

HOUSE LABOR, VETERANS' AND MILITARY AFFAIRS
COMMITTEE SUBSTITUTE FOR
HOUSE BILL 345

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO PUBLIC SAFETY; PROVIDING RECRUITMENT DISBURSEMENTS TO NEWLY HIRED FIREFIGHTERS; CREATING A FIREFIGHTER RECRUITMENT FUND; REQUIRING DISTRIBUTION AND OVERSIGHT OF THE FIREFIGHTER RECRUITMENT FUND BY THE HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT Hf11→; ~~MAKING AN APPROPRIATION~~←Hf11 .

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

.225703.1AIC March 13, 2023 (10:38am)

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SECTION 1. [NEW MATERIAL] FIREFIGHTER RECRUITMENT FUND--
CREATED--RECRUITMENT STIPEND DISBURSEMENT--REPORTING.--

A. The "firefighter recruitment fund" is created in the state treasury. The fund consists of money appropriated by the legislature, federal money granted to the state for the purposes of the fund, income from investment of the fund and money otherwise accruing to the fund. Money in the fund Hf11→is subject to appropriation by the legislature and←Hf11 shall not revert to any other fund at the end of a fiscal year. The homeland security and emergency management department shall administer the fund to provide:

(1) Hf11→~~five-thousand-dollar (\$5,000) recruitment disbursements for firefighters starting employment with a fire department~~←Hf11 Hf11→a one-time five-thousand-dollar (\$5,000) recruitment disbursement for entry-level firefighters starting employment with a fire department for the first time←Hf11 ; provided that the recipient remains employed as a firefighter with that fire department for three years; and

(2) support for disbursement administration processes and reporting compliance.

B. The homeland security and emergency management department shall adopt and promulgate rules as necessary to implement the provisions of this section Hf11→.←Hf11 Hf11→, including:

(1) a schedule for recruitment disbursement;

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and

(2) clawback or recapture rules that ensure the repayment of recruitment disbursement funds that are proportional to that portion of the three-year commitment that has not been completed. ←Hf11

C. Money in the fund shall be disbursed on warrants signed by the secretary of finance and administration pursuant to vouchers signed by the secretary of homeland security and emergency management or the secretary's authorized representative.

D. The homeland security and emergency management department shall determine and distribute annually to a fire department the amount necessary to provide a recruitment disbursement to firefighters newly employed by that fire department. A fire department shall expend funding received for no other purpose than that permitted by this section, and any unexpended balance received by a fire department pursuant to this section at the end of a fiscal year shall revert to the firefighter recruitment fund. The homeland security and emergency management department shall monitor the use of funding and ensure the proper reversions to the firefighter recruitment fund.

E. To receive funding pursuant to Subsection D of this section, a fire department shall make a request to the homeland security and emergency management department prior to

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June 1 of each fiscal year.

F. The homeland security and emergency management department shall submit an annual report providing information collected pursuant to the rules adopted in Subsection B of this section to the governor and the legislative finance committee no later than December of each year.

G. As used in this section:

(1) "fire department" means an organization of a county or municipality that employs firefighters and is entitled to distributions from the fire protection fund and is capable of providing fire suppression and related activities;

(2) "firefighter" means a person who is a full-time salaried public employee of a fire department, who provides fire suppression services involved in controlling and extinguishing fires and who is exposed to the dangers of heat, flame, smoke and other products of combustion, explosion or structural collapse; and

(3) "recruitment disbursement" means the amount disbursed from the firefighter recruitment fund based on the new employment of a firefighter at a fire department but is not considered salary for the purpose of calculating retirement benefits.

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