

HOUSE BILL 403

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Rebecca Dow and Gerald Ortiz y Pino

AN ACT

RELATING TO PUBLIC PROCUREMENT; ENACTING A NEW SECTION OF LAW TO REQUIRE THAT PUBLIC CONTRACTS PROVIDE FOR INCREASED CONTRACTOR REIMBURSEMENT AND WORKER WAGE INCREASES IN ACCORDANCE WITH AND CONCURRENT WITH STATE MINIMUM WAGE INCREASES.

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

SECTION 1. A new section of the Procurement Code is enacted to read:

"[NEW MATERIAL] PUBLIC CONTRACTS--SERVICES--MINIMUM WAGE INCREASES.--

A. Beginning July 1, 2019, a state agency or local public body that contracts for services shall include in the terms of that contract:

(1) a provision for increasing reimbursement

.212280.2

underscored material = new  
[bracketed material] = delete

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

1 to the contractor in direct proportion to any increase in the  
2 state minimum wage pursuant to the Minimum Wage Act; and

3 (2) a requirement that individuals employed  
4 pursuant to that contract shall receive wage increases in  
5 accordance with and concurrent with increases in the state  
6 minimum wage pursuant to the Minimum Wage Act.

7 B. As used in this section:

8 (1) "contract" means any agreement for the  
9 procurement of services; and

10 (2) "services" means the furnishing of labor,  
11 time or effort by a contractor not involving the delivery of a  
12 specific end product other than reports and other materials  
13 that are merely incidental to the required performance."