survivor pension shall be payable to the designated survivor
5 beneficiary. The amount of the survivor pension shall be the
6 greater of:

7 (1) the amount as calculated under the
8 coverage plan applicable to the deceased member at the time
9 of death as though the deceased member had retired the day
10 preceding death under form of payment B using the actual
11 amount of service credit attributable to the member at the
12 time of death; or

13 (2) fifty percent of the deceased member's
14 final average salary.

15 K. If there is a designated survivor beneficiary,
16 if the member had the applicable minimum number of years of
17 service credit required for normal retirement and if the
18 retirement board did not find the death to have been the
19 natural and proximate result of causes arising solely and
20 exclusively out of and in the course of the member's
21 performance of duty with an affiliated public employer, a
22 survivor pension shall be payable to the designated survivor
23 beneficiary. The amount of the survivor pension shall be the
24 greater of:

25 (1) the amount as calculated under the

1 coverage plan applicable to the deceased member at the time
2 of death as though the deceased member had retired the day
3 preceding death under form of payment B using the actual
4 amount of service credit attributable to the member at the
5 time of death; or

6 (2) thirty percent of the deceased member's
7 final average salary.

8 L. If all pension payments permanently terminate
9 before there is paid an aggregate amount equal to the
10 deceased member's accumulated member contributions at time of
11 death, the difference between the amount of accumulated
12 member contributions and the aggregate amount of pension paid
13 shall be paid to the deceased member's refund beneficiary.
14 If no refund beneficiary survives the survivor beneficiary,
15 the difference shall be paid to the estate of the deceased
16 member.

17 M. For purposes of this section, "service credit"
18 means only the service credit earned by a member during
19 periods of employment with an affiliated public employer."

20 SECTION 8. Section 10-11-14.6 NMSA 1978 (being
21 Laws 2009, Chapter 288, Section 12) is amended to read:

22 "10-11-14.6. CALCULATION OF FINAL AVERAGE SALARY.--
23 Under the Public Employees Retirement Act:

24 A. for a member who was a member on June 30, 2013,
25 the final average salary is one thirty-sixth of the greatest

1 aggregate amount of salary paid a member for thirty-six
2 consecutive, but not necessarily continuous, months of
3 service credit; and

4 B. for a member who was not a member on
5 June 30, 2013, the final average salary is one-sixtieth of
6 the greatest aggregate amount of salary paid a member for
7 sixty consecutive, but not necessarily continuous, months of
8 service credit."

9 SECTION 9. Section 10-11-26.1 NMSA 1978 (being
10 Laws 1994, Chapter 128, Section 2) is amended to read:

11 "10-11-26.1. STATE GENERAL MEMBER COVERAGE PLAN 3--
12 APPLICABILITY.--State general member coverage plan 3 is
13 applicable to peace officer members and is applicable to
14 state general members in the first full pay period after
15 July 1, 1995 if the retirement board certifies to the
16 secretary of state that a majority of the members voting of
17 those members to be covered under state general member
18 coverage plan 3 has voted to approve adoption of this plan at
19 an election conducted pursuant to Laws 1994, Chapter 128,
20 Section 17."

21 SECTION 10. Section 10-11-26.2 NMSA 1978 (being
22 Laws 1994, Chapter 128, Section 3, as amended) is amended to
23 read:

24 "10-11-26.2. STATE GENERAL MEMBER COVERAGE PLAN 3--AGE
25 AND SERVICE CREDIT REQUIREMENTS FOR NORMAL RETIREMENT.--

1 A. Under state general member coverage plan 3:

2 (1) for a member who on or before
3 June 30, 2013 was a peace officer and for a member who is not
4 a peace officer but was a retired member or a member on
5 June 30, 2013, the age and service credit requirements for
6 normal retirement are:

7 (a) age sixty-five years or older and
8 five or more years of service credit;

9 (b) age sixty-four years and eight or
10 more years of service credit;

11 (c) age sixty-three years and eleven or
12 more years of service credit;

13 (d) age sixty-two years and fourteen or
14 more years of service credit;

15 (e) age sixty-one years and seventeen
16 or more years of service credit;

17 (f) age sixty years and twenty or more
18 years of service credit; or

19 (g) any age and twenty-five or more
20 years of service credit;

21 (2) for a member who is not a peace officer
22 and was not a retired member or a member on June 30, 2013,
23 the age and service requirements for normal retirement are:

24 (a) age sixty-five years
25 or older and eight or more years of service credit; or

1 (b) any age if the member has eight or
2 more years of service credit and the sum of the member's age
3 and years of service credit equals at least eighty-five; and

4 (3) for a member who on or after
5 July 1, 2013 becomes a peace officer and who was not a
6 retired member or a member on June 30, 2013, the age and
7 service requirements for normal retirement are:

8 (a) age sixty years or older and six or
9 more years of service credit; or

10 (b) any age and twenty-five or more
11 years of service credit.

12 B. As used in this section, "peace officer" means
13 any employee of the state with a duty to maintain public
14 order or to make arrests for crime, whether that duty extends
15 to all crimes or is limited to specific crimes, and who is
16 not specifically covered by another coverage plan."

17 SECTION 11. Section 10-11-26.3 NMSA 1978 (being
18 Laws 1994, Chapter 128, Section 4) is amended to read:

19 "10-11-26.3. STATE GENERAL MEMBER COVERAGE
20 PLAN 3--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under state
21 general member coverage plan 3:

22 A. for a member with age and service requirements
23 provided under Paragraph (1) or (3) of Subsection A of
24 Section 10-11-26.2 NMSA 1978, the amount of pension under
25 form of payment A is equal to three percent of final average

1 salary multiplied by service credit. The amount shall not
2 exceed ninety percent of the final average salary; and

3 B. for a member with age and service requirements
4 provided under Paragraph (2) of Subsection A of Section
5 10-11-26.2 NMSA 1978, the amount of pension under form of
6 payment A is equal to two and one-half percent of the final
7 average salary multiplied by service credit. The amount
8 shall not exceed ninety percent of the final average salary."

9 SECTION 12. Section 10-11-26.5 NMSA 1978 (being
10 Laws 1994, Chapter 128, Section 6, as amended) is amended to
11 read:

12 "10-11-26.5. STATE GENERAL MEMBER COVERAGE PLAN 3--
13 MEMBER CONTRIBUTION RATE.--A member under state general
14 member coverage plan 3 shall contribute seven and forty-two
15 hundredths percent of salary starting with the first full pay
16 period that ends within the calendar month in which state
17 general member coverage plan 3 becomes applicable to the
18 member, except that a member whose annual salary is greater
19 than twenty thousand dollars (\$20,000) shall contribute eight
20 and ninety-two hundredths percent of salary."

21 SECTION 13. Section 10-11-26.6 NMSA 1978 (being Laws
22 1994, Chapter 128, Section 7, as amended) is amended to read:

23 "10-11-26.6. STATE GENERAL MEMBER COVERAGE PLAN 3--
24 STATE CONTRIBUTION RATE.--The state shall contribute sixteen
25 and ninety-nine hundredths percent of the salary of each

1 member covered by state general member coverage plan 3
2 starting with the first pay period that ends within the
3 calendar month in which state general member coverage plan 3
4 becomes applicable to the member, except that, from July 1,
5 2013 through June 30, 2014, the state contribution rate shall
6 be sixteen and fifty-nine hundredths percent of the salary of
7 each member."

8 SECTION 14. Section 10-11-27 NMSA 1978 (being
9 Laws 1987, Chapter 253, Section 27, as amended by Laws 2003,
10 Chapter 268, Section 9 and by Laws 2003, Chapter 269,
11 Section 1) is amended to read:

12 "10-11-27. STATE POLICE MEMBER AND ADULT CORRECTIONAL
13 OFFICER MEMBER COVERAGE PLAN 1--APPLICABILITY--CREDITED
14 SERVICE.--

15 A. State police member and adult correctional
16 officer member coverage plan 1 is applicable to state police
17 members who are not specifically covered by another coverage
18 plan and to adult correctional officer members.

19 B. The credited service of a state police member
20 who was a retired member or a member on June 30, 2013 and who
21 has held the permanent rank of patrolman, sergeant,
22 lieutenant or captain and does not hold an exempt rank or who
23 is assigned to the aircraft division as a pilot, or of an
24 adult correctional officer member, shall have actual credited
25 service increased by twenty percent for the purposes of state

1 police member and adult correctional officer member coverage
2 plan 1.

3 C. Except as provided in Subsection B of this
4 section, the credited service of a member covered under state
5 police member and adult correctional officer member coverage
6 plan 1 shall be credited as provided in Section 10-11-4
7 NMSA 1978.

8 D. State police member and adult correctional
9 officer member coverage plan 1 is applicable to adult
10 correctional officer members in the first full pay period
11 after July 1, 2004 if the retirement board certifies to the
12 secretary of state that, of those adult correctional officer
13 members to be covered under state police member and adult
14 correctional officer member coverage plan 1, a majority of
15 the members voting have voted to approve adoption of that
16 plan at an election conducted pursuant to Laws 2003, Chapter
17 268, Section 16."

18 SECTION 15. Section 10-11-27.2 NMSA 1978 (being
19 Laws 2003, Chapter 269, Section 2) is amended to read:

20 "10-11-27.2. LEGISLATIVE FINDINGS.--The legislature
21 finds that:

22 A. it is appropriate to recognize the
23 professionalism and dedication of state police officers, who
24 provide an essential service to the citizens of New Mexico;

25 B. it is appropriate to recognize the hazardous

1 nature of the work performed by state police officers;

2 C. the spirit of what it takes to be a state
3 police officer is personified by Sergeant Brent H. Bateman,
4 who served with honor as a state police officer for
5 twenty-two years. Sergeant Bateman became ill days after his
6 retirement and passed away a short six months following
7 retirement; and

8 D. the twenty percent credit toward actual
9 service, as provided in Subsection B of Section 10-11-27
10 NMSA 1978 under state police member coverage plan 1, is
11 dedicated to Sergeant Brent H. Bateman and all other officers
12 who have served, and who do serve, as New Mexico state police
13 officers."

14 SECTION 16. Section 10-11-28 NMSA 1978 (being
15 Laws 1987, Chapter 253, Section 28, as amended) is amended to
16 read:

17 "10-11-28. STATE POLICE MEMBER AND ADULT CORRECTIONAL
18 OFFICER MEMBER COVERAGE PLAN 1--AGE AND SERVICE REQUIREMENTS
19 FOR NORMAL RETIREMENT.--Under state police member and adult
20 correctional officer member coverage plan 1:

21 A. for a member who was a retired member or a
22 member on June 30, 2013, the age and service requirements for
23 normal retirement are:

24 (1) age sixty-five years or older and five
25 or more years of credited service;

1 (2) age sixty-four years and eight or more
2 years of credited service;

3 (3) age sixty-three years and eleven or more
4 years of credited service;

5 (4) age sixty-two years and fourteen or more
6 years of credited service;

7 (5) age sixty-one years and seventeen or
8 more years of credited service;

9 (6) age sixty years and twenty or more years
10 of credited service; or

11 (7) any age and twenty-five or more years of
12 credited service; and

13 B. for a member who was not a retired member or a
14 member on June 30, 2013, the age and service requirements for
15 normal retirement are:

16 (1) age sixty years or older and six or more
17 years of service credit; or

18 (2) any age and twenty-five or more years of
19 service credit."

20 SECTION 17. Section 10-11-29 NMSA 1978 (being Laws
21 1987, Chapter 253, Section 29, as amended) is amended to
22 read:

23 "10-11-29. STATE POLICE MEMBER AND ADULT CORRECTIONAL
24 OFFICER MEMBER COVERAGE PLAN 1--AMOUNT OF PENSION--FORM OF
25 PAYMENT A.--Under state police member and adult correctional

1 officer member coverage plan 1, the amount of pension under
2 form of payment A is equal to three percent of final average
3 salary multiplied by credited service. The amount shall not
4 exceed ninety percent of the final average salary."

5 SECTION 18. Section 10-11-31 NMSA 1978 (being
6 Laws 1987, Chapter 253, Section 31, as amended) is amended to
7 read:

8 "10-11-31. STATE POLICE MEMBER AND ADULT CORRECTIONAL
9 OFFICER MEMBER COVERAGE PLAN 1--MEMBER CONTRIBUTION RATE.--A
10 member under state police member and adult correctional
11 officer member coverage plan 1 shall contribute seven and
12 six-tenths percent of salary, except that a member whose
13 annual salary is greater than twenty thousand dollars
14 (\$20,000) shall contribute nine and one-tenth percent of
15 salary."

16 SECTION 19. Section 10-11-32 NMSA 1978 (being Laws
17 1987, Chapter 253, Section 32, as amended) is amended to
18 read:

19 "10-11-32. STATE POLICE MEMBER AND ADULT CORRECTIONAL
20 OFFICER MEMBER COVERAGE PLAN 1--STATE CONTRIBUTION RATE.--The
21 state shall contribute twenty-five and one-half percent of
22 the salary of each member under state police member and adult
23 correctional officer member coverage plan 1, except that,
24 from July 1, 2013 through June 30, 2014, the state
25 contribution rate shall be twenty-five and one-tenth percent

1 of the salary of each member."

2 SECTION 20. Section 10-11-33 NMSA 1978 (being
3 Laws 1987, Chapter 253, Section 33) is amended to read:

4 "10-11-33. JUVENILE CORRECTIONAL OFFICER MEMBER
5 COVERAGE PLAN 1--APPLICABILITY.--Juvenile correctional
6 officer member coverage plan 1 is applicable to juvenile
7 correctional officer members who are not specifically covered
8 by another coverage plan."

9 SECTION 21. Section 10-11-34 NMSA 1978 (being
10 Laws 1987, Chapter 253, Section 34) is amended to read:

11 "10-11-34. JUVENILE CORRECTIONAL OFFICER MEMBER
12 COVERAGE PLAN 1--AGE AND SERVICE REQUIREMENTS FOR NORMAL
13 RETIREMENT.--Under juvenile correctional officer member
14 coverage plan 1, the age and service requirements for normal
15 retirement are:

16 A. age sixty-five years or older and five or more
17 years of credited service;

18 B. age sixty-four years and eight or more years of
19 credited service;

20 C. age sixty-three years and eleven or more years
21 of credited service;

22 D. age sixty-two years and fourteen or more years
23 of credited service;

24 E. age sixty-one years and seventeen or more years
25 of credited service;

1 F. age sixty years and twenty or more years of
2 credited service; or

3 G. any age and twenty-five or more years of
4 credited service."

5 SECTION 22. Section 10-11-35 NMSA 1978 (being
6 Laws 1987, Chapter 253, Section 35) is amended to read:

7 "10-11-35. JUVENILE CORRECTIONAL OFFICER MEMBER
8 COVERAGE PLAN 1--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
9 juvenile correctional officer member coverage plan 1, the
10 amount of pension under form of payment A is equal to two and
11 one-half percent of final average salary multiplied by
12 credited service. The amount shall not exceed one hundred
13 percent of the final average salary."

14 SECTION 23. Section 10-11-37 NMSA 1978 (being
15 Laws 1987, Chapter 253, Section 37) is amended to read:

16 "10-11-37. JUVENILE CORRECTIONAL OFFICER MEMBER
17 COVERAGE PLAN 1--MEMBER CONTRIBUTION RATE.--A member under
18 juvenile correctional officer member coverage plan 1 shall
19 contribute four percent of salary."

20 SECTION 24. Section 10-11-38 NMSA 1978 (being Laws
21 1987, Chapter 253, Section 38) is amended to read:

22 "10-11-38. JUVENILE CORRECTIONAL OFFICER MEMBER
23 COVERAGE PLAN 1--STATE CONTRIBUTION RATE.--The state shall
24 contribute twenty-one and five-tenths percent of the salary
25 of each member under juvenile correctional officer member

1 coverage plan 1."

2 SECTION 25. Section 10-11-38.1 NMSA 1978 (being Laws
3 1994, Chapter 128, Section 9) is amended to read:

4 "10-11-38.1. JUVENILE CORRECTIONAL OFFICER MEMBER
5 COVERAGE PLAN 2--APPLICABILITY.--Juvenile correctional
6 officer member coverage plan 2 is applicable to juvenile
7 correctional officer members in the first full pay period
8 after July 1, 1995 if the retirement board certifies to the
9 secretary of state that a majority of the members voting of
10 those members to be covered under juvenile correctional
11 officer member coverage plan 2 has voted to approve adoption
12 of this plan at an election conducted pursuant to Laws 1994,
13 Chapter 128, Section 17."

14 SECTION 26. Section 10-11-38.2 NMSA 1978 (being
15 Laws 1994, Chapter 128, Section 10) is amended to read:

16 "10-11-38.2. JUVENILE CORRECTIONAL OFFICER MEMBER
17 COVERAGE PLAN 2--AGE AND SERVICE CREDIT REQUIREMENTS FOR
18 NORMAL RETIREMENT.--Under juvenile correctional officer
19 member coverage plan 2:

20 A. for a member who was a retired member or a
21 member on June 30, 2013, the age and service credit
22 requirements for normal retirement are:

23 (1) age sixty-five years or older and five
24 or more years of service credit;

25 (2) age sixty-four years and eight or more

1 years of service credit;

2 (3) age sixty-three years and eleven or more
3 years of service credit;

4 (4) age sixty-two years and fourteen or more
5 years of service credit;

6 (5) age sixty-one years and seventeen or
7 more years of service credit;

8 (6) age sixty years and twenty or more years
9 of service credit; and

10 (7) any age and twenty-five or more years of
11 service credit; and

12 B. for a member who was not a retired member or a
13 member on June 30, 2013, the age and service requirements for
14 normal retirement are:

15 (1) age sixty years or older and six or more
16 years of service credit; or

17 (2) any age and twenty-five or more years of
18 service credit."

19 SECTION 27. Section 10-11-38.3 NMSA 1978 (being
20 Laws 1994, Chapter 128, Section 11) is amended to read:

21 "10-11-38.3. JUVENILE CORRECTIONAL OFFICER MEMBER
22 COVERAGE PLAN 2--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
23 juvenile correctional officer member coverage plan 2, the
24 amount of pension under form of payment A is equal to three
25 percent of final average salary multiplied by service credit.

1 The amount shall not exceed ninety percent of the final
2 average salary."

3 SECTION 28. Section 10-11-38.5 NMSA 1978 (being
4 Laws 1994, Chapter 128, Section 13, as amended) is amended to
5 read:

6 "10-11-38.5. JUVENILE CORRECTIONAL OFFICER MEMBER
7 COVERAGE PLAN 2--MEMBER CONTRIBUTION RATE.--A member under
8 juvenile correctional officer member coverage plan 2 shall
9 contribute four and seventy-eight hundredths percent of
10 salary starting with the first full pay period that ends
11 within the calendar month in which juvenile correctional
12 officer member coverage plan 2 becomes applicable to the
13 member, except that a member whose annual salary is greater
14 than twenty thousand dollars (\$20,000) shall contribute six
15 and twenty-eight hundredths percent of salary."

16 SECTION 29. Section 10-11-38.6 NMSA 1978 (being
17 Laws 1994, Chapter 128, Section 14, as amended) is amended to
18 read:

19 "10-11-38.6. JUVENILE CORRECTIONAL OFFICER MEMBER
20 COVERAGE PLAN 2--STATE CONTRIBUTION RATE.--The state shall
21 contribute twenty-six and twelve-hundredths percent of the
22 salary of each member covered by juvenile correctional
23 officer member coverage plan 2 starting with the first pay
24 period that ends within the calendar month in which juvenile
25 correctional officer member coverage plan 2 becomes

1 applicable to the member, except that, from July 1, 2013
2 through June 30, 2014, the state contribution rate shall be
3 twenty-five and seventy-two hundredths percent of the salary
4 of each member."

5 SECTION 30. Section 10-11-38.7 NMSA 1978 (being
6 Laws 1994, Chapter 128, Section 15) is amended to read:

7 "10-11-38.7. SERVICE CREDIT UNDER THIS PLAN REQUIRED.--
8 Notwithstanding the provisions of Section 10-11-38.2
9 NMSA 1978, to qualify for payment under juvenile correctional
10 officer member coverage plan 2, a member shall have one and
11 one-half years of service credit earned under the juvenile
12 correctional officer member coverage plan 2 subsequent to
13 July 1, 1995."

14 SECTION 31. Section 10-11-45 NMSA 1978 (being
15 Laws 1987, Chapter 253, Section 45, as amended) is amended to
16 read:

17 "10-11-45. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--
18 AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
19 municipal general member coverage plan 1:

20 A. for a member who was a retired member or a
21 member on June 30, 2013, the age and service requirements for
22 normal retirement are:

23 (1) age sixty-five years or older and five
24 or more years of service credit;

25 (2) age sixty-four years and eight or more

1 years of service credit;

2 (3) age sixty-three years and eleven or more
3 years of service credit;

4 (4) age sixty-two years and fourteen or more
5 years of service credit;

6 (5) age sixty-one years and seventeen or
7 more years of service credit;

8 (6) age sixty years and twenty or more years
9 of service credit; or

10 (7) any age and twenty-five or more years of
11 service credit; and

12 B. for a member who was not a retired member or a
13 member on June 30, 2013, the age and service requirements for
14 normal retirement are:

15 (1) age sixty-five years or older and eight
16 or more years of service credit; or

17 (2) any age if the member has eight or more
18 years of service credit and the sum of the member's age and
19 years of service credit equals at least eighty-five."

20 SECTION 32. Section 10-11-46 NMSA 1978 (being
21 Laws 1987, Chapter 253, Section 46) is amended to read:

22 "10-11-46. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--
23 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal
24 general member coverage plan 1, the amount of pension under
25 form of payment A is equal to two percent of the final

1 average salary multiplied by credited service. The amount
2 shall not exceed ninety percent of the final average salary."

3 SECTION 33. Section 10-11-48 NMSA 1978 (being
4 Laws 1987, Chapter 253, Section 48) is amended to read:

5 "10-11-48. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--
6 MEMBER CONTRIBUTION RATE.--A member under municipal general
7 member coverage plan 1 shall contribute seven percent of
8 salary starting with the first full pay period in the
9 calendar month in which municipal general member coverage
10 plan 1 becomes applicable to the member, except that a member
11 whose annual salary is greater than twenty thousand dollars
12 (\$20,000) shall contribute eight and one-half percent of
13 salary."

14 SECTION 34. Section 10-11-49 NMSA 1978 (being
15 Laws 1987, Chapter 253, Section 49) is amended to read:

16 "10-11-49. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--
17 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated
18 public employer shall contribute seven and four-tenths
19 percent of the salary of each member it employs and who is
20 covered under municipal general member coverage plan 1,
21 except that, from July 1, 2013 through June 30, 2014, the
22 affiliated public employer contribution rate shall be seven
23 percent of the salary of each member."

24 SECTION 35. Section 10-11-51 NMSA 1978 (being
25 Laws 1987, Chapter 253, Section 51, as amended) is amended to

1 read:

2 "10-11-51. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--
3 AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
4 municipal general member coverage plan 2:

5 A. for a member who was a retired member or a
6 member on June 30, 2013, the age and service requirements for
7 normal retirement are:

8 (1) age sixty-five years or older and five
9 or more years of service credit;

10 (2) age sixty-four years and eight or more
11 years of service credit;

12 (3) age sixty-three years and eleven or more
13 years of service credit;

14 (4) age sixty-two years and fourteen or more
15 years of service credit;

16 (5) age sixty-one years and seventeen or
17 more years of service credit;

18 (6) age sixty years and twenty or more years
19 of service credit; or

20 (7) any age and twenty-five or more years of
21 service credit; and

22 B. for a member who was not a retired member or a
23 member on June 30, 2013, the age and service requirements for
24 normal retirement are:

25 (1) age sixty-five years or older and eight

1 or more years of service credit; or

2 (2) any age if the member has eight or more
3 years of service credit and the sum of the member's age and
4 years of service credit equals at least eighty-five."

5 SECTION 36. Section 10-11-52 NMSA 1978 (being
6 Laws 1987, Chapter 253, Section 52) is amended to read:

7 "10-11-52. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--
8 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal
9 general member coverage plan 2:

10 A. for a member with age and service requirements
11 provided in Subsection A of Section 10-11-51 NMSA 1978, the
12 amount of pension under form of payment A is equal to two and
13 one-half percent of the final average salary multiplied by
14 credited service. The amount shall not exceed ninety percent
15 of the final average salary; and

16 B. for a member with age and service requirements
17 provided in Subsection B of Section 10-11-51 NMSA 1978, the
18 amount of pension under form of payment A is equal to two
19 percent of the final average salary multiplied by service
20 credit. The amount shall not exceed ninety percent of the
21 final average salary."

22 SECTION 37. Section 10-11-54 NMSA 1978 (being
23 Laws 1987, Chapter 253, Section 54) is amended to read:

24 "10-11-54. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--
25 MEMBER CONTRIBUTION RATE.--A member under municipal general

1 member coverage plan 2 shall contribute nine and
2 fifteen-hundredths percent of salary starting with the first
3 full pay period in the calendar month in which municipal
4 general member coverage plan 2 becomes applicable to the
5 member, except that a member whose annual salary is greater
6 than twenty thousand dollars (\$20,000) shall contribute ten
7 and sixty-five hundredths percent of salary."

8 SECTION 38. Section 10-11-55 NMSA 1978 (being
9 Laws 1987, Chapter 253, Section 55) is amended to read:

10 "10-11-55. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--
11 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated
12 public employer shall contribute nine and fifty-five
13 hundredths percent of the salary of each member it employs
14 and who is covered under municipal general member coverage
15 plan 2, except that, from July 1, 2013 through June 30, 2014,
16 the affiliated public employer contribution rate shall be
17 nine and fifteen-hundredths percent of the salary of each
18 member."

19 SECTION 39. Section 10-11-55.2 NMSA 1978 (being
20 Laws 1993, Chapter 58, Section 2, as amended) is amended to
21 read:

22 "10-11-55.2. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--
23 AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
24 municipal general member coverage plan 3:

25 A. for a member who was a retired member or a

1 member on June 30, 2013, the age and service requirements for
2 normal retirement are:

3 (1) age sixty-five years or older and five
4 or more years of service credit;

5 (2) age sixty-four years and eight or more
6 years of service credit;

7 (3) age sixty-three years and eleven or more
8 years of service credit;

9 (4) age sixty-two years and fourteen or more
10 years of service credit;

11 (5) age sixty-one years and seventeen or
12 more years of service credit;

13 (6) age sixty years and twenty or more years
14 of service credit; or

15 (7) any age and twenty-five or more years of
16 service credit; and

17 B. for a member who was not a retired member or a
18 member on June 30, 2013, the age and service requirements for
19 normal retirement are:

20 (1) age sixty-five years or older and eight
21 or more years of service credit; or

22 (2) any age if the member has eight or more
23 years of service credit and the sum of the member's age and
24 years of service credit equals at least eighty-five."

25 SECTION 40. Section 10-11-55.3 NMSA 1978 (being

1 Laws 1993, Chapter 58, Section 3) is amended to read:

2 "10-11-55.3. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--
3 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal
4 general member coverage plan 3:

5 A. for a member with age and service requirements
6 provided under Subsection A of Section 10-11-55.2 NMSA 1978,
7 the amount of pension under form of payment A is equal to
8 three percent of the final average salary multiplied by
9 credited service. The amount shall not exceed ninety percent
10 of the final average salary; and

11 B. for a member with age and service requirements
12 provided under Subsection B of Section 10-11-55.2 NMSA 1978,
13 the amount of pension under form of payment A is equal to two
14 and one-half percent of the final average salary multiplied
15 by credited service. The amount shall not exceed ninety
16 percent of the final average salary."

17 SECTION 41. Section 10-11-55.5 NMSA 1978 (being
18 Laws 1993, Chapter 58, Section 5) is amended to read:

19 "10-11-55.5. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--
20 MEMBER CONTRIBUTION RATE.--A member under municipal general
21 member coverage plan 3 shall contribute thirteen and
22 fifteen-hundredths percent of salary starting with the first
23 full pay period in the calendar month in which municipal
24 general member coverage plan 3 becomes applicable to the
25 member, except that a member whose annual salary is greater

1 than twenty thousand dollars (\$20,000) shall contribute
2 fourteen and sixty-five hundredths percent of salary."

3 SECTION 42. Section 10-11-55.6 NMSA 1978 (being
4 Laws 1993, Chapter 58, Section 6) is amended to read:

5 "10-11-55.6. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--
6 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated
7 public employer shall contribute nine and fifty-five
8 hundredths percent of the salary of each member it employs
9 and who is covered under municipal general member coverage
10 plan 3, except that, from July 1, 2013 through June 30, 2014,
11 the affiliated public employer contribution rate shall be
12 nine and fifteen-hundredths percent of the salary of each
13 member."

14 SECTION 43. Section 10-11-55.8 NMSA 1978 (being
15 Laws 1998, Chapter 106, Section 2, as amended) is amended to
16 read:

17 "10-11-55.8. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--
18 AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
19 municipal general member coverage plan 4:

20 A. for a member who was a retired member or a
21 member on June 30, 2013, the age and service requirements for
22 normal retirement are:

23 (1) age sixty-five years or older and five
24 or more years of service credit;

25 (2) age sixty-four years and eight or more

1 years of service credit;

2 (3) age sixty-three years and eleven or more
3 years of service credit;

4 (4) age sixty-two years and fourteen or more
5 years of service credit;

6 (5) age sixty-one years and seventeen or
7 more years of service credit;

8 (6) age sixty years and twenty or more years
9 of service credit; or

10 (7) any age and twenty-five or more years of
11 service credit; and

12 B. for a member who was not a retired member or a
13 member on June 30, 2013, the age and service requirements for
14 normal retirement are:

15 (1) age sixty-five years or older and eight
16 or more years of service credit; or

17 (2) any age if the member has eight or more
18 years of service credit and the sum of the member's age and
19 years of service credit equals at least eighty-five."

20 SECTION 44. Section 10-11-55.9 NMSA 1978 (being Laws
21 1998, Chapter 106, Section 3) is amended to read:

22 "10-11-55.9. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--
23 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal
24 general member coverage plan 4:

25 A. for a member with age and service requirements

1 provided under Subsection A of Section 10-11-55.8 NMSA 1978,
2 the amount of pension under form of payment A is equal to
3 three percent of the final average salary multiplied by
4 credited service. The amount shall not exceed ninety percent
5 of the final average salary; and

6 B. for a member with age and service requirements
7 provided under Subsection B of Section 10-11-55.8 NMSA 1978,
8 the amount of pension under form of payment A is equal to two
9 and one-half percent of the final average salary multiplied
10 by credited service. The amount shall not exceed ninety
11 percent of the final average salary."

12 SECTION 45. Section 10-11-55.11 NMSA 1978 (being
13 Laws 1998, Chapter 106, Section 5) is amended to read:

14 "10-11-55.11. MUNICIPAL GENERAL MEMBER COVERAGE
15 PLAN 4--MEMBER CONTRIBUTION RATE.--A member under municipal
16 general member coverage plan 4 shall contribute fifteen and
17 sixty-five hundredths percent of salary starting with the
18 first full pay period in the calendar month in which
19 municipal general member coverage plan 4 becomes applicable
20 to the member, except that a member whose annual salary is
21 greater than twenty thousand dollars (\$20,000) shall
22 contribute seventeen and fifteen-hundredths percent of
23 salary."

24 SECTION 46. Section 10-11-55.12 NMSA 1978 (being
25 Laws 1998, Chapter 106, Section 6) is amended to read:

1 "10-11-55.12. MUNICIPAL GENERAL MEMBER COVERAGE
2 PLAN 4--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An
3 affiliated public employer shall contribute twelve and
4 five-hundredths percent of the salary of each member it
5 employs and who is covered under municipal general member
6 coverage plan 4, except that, from July 1, 2013 through
7 June 30, 2014, the affiliated public employer contribution
8 rate shall be eleven and sixty-five hundredths percent of the
9 salary of each member."

10 SECTION 47. Section 10-11-57 NMSA 1978 (being Laws
11 1987, Chapter 253, Section 57) is amended to read:

12 "10-11-57. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--AGE
13 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
14 municipal police member coverage plan 1:

15 A. for a member who was a retired member or a
16 member on June 30, 2013, the age and service requirements for
17 normal retirement are:

18 (1) age sixty-five years or older and five
19 or more years of credited service;

20 (2) age sixty-four years and eight or more
21 years of credited service;

22 (3) age sixty-three years and eleven or more
23 years of credited service;

24 (4) age sixty-two years and fourteen or more
25 years of credited service;

1 (5) age sixty-one years and seventeen or
2 more years of credited service;

3 (6) age sixty years and twenty or more years
4 of credited service; or

5 (7) any age and twenty-five or more years of
6 credited service; and

7 B. for a member who was not a retired member or a
8 member on June 30, 2013, the age and service requirements for
9 normal retirement are:

10 (1) age sixty years or older and six or more
11 years of service credit; or

12 (2) any age and twenty-five or more years of
13 service credit."

14 SECTION 48. Section 10-11-58 NMSA 1978 (being
15 Laws 1987, Chapter 253, Section 58) is amended to read:

16 "10-11-58. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--
17 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police
18 member coverage plan 1, the amount of pension under form of
19 payment A is equal to two percent of the final average salary
20 multiplied by credited service. The amount shall not exceed
21 ninety percent of the final average salary."

22 SECTION 49. Section 10-11-60 NMSA 1978 (being
23 Laws 1987, Chapter 253, Section 60) is amended to read:

24 "10-11-60. MUNICIPAL POLICE MEMBER COVERAGE
25 PLAN 1--MEMBER CONTRIBUTION RATE.--A member under municipal

1 police member coverage plan 1 shall contribute seven percent
2 of salary starting with the first full pay period in the
3 calendar month in which municipal police member coverage
4 plan 1 becomes applicable to the member, except that a member
5 whose annual salary is greater than twenty thousand dollars
6 (\$20,000) shall contribute eight and one-half percent of
7 salary."

8 SECTION 50. Section 10-11-61 NMSA 1978 (being
9 Laws 1987, Chapter 253, Section 61) is amended to read:

10 "10-11-61. MUNICIPAL POLICE MEMBER COVERAGE
11 PLAN 1--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
12 affiliated public employer shall contribute ten and
13 four-tenths percent of the salary of each member it employs
14 and who is covered under municipal police member coverage
15 plan 1, except that, from July 1, 2013 through June 30, 2014,
16 the affiliated public employer contribution rate shall be ten
17 percent of the salary of each member."

18 SECTION 51. Section 10-11-63 NMSA 1978 (being
19 Laws 1987, Chapter 253, Section 63) is amended to read:

20 "10-11-63. MUNICIPAL POLICE MEMBER COVERAGE PLAN 2--AGE
21 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
22 municipal police coverage plan 2:

23 A. for a member who was a retired member or a
24 member on June 30, 2013, the age and service requirements for
25 normal retirement are:

1 (1) age sixty-five years or older and five
2 or more years of credited service;

3 (2) age sixty-four years and eight or more
4 years of credited service;

5 (3) age sixty-three years and eleven or more
6 years of credited service;

7 (4) age sixty-two years and fourteen or more
8 years of credited service;

9 (5) age sixty-one years and seventeen or
10 more years of credited service;

11 (6) age sixty years and twenty or more years
12 of credited service; or

13 (7) any age and twenty-five or more years of
14 credited service; and

15 B. for a member who was not a retired member or a
16 member on June 30, 2013, the age and service requirements for
17 normal retirement are:

18 (1) age sixty years or older and six or more
19 years of service credit; or

20 (2) any age and twenty-five or more years of
21 service credit."

22 SECTION 52. Section 10-11-64 NMSA 1978 (being
23 Laws 1987, Chapter 253, Section 64) is amended to read:

24 "10-11-64. MUNICIPAL POLICE MEMBER COVERAGE
25 PLAN 2--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under

1 municipal police member coverage plan 2:

2 A. for a member with age and service requirements
3 provided under Subsection A of Section 10-11-63 NMSA 1978,
4 the amount of pension under form of payment A is equal to two
5 and one-half percent of the final average salary multiplied
6 by credited service. The amount shall not exceed ninety
7 percent of the final average salary; and

8 B. for a member with age and service requirements
9 provided under Subsection B of Section 10-11-63 NMSA 1978,
10 the amount of pension under form of payment A is equal to two
11 percent of the final average salary multiplied by credited
12 service. The amount shall not exceed ninety percent of the
13 final average salary."

14 SECTION 53. Section 10-11-66 NMSA 1978 (being
15 Laws 1987, Chapter 253, Section 66) is amended to read:

16 "10-11-66. MUNICIPAL POLICE MEMBER COVERAGE
17 PLAN 2--MEMBER CONTRIBUTION RATE.--A member under municipal
18 police member coverage plan 2 shall contribute seven percent
19 of salary with the first full pay period in the calendar
20 month in which municipal police member coverage plan 2
21 becomes applicable to the member, except that a member whose
22 annual salary is greater than twenty thousand dollars
23 (\$20,000) shall contribute eight and one-half percent of
24 salary."

25 SECTION 54. Section 10-11-67 NMSA 1978 (being

1 Laws 1987, Chapter 253, Section 67) is amended to read:

2 "10-11-67. MUNICIPAL POLICE MEMBER COVERAGE
3 PLAN 2--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
4 affiliated public employer shall contribute fifteen and
5 four-tenths percent of the salary of each member it employs
6 and who is covered under municipal police member coverage
7 plan 2, except that, from July 1, 2013 through June 30, 2014,
8 the affiliated public employer contribution rate shall be
9 fifteen percent of the salary of each member."

10 SECTION 55. Section 10-11-69 NMSA 1978 (being
11 Laws 1987, Chapter 253, Section 69) is amended to read:

12 "10-11-69. MUNICIPAL POLICE MEMBER COVERAGE PLAN 3--AGE
13 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
14 municipal police member coverage plan 3:

15 A. for a member who was a retired member or a
16 member on June 30, 2013, the age and service requirements for
17 normal retirement are:

18 (1) age sixty-five years or older and five
19 or more years of credited service;

20 (2) age sixty-four years and eight or more
21 years of credited service;

22 (3) age sixty-three years and eleven or more
23 years of credited service;

24 (4) age sixty-two years and fourteen or more
25 years of credited service;

1 (5) age sixty-one years and seventeen or
2 more years of credited service; or

3 (6) any age and twenty or more years of
4 credited service; and

5 B. for a member who was not a retired member or a
6 member on June 30, 2013, the age and service requirements for
7 normal retirement are:

8 (1) age sixty years or older and six or more
9 years of service credit; or

10 (2) any age and twenty-five or more years of
11 service credit."

12 SECTION 56. Section 10-11-70 NMSA 1978 (being
13 Laws 1987, Chapter 253, Section 70) is amended to read:

14 "10-11-70. MUNICIPAL POLICE MEMBER COVERAGE
15 PLAN 3--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
16 municipal police member coverage plan 3:

17 A. for a member with age and service requirements
18 provided under Subsection A of Section 10-11-69 NMSA 1978,
19 the amount of pension under form of payment A is equal to two
20 and one-half percent of the final average salary multiplied
21 by credited service. The amount shall not exceed ninety
22 percent of the final average salary; and

23 B. for a member with age and service requirements
24 provided under Subsection B of Section 10-11-69 NMSA 1978,
25 the amount of pension under form of payment A is equal to two

1 percent of the final average salary multiplied by credited
2 service. The amount shall not exceed ninety percent of the
3 final average salary."

4 SECTION 57. Section 10-11-72 NMSA 1978 (being
5 Laws 1987, Chapter 253, Section 72) is amended to read:

6 "10-11-72. MUNICIPAL POLICE MEMBER COVERAGE
7 PLAN 3--MEMBER CONTRIBUTION RATE.--A member under municipal
8 police member coverage plan 3 shall contribute seven percent
9 of salary with the first full pay period in the calendar
10 month in which municipal police member coverage plan 3
11 becomes applicable to the member, except that a member whose
12 annual salary is greater than twenty thousand dollars
13 (\$20,000) shall contribute eight and one-half percent of
14 salary."

15 SECTION 58. Section 10-11-73 NMSA 1978 (being
16 Laws 1987, Chapter 253, Section 73) is amended to read:

17 "10-11-73. MUNICIPAL POLICE MEMBER COVERAGE
18 PLAN 3--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
19 affiliated public employer shall contribute eighteen and
20 nine-tenths percent of the salary of each member it employs
21 and who is covered under municipal police member coverage
22 plan 3, except that, from July 1, 2013 through June 30, 2014,
23 the affiliated public employer contribution rate shall be
24 eighteen and one-half percent of the salary of each member."

25 SECTION 59. Section 10-11-75 NMSA 1978 (being

1 Laws 1987, Chapter 253, Section 75) is amended to read:

2 "10-11-75. MUNICIPAL POLICE MEMBER COVERAGE PLAN 4--AGE
3 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
4 municipal police member coverage plan 4:

5 A. for a member who was a retired member or a
6 member on June 30, 2013, the age and service requirements for
7 normal retirement are:

8 (1) age sixty-five years or older and five
9 or more years of credited service;

10 (2) age sixty-four years and eight or more
11 years of credited service;

12 (3) age sixty-three years and eleven or more
13 years of credited service;

14 (4) age sixty-two years and fourteen or more
15 years of credited service;

16 (5) age sixty-one years and seventeen or
17 more years of credited service; or

18 (6) any age and twenty or more years of
19 credited service; and

20 B. for a member who was not a retired member or a
21 member on June 30, 2013, the age and service requirements for
22 normal retirement are:

23 (1) age sixty years or older and six or more
24 years of service credit; or

25 (2) any age and twenty-five or more years of

1 service credit."

2 SECTION 60. Section 10-11-76 NMSA 1978 (being
3 Laws 1987, Chapter 253, Section 76) is amended to read:

4 "10-11-76. MUNICIPAL POLICE MEMBER COVERAGE
5 PLAN 4--AMOUNT OF PENSION--FORM OF PENSION A.--Under
6 municipal police member coverage plan 4:

7 A. for a member with age and service requirements
8 provided under Subsection A of Section 10-11-75 NMSA 1978,
9 the amount of pension under form of payment A is equal to
10 three percent of the final average salary multiplied by
11 credited service. The amount shall not exceed ninety percent
12 of the final average salary; and

13 B. for a member with age and service requirements
14 provided under Subsection B of Section 10-11-75 NMSA 1978,
15 the amount of pension under form of payment A is equal to two
16 and one-half percent of the final average salary multiplied
17 by credited service. The amount shall not exceed ninety
18 percent of the final average salary."

19 SECTION 61. Section 10-11-78 NMSA 1978 (being Laws
20 1987, Chapter 253, Section 78) is amended to read:

21 "10-11-78. MUNICIPAL POLICE MEMBER COVERAGE
22 PLAN 4--MEMBER CONTRIBUTION RATE.--A member under municipal
23 police member coverage plan 4 shall contribute twelve and
24 thirty-five hundredths percent of salary starting with the
25 first full pay period in the calendar month in which

1 municipal police member coverage plan 4 becomes applicable to
2 the member, except that a member whose annual salary is
3 greater than twenty thousand dollars (\$20,000) shall
4 contribute thirteen and eighty-five hundredths percent of
5 salary."

6 SECTION 62. Section 10-11-79 NMSA 1978 (being Laws
7 1987, Chapter 253, Section 79) is amended to read:

8 "10-11-79. MUNICIPAL POLICE MEMBER COVERAGE
9 PLAN 4--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
10 affiliated public employer shall contribute eighteen and
11 nine-tenths percent of the salary of each member it employs
12 and who is covered under municipal police member coverage
13 plan 4, except that, from July 1, 2013 through June 30, 2014,
14 the affiliated public employer contribution rate shall be
15 eighteen and one-half percent of the salary of each member."

16 SECTION 63. Section 10-11-81 NMSA 1978 (being
17 Laws 1987, Chapter 253, Section 81) is amended to read:

18 "10-11-81. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--AGE
19 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
20 municipal police member coverage plan 5:

21 A. for a member who was a retired member or a
22 member on June 30, 2013, the age and service requirements for
23 normal retirement are:

24 (1) age sixty-five years or older and five
25 or more years of credited service;

1 (2) age sixty-four years and eight or more
2 years of credited service;

3 (3) age sixty-three years and eleven or more
4 years of credited service;

5 (4) age sixty-two years and fourteen or more
6 years of credited service;

7 (5) age sixty-one years and seventeen or
8 more years of credited service; or

9 (6) any age and twenty or more years of
10 credited service; and

11 B. for a member who was not a retired member or a
12 member on June 30, 2013, the age and service requirements for
13 normal retirement are:

14 (1) age sixty years or older and six or more
15 years of service credit; or

16 (2) any age and twenty-five or more years of
17 service credit."

18 SECTION 64. Section 10-11-82 NMSA 1978 (being Laws
19 1987, Chapter 253, Section 82) is amended to read:

20 "10-11-82. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--
21 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police
22 member coverage plan 5:

23 A. for a member with age and service requirements
24 provided under Subsection A of Section 10-11-81 NMSA 1978,
25 the amount of pension under form of payment A is equal to

1 three and one-half percent of the final average salary
2 multiplied by credited service. The amount shall not exceed
3 ninety percent of the final average salary; and

4 B. for a member with age and service requirements
5 provided under Subsection B of Section 10-11-81 NMSA 1978,
6 the amount of pension under form of payment A is equal to
7 three percent of the final average salary multiplied by
8 credited service. The amount shall not exceed ninety percent
9 of the final average salary."

10 SECTION 65. Section 10-11-84 NMSA 1978 (being
11 Laws 1987, Chapter 253, Section 84) is amended to read:

12 "10-11-84. MUNICIPAL POLICE MEMBER COVERAGE
13 PLAN 5--MEMBER CONTRIBUTION RATE.--A member under municipal
14 police member coverage plan 5 shall contribute sixteen and
15 three-tenths percent of salary starting with the first full
16 pay period in the calendar month in which municipal police
17 member coverage plan 5 becomes applicable to the member,
18 except that a member whose annual salary is greater than
19 twenty thousand dollars (\$20,000) shall contribute seventeen
20 and eight-tenths percent of salary."

21 SECTION 66. Section 10-11-85 NMSA 1978 (being
22 Laws 1987, Chapter 253, Section 85) is amended to read:

23 "10-11-85. MUNICIPAL POLICE MEMBER COVERAGE
24 PLAN 5--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
25 affiliated public employer shall contribute eighteen and

1 nine-tenths percent of the salary of each member it employs
2 and who is covered under municipal police member coverage
3 plan 5, except that, from July 1, 2013 through June 30, 2014,
4 the affiliated public employer contribution rate shall be
5 eighteen and one-half percent of the salary of each member."

6 SECTION 67. Section 10-11-87 NMSA 1978 (being
7 Laws 1987, Chapter 253, Section 87) is amended to read:

8 "10-11-87. MUNICIPAL FIRE MEMBER COVERAGE PLAN 1--AGE
9 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
10 municipal fire member coverage plan 1:

11 A. for a member who was a retired member or a
12 member on June 30, 2013, the age and service requirements for
13 normal retirement are:

14 (1) age sixty-five years or older and five
15 or more years of credited service;

16 (2) age sixty-four years and eight or more
17 years of credited service;

18 (3) age sixty-three years and eleven or more
19 years of credited service;

20 (4) age sixty-two years and fourteen or more
21 years of credited service;

22 (5) age sixty-one years and seventeen or
23 more years of credited service;

24 (6) age sixty years and twenty or more years
25 of credited service; or

1 (7) any age and twenty-five or more years of
2 credited service; and

3 B. for a member who was not a retired member or a
4 member on June 30, 2013, the age and service requirements for
5 normal retirement are:

6 (1) age sixty years or older and six or more
7 years of service credit; or

8 (2) any age and twenty-five or more years of
9 service credit."

10 SECTION 68. Section 10-11-88 NMSA 1978 (being
11 Laws 1987, Chapter 253, Section 88) is amended to read:

12 "10-11-88. MUNICIPAL FIRE MEMBER COVERAGE
13 PLAN 1--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
14 municipal fire member coverage plan 1, the amount of pension
15 under form of payment A is equal to two percent of the final
16 average salary multiplied by credited service. The amount
17 shall not exceed ninety percent of the final average salary."

18 SECTION 69. Section 10-11-90 NMSA 1978 (being
19 Laws 1987, Chapter 253, Section 90, as amended) is amended to
20 read:

21 "10-11-90. MUNICIPAL FIRE MEMBER COVERAGE
22 PLAN 1--MEMBER CONTRIBUTION RATE.--A member under municipal
23 fire member coverage plan 1 shall contribute eight percent of
24 salary with the first full pay period in the calendar month
25 in which municipal fire member coverage plan 1 becomes

1 applicable to the member, except that a member whose annual
2 salary is greater than twenty thousand dollars (\$20,000)
3 shall contribute nine and one-half percent of salary."

4 SECTION 70. Section 10-11-91 NMSA 1978 (being
5 Laws 1987, Chapter 253, Section 91, as amended) is amended to
6 read:

7 "10-11-91. MUNICIPAL FIRE MEMBER COVERAGE
8 PLAN 1--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
9 affiliated public employer shall contribute eleven and
10 four-tenths percent of the salary of each member it employs
11 and covers under municipal fire member coverage plan 1,
12 except that, from July 1, 2013 through June 30, 2014, the
13 affiliated public employer contribution rate shall be eleven
14 percent of the salary of each member."

15 SECTION 71. Section 10-11-93 NMSA 1978 (being
16 Laws 1987, Chapter 253, Section 93) is amended to read:

17 "10-11-93. MUNICIPAL FIRE MEMBER COVERAGE PLAN 2--AGE
18 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
19 municipal fire member coverage plan 2:

20 A. for a member who was a retired member or a
21 member on June 30, 2013, the age and service requirements for
22 normal retirement are:

23 (1) age sixty-five years or older and five
24 or more years of credited service;

25 (2) age sixty-four years and eight or more

1 years of credited service;

2 (3) age sixty-three years and eleven or more
3 years of credited service;

4 (4) age sixty-two years and fourteen or more
5 years of credited service;

6 (5) age sixty-one years and seventeen or
7 more years of credited service;

8 (6) age sixty years and twenty or more years
9 of credited service; or

10 (7) any age and twenty-five or more years of
11 credited service; and

12 B. for a member who was not a retired member or a
13 member on June 30, 2013, the age and service requirements for
14 normal retirement are:

15 (1) age sixty years or older and six or more
16 years of service credit; or

17 (2) any age and twenty-five or more years of
18 service credit."

19 SECTION 72. Section 10-11-94 NMSA 1978 (being
20 Laws 1987, Chapter 253, Section 94) is amended to read:

21 "10-11-94. MUNICIPAL FIRE MEMBER COVERAGE
22 PLAN 2--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
23 municipal fire member contribution plan 2:

24 A. for a member with age and service requirements
25 provided under Subsection A of Section 10-11-93 NMSA 1978,

1 the amount of pension under form of payment A is equal to two
2 and one-half percent of the final average salary multiplied
3 by credited service. The amount shall not exceed ninety
4 percent of the final average salary; and

5 B. for a member with age and service requirements
6 provided under Subsection B of Section 10-11-93 NMSA 1978,
7 the amount of pension under form of payment A is equal to two
8 percent of the final average salary multiplied by credited
9 service. The amount shall not exceed ninety percent of the
10 final average salary."

11 SECTION 73. Section 10-11-96 NMSA 1978 (being
12 Laws 1987, Chapter 253, Section 96, as amended) is amended to
13 read:

14 "10-11-96. MUNICIPAL FIRE MEMBER COVERAGE
15 PLAN 2--MEMBER CONTRIBUTION RATE.--A member under municipal
16 fire member coverage plan 2 shall contribute eight percent of
17 salary with the first full pay period in the calendar month
18 in which municipal fire member coverage plan 2 becomes
19 applicable to the member, except that a member whose annual
20 salary is greater than twenty thousand dollars (\$20,000)
21 shall contribute nine and one-half percent of salary."

22 SECTION 74. Section 10-11-97 NMSA 1978 (being
23 Laws 1987, Chapter 253, Section 97, as amended) is amended to
24 read:

25 "10-11-97. MUNICIPAL FIRE MEMBER COVERAGE

1 PLAN 2--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
2 affiliated public employer shall contribute seventeen and
3 nine-tenths percent of the salary of each member it employs
4 and covers under municipal fire member coverage plan 2,
5 except that, from July 1, 2013 through June 30, 2014, the
6 affiliated public employer contribution rate shall be
7 seventeen and one-half percent of the salary of each member."

8 SECTION 75. Section 10-11-99 NMSA 1978 (being
9 Laws 1987, Chapter 253, Section 99) is amended to read:

10 "10-11-99. MUNICIPAL FIRE MEMBER COVERAGE PLAN 3--AGE
11 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
12 municipal fire member coverage plan 3:

13 A. for a member who was a retired member or a
14 member on June 30, 2013, the age and service requirements for
15 normal retirement are:

16 (1) age sixty-five years or older and five
17 or more years of credited service;

18 (2) age sixty-four years and eight or more
19 years of credited service;

20 (3) age sixty-three years and eleven or more
21 years of credited service;

22 (4) age sixty-two years and fourteen or more
23 years of credited service;

24 (5) age sixty-one years and seventeen or
25 more years of credited service; or

1 (6) any age and twenty or more years of
2 credited service; and

3 B. for a member who was not a retired member or a
4 member on June 30, 2013, the age and service requirements for
5 normal retirement are:

6 (1) age sixty years or older and six or more
7 years of service credit; or

8 (2) any age and twenty-five or more years of
9 service credit."

10 SECTION 76. Section 10-11-100 NMSA 1978 (being
11 Laws 1987, Chapter 253, Section 100) is amended to read:

12 "10-11-100. MUNICIPAL FIRE MEMBER COVERAGE
13 PLAN 3--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
14 municipal fire member coverage plan 3:

15 A. for a member with age and service requirements
16 provided under Subsection A of Section 10-11-99 NMSA 1978,
17 the amount of pension under form of payment A is equal to two
18 and one-half percent of the final average salary multiplied
19 by credited service. The amount shall not exceed ninety
20 percent of the final average salary; and

21 B. for a member with age and service requirements
22 provided under Subsection B of Section 10-11-99 NMSA 1978,
23 the amount of pension under form of payment A is equal to two
24 percent of the final average salary multiplied by credited
25 service. The amount shall not exceed ninety percent of the

1 final average salary."

2 SECTION 77. Section 10-11-102 NMSA 1978 (being
3 Laws 1987, Chapter 253, Section 102, as amended) is amended
4 to read:

5 "10-11-102. MUNICIPAL FIRE MEMBER COVERAGE
6 PLAN 3--MEMBER CONTRIBUTION RATE.--A member under municipal
7 fire member coverage plan 3 shall contribute eight percent of
8 salary with the first full pay period in the calendar month
9 in which municipal fire member coverage plan 3 becomes
10 applicable to the member, except that a member whose annual
11 salary is greater than twenty thousand dollars (\$20,000)
12 shall contribute nine and one-half percent of salary."

13 SECTION 78. Section 10-11-103 NMSA 1978 (being
14 Laws 1987, Chapter 253, Section 103, as amended) is amended
15 to read:

16 "10-11-103. MUNICIPAL FIRE MEMBER COVERAGE
17 PLAN 3--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
18 affiliated public employer shall contribute twenty-one and
19 sixty-five hundredths percent of the salary of each member it
20 employs and covers under municipal fire member coverage plan
21 3, except that, from July 1, 2013 through June 30, 2014, the
22 affiliated public employer contribution rate shall be
23 twenty-one and twenty-five hundredths percent of the salary
24 of each member."

25 SECTION 79. Section 10-11-105 NMSA 1978 (being

1 Laws 1987, Chapter 253, Section 105) is amended to read:

2 "10-11-105. MUNICIPAL FIRE MEMBER COVERAGE PLAN 4--AGE
3 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
4 municipal fire member coverage plan 4:

5 A. for a member who was a retired member or a
6 member on June 30, 2013, the age and service requirements for
7 normal retirement are:

8 (1) age sixty-five years or older and five
9 or more years of credited service;

10 (2) age sixty-four years and eight or more
11 years of credited service;

12 (3) age sixty-three years and eleven or more
13 years of credited service;

14 (4) age sixty-two years and fourteen or more
15 years of credited service;

16 (5) age sixty-one years and seventeen or
17 more years of credited service; or

18 (6) any age and twenty or more years of
19 credited service; and

20 B. for a member who was not a retired member or a
21 member on June 30, 2013, the age and service requirements for
22 normal retirement are:

23 (1) age sixty years or older and six or more
24 years of service credit; or

25 (2) any age and twenty-five or more years of

1 service credit."

2 SECTION 80. Section 10-11-106 NMSA 1978 (being
3 Laws 1987, Chapter 253, Section 106) is amended to read:

4 "10-11-106. MUNICIPAL FIRE MEMBER COVERAGE
5 PLAN 4--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
6 municipal fire member coverage plan 4:

7 A. for a member with age and service requirements
8 provided under Subsection A of Section 10-11-105 NMSA 1978,
9 the amount of pension under form of payment A is equal to
10 three percent of the final average salary multiplied by
11 credited service. The amount shall not exceed ninety percent
12 of the final average salary; and

13 B. for a member with age and service requirements
14 provided under Subsection B of Section 10-11-105 NMSA 1978,
15 the amount of pension under form of payment A is equal to two
16 and one-half percent of the final average salary multiplied
17 by credited service. The amount shall not exceed ninety
18 percent of the final average salary."

19 SECTION 81. Section 10-11-108 NMSA 1978 (being
20 Laws 1987, Chapter 253, Section 108, as amended) is amended
21 to read:

22 "10-11-108. MUNICIPAL FIRE MEMBER COVERAGE
23 PLAN 4--MEMBER CONTRIBUTION RATE.--A member under municipal
24 fire member coverage plan 4 shall contribute twelve and
25 eight-tenths percent of salary with the first full pay period

1 in the calendar month in which municipal fire member coverage
2 plan 4 becomes applicable to the member, except that a member
3 whose annual salary is greater than twenty thousand dollars
4 (\$20,000) shall contribute fourteen and three-tenths percent
5 of salary."

6 SECTION 82. Section 10-11-109 NMSA 1978 (being
7 Laws 1987, Chapter 253, Section 109, as amended) is amended
8 to read:

9 "10-11-109. MUNICIPAL FIRE MEMBER COVERAGE
10 PLAN 4--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
11 affiliated public employer shall contribute twenty-one and
12 sixty-five hundredths percent of the salary of each member it
13 employs and covers under municipal fire member coverage plan
14 4, except that, from July 1, 2013 through June 30, 2014, the
15 affiliated public employer contribution rate shall be
16 twenty-one and twenty-five hundredths percent of the salary
17 of each member."

18 SECTION 83. Section 10-11-111 NMSA 1978 (being
19 Laws 1987, Chapter 253, Section 111) is amended to read:

20 "10-11-111. MUNICIPAL FIRE MEMBER COVERAGE PLAN 5--AGE
21 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under
22 municipal fire member coverage plan 5:

23 A. for a member who was a retired member or a
24 member on June 30, 2013, the age and service requirements for
25 normal retirement are:

1 (1) age sixty-five years or older and five
2 or more years of credited service;

3 (2) age sixty-four years and eight or more
4 years of credited service;

5 (3) age sixty-three years and eleven or more
6 years of credited service;

7 (4) age sixty-two years and fourteen or more
8 years of credited service;

9 (5) age sixty-one years and seventeen or
10 more years of credited service; or

11 (6) any age and twenty or more years of
12 credited service; and

13 B. for a member who was not a retired member or a
14 member on June 30, 2013, the age and service requirements for
15 normal retirement are:

16 (1) age sixty years or older and six or more
17 years of service credit; or

18 (2) any age and twenty-five or more years of
19 service credit."

20 SECTION 84. Section 10-11-112 NMSA 1978 (being
21 Laws 1987, Chapter 253, Section 112) is amended to read:

22 "10-11-112. MUNICIPAL FIRE MEMBER COVERAGE
23 PLAN 5--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
24 municipal fire member coverage plan 5:

25 A. for a member with age and service requirements

1 provided under Subsection A of Section 10-11-111 NMSA 1978,
2 the amount of pension under form of payment A is equal to
3 three and one-half percent of the final average salary
4 multiplied by credited service. The amount shall not exceed
5 ninety percent of the final average salary; and

6 B. for a member with age and service requirements
7 provided under Subsection B of Section 10-11-111 NMSA 1978,
8 the amount of pension under form of payment A is equal to
9 three percent of the final average salary multiplied by
10 credited service. The amount shall not exceed ninety percent
11 of the final average salary."

12 SECTION 85. Section 10-11-114 NMSA 1978 (being
13 Laws 1987, Chapter 253, Section 114, as amended) is amended
14 to read:

15 "10-11-114. MUNICIPAL FIRE MEMBER COVERAGE
16 PLAN 5--MEMBER CONTRIBUTION RATE.--A member under municipal
17 fire member coverage plan 5 shall contribute sixteen and
18 two-tenths percent of salary with the first full pay period
19 in the calendar month in which municipal fire member coverage
20 plan 5 becomes applicable to the member, except that a member
21 whose annual salary is greater than twenty thousand dollars
22 (\$20,000) shall contribute seventeen and seven-tenths percent
23 of salary."

24 SECTION 86. Section 10-11-115 NMSA 1978 (being
25 Laws 1987, Chapter 253, Section 115, as amended) is amended

1 to read:

2 "10-11-115. MUNICIPAL FIRE MEMBER COVERAGE
3 PLAN 5--AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The
4 affiliated public employer shall contribute twenty-one and
5 sixty-five hundredths percent of the salary of each member it
6 employs and covers under municipal fire member coverage plan
7 5, except that, from July 1, 2013 through June 30, 2014, the
8 affiliated public employer contribution rate shall be
9 twenty-one and twenty-five hundredths percent of the salary
10 of each member."

11 SECTION 87. Section 10-11-115.2 NMSA 1978 (being
12 Laws 2003, Chapter 268, Section 3) is amended to read:

13 "10-11-115.2. MUNICIPAL DETENTION OFFICER MEMBER
14 COVERAGE PLAN 1--AGE AND SERVICE REQUIREMENTS FOR NORMAL
15 RETIREMENT--CALCULATION OF CREDITED SERVICE.--

16 A. Under municipal detention officer member
17 coverage plan 1, for a member who was a retired member or a
18 member on June 30, 2013, the age and service requirements for
19 normal retirement are:

20 (1) age sixty-five years or older and five
21 or more years of credited service;

22 (2) age sixty-four years and eight or more
23 years of credited service;

24 (3) age sixty-three years and eleven or more
25 years of credited service;

1 (4) age sixty-two years and fourteen or more
2 years of credited service;

3 (5) age sixty-one years and seventeen or
4 more years of credited service;

5 (6) age sixty years and twenty or more years
6 of credited service; or

7 (7) any age and twenty-five or more years of
8 credited service.

9 B. For a member who was not a retired member or a
10 member on June 30, 2013, the age and service requirements for
11 normal retirement are:

12 (1) age sixty years or older and six or more
13 years of service credit; or

14 (2) any age and twenty-five or more years of
15 service credit.

16 C. For the purposes of determining retirement
17 eligibility and the amount of pension, the credited service
18 of a municipal detention officer member who was a retired
19 member or a member on June 30, 2013 shall be increased by
20 twenty percent for the purposes of municipal detention
21 officer member coverage plan 1.

22 D. Except as provided in Subsection C of this
23 section, the credited service of a municipal detention
24 officer member shall be credited as provided under
25 Section 10-11-4 NMSA 1978."

1 SECTION 88. Section 10-11-115.3 NMSA 1978 (being
2 Laws 2003, Chapter 268, Section 4) is amended to read:

3 "10-11-115.3. MUNICIPAL DETENTION OFFICER MEMBER
4 COVERAGE PLAN 1--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under
5 municipal detention officer member coverage plan 1, the
6 amount of pension under form of payment A is equal to three
7 percent of the final average salary multiplied by credited
8 service. The amount shall not exceed ninety percent of the
9 final average salary."

10 SECTION 89. Section 10-11-115.5 NMSA 1978 (being
11 Laws 2003, Chapter 268, Section 6) is amended to read:

12 "10-11-115.5. MUNICIPAL DETENTION OFFICER MEMBER
13 COVERAGE PLAN 1--MEMBER CONTRIBUTION RATE.--A member under
14 municipal detention officer member coverage plan 1 shall
15 contribute sixteen and sixty-five hundredths percent of
16 salary with the first full pay period in the calendar month
17 in which municipal detention officer member coverage plan 1
18 becomes applicable to the member, except that a member whose
19 annual salary is greater than twenty thousand dollars
20 (\$20,000) shall contribute eighteen and fifteen-hundredths
21 percent of salary."

22 SECTION 90. Section 10-11-115.6 NMSA 1978 (being
23 Laws 2003, Chapter 268, Section 7) is amended to read:

24 "10-11-115.6. MUNICIPAL DETENTION OFFICER MEMBER
25 COVERAGE PLAN 1--EMPLOYER CONTRIBUTION RATE.--The affiliated

1 public employer shall contribute seventeen and
2 five-hundredths percent of the salary of each member under
3 municipal detention officer member coverage plan 1 starting
4 with the first pay period that ends within the calendar month
5 in which municipal detention officer member coverage plan 1
6 becomes applicable to the member, except that, from
7 July 1, 2013 through June 30, 2014, the affiliated public
8 employer contribution rate shall be sixteen and sixty-five
9 hundredths percent of the salary of each member."

10 SECTION 91. Section 10-11-118 NMSA 1978 (being
11 Laws 1987, Chapter 253, Section 118, as amended) is amended
12 to read:

13 "10-11-118. COST-OF-LIVING ADJUSTMENTS--QUALIFIED
14 PENSION RECIPIENT.--

15 A. For the purposes of this section:

16 (1) "preceding calendar year" means the
17 twelve-month period ending on the December 31 preceding the
18 July 1 in which pensions are being adjusted; and

19 (2) "second preceding calendar year" means
20 the full calendar year prior to the preceding calendar year.

21 B. A qualified pension recipient is eligible for a
22 cost-of-living pension adjustment. The amount of pension
23 payable to a qualified pension recipient who:

24 (1) retires pursuant to normal retirement
25 after working for at least twenty-five years under one or

1 more applicable coverage plans and whose annual pension
2 benefit, after all previous annual cost-of-living
3 adjustments, is equal to an amount not greater than twenty
4 thousand dollars (\$20,000), shall be increased by two and
5 one-half percent each July 1. The amount of the increase
6 shall be determined by multiplying the amount of pension,
7 inclusive of all prior adjustments, by two and one-half
8 percent;

9 (2) is a disability retired member whose
10 annual pension benefit, after all previous annual
11 cost-of-living adjustments, is equal to an amount not greater
12 than twenty thousand dollars (\$20,000), shall be increased by
13 two and one-half percent each July 1. The amount of the
14 increase shall be determined by multiplying the amount of
15 pension, inclusive of all prior adjustments, by two and
16 one-half percent; and

17 (3) does not meet the requirements provided
18 in Paragraph (1) or (2) of this subsection shall be increased
19 by two percent each July 1. The amount of the increase shall
20 be determined by multiplying the amount of pension, inclusive
21 of all prior adjustments, by two percent.

22 C. A qualified pension recipient is:

23 (1) a normal retired member who:

24 (a) retires on or before June 30, 2014
25 and has been retired for at least two full calendar years

1 from the effective date of the latest retirement prior to
2 July 1 of the year in which the pension is being adjusted;

3 (b) retires between July 1, 2014 and
4 June 30, 2015 and has been retired for at least three full
5 calendar years from the effective date of the latest
6 retirement prior to July 1 of the year in which the pension
7 is being adjusted;

8 (c) retires between July 1, 2015 and
9 June 30, 2016 and has been retired for at least four full
10 calendar years from the effective date of the latest
11 retirement prior to July 1 of the year in which the pension
12 is being adjusted; or

13 (d) retires on or after July 1, 2016
14 and has been retired for at least seven full calendar years
15 from the effective date of the latest retirement prior to
16 July 1 of the year in which the pension is being adjusted;

17 (2) a normal retired member who has attained
18 age sixty-five years and has been retired for at least one
19 full calendar year from the effective date of the latest
20 retirement prior to July 1 of the year in which the pension
21 is being adjusted;

22 (3) a disability retired member who has been
23 retired for at least one full calendar year from the
24 effective date of the latest retirement prior to July 1 of
25 the year in which the pension is being adjusted;

1 (4) a survivor beneficiary who has received
2 a survivor pension for at least two full calendar years; or

3 (5) a survivor beneficiary of a deceased
4 retired member who otherwise would have been retired at least
5 two full calendar years from the effective date of the latest
6 retirement prior to July 1 of the year in which the pension
7 is being adjusted.

8 D. A qualified pension recipient may decline an
9 increase in a pension by giving the association written
10 notice of the decision to decline the increase at least
11 thirty days prior to the date the increase would take
12 effect."

13 SECTION 92. REPEAL.--Section 10-11-36 NMSA 1978 (being
14 Laws 1987, Chapter 253, Section 36) is repealed.

15 SECTION 93. SEVERABILITY.--If any part or application
16 of this act is held invalid, the remainder or its application
17 to other situations or persons shall not be affected.

18 SECTION 94. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2013. _____

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