## HOUSE BILL 39

## 52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

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.202647.1

## AN ACT

RELATING TO LEGISLATORS; SPECIFYING LEAVE REQUIREMENTS FOR LEGISLATORS EMPLOYED BY POLITICAL SUBDIVISIONS OF THE STATE WHEN CONDUCTING LEGISLATIVE BUSINESS.

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

SECTION 1. A new section of Chapter 2, Article 1 NMSA 1978 is enacted to read:

"[NEW MATERIAL] LEGISLATORS AS EMPLOYEES OF POLITICAL SUBDIVISIONS--ACCRUED ANNUAL OR COMPENSATORY LEAVE.--

A. A legislator who is an employee of a political subdivision of the state shall take accrued annual or compensatory leave or leave without pay on a day that the legislator attends a meeting for which the legislator is eligible to receive per diem pursuant to Article 4, Section 10 of the constitution of New Mexico.

B. Political subdivisions of the state, including
home rule municipalities, shall require employees who are
legislators to take accrued annual leave or compensatory leave
or leave without pay on a day that the employee attends a
meeting for which the employee is eligible to receive per diem
as a legislator pursuant to Article 4, Section 10 of the
constitution of New Mexico.

C. An employee of a political subdivision of the state who is a legislator shall not lose seniority with the political subdivision due to leave that the employee is required to take pursuant to this section. Leave taken pursuant to this section shall not be considered a break in service with the political subdivision for any purpose."

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