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HOUSE BILL 541

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Stephanie Maez

AN ACT

RELATING TO EARLY CHILDHOOD CARE; ALLOWING FOR INCENTIVES FOR  
EARLY CHILDHOOD CARE PROVIDERS TO PROVIDE CERTAIN BENEFITS TO  
EMPLOYEES; DECLARING AN EMERGENCY.

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

**SECTION 1.** Section 32A-23A-6 NMSA 1978 (being Laws 2011,  
Chapter 123, Section 6) is amended to read:

"32A-23A-6. EARLY CHILDHOOD CARE AND EDUCATION FUND--  
CREATED--PURPOSE--ADMINISTRATION--GRANT APPLICATIONS.--

A. The "early childhood care and education fund" is  
created as a nonreverting fund in the state treasury. The fund  
shall be administered by the department and shall consist of  
gifts, grants, donations and bequests made to the fund.

B. Money in the fund is subject to appropriation by  
the legislature to the department for awarding grants to the

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1 council and early childhood care and education providers for  
2 carrying out the provisions of the Early Childhood Care and  
3 Education Act.

4 C. The department shall adopt rules on  
5 qualifications for grants and specify the format, procedure and  
6 deadlines for grant applications. For grants to early  
7 childhood care and education providers, the council shall  
8 review all grant applications and submit those applications  
9 recommended for final approval to the secretary.

10 D. Disbursements from the fund shall be made upon  
11 vouchers issued and signed by the secretary or the secretary's  
12 designee upon warrants drawn by the secretary of finance and  
13 administration.

14 E. The department shall adopt rules to increase  
15 monthly reimbursement rates from the fund by fifty percent for  
16 early childhood care and education providers that, by the first  
17 day of school, meet four of the following conditions:

18 (1) offer at least five paid sick days to all  
19 of their employees;

20 (2) offer at least three days of paid family  
21 or medical leave to all of their employees;

22 (3) offer health insurance to all of their  
23 employees that requires an employee to contribute not more than  
24 five percent of the employee's household income for the  
25 premiums;

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1                   (4) participate in a substitute teacher  
2 program or operate their own substitute teacher program; or  
3                   (5) pay their employees a minimum wage rate of  
4 fifteen dollars (\$15.00) per hour."

5                   SECTION 2. EMERGENCY.--It is necessary for the public  
6 peace, health and safety that this act take effect immediately.

7                   - 3 -

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