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SENATE BILL 145

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

INTRODUCED BY
George K. Muñoz

AN ACT

RELATING TO PUBLIC EMPLOYEE PENSIONS; ENSURING PARITY FOR
CREDITED SERVICE ACCRUED BY CERTAIN STATE POLICE MEMBERS
PURSUANT TO THE PUBLIC EMPLOYEES RETIREMENT ACT.

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

SECTION 1. Section 10-11-27 NMSA 1978 (being Laws 1987,
Chapter 253, Section 27, as amended) is amended to read:

"10-11-27. STATE POLICE MEMBER, CORRECTIONAL OFFICER
MEMBER AND PROBATION AND PAROLE OFFICER MEMBER COVERAGE PLAN
1--APPLICABILITY--CREDITED SERVICE.--

A. State police member, correctional officer member
and probation and parole officer member coverage plan 1 is
applicable to:

- (1) state police members who are not
specifically covered by another coverage plan;

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1 (2) adult correctional officer members;
2 (3) juvenile correctional officer members;
3 (4) adult probation and parole officer
4 members; and

5 (5) juvenile probation and parole officer
6 members.

7 B. The credited service of a state police member
8 who was a retired member or a member on or before June 30, 2013
9 [~~and who has held the permanent rank of patrolman, sergeant,~~
10 ~~lieutenant or captain and does not hold an exempt rank or who~~
11 ~~is assigned to the aircraft division as a pilot]~~ or of an adult
12 correctional officer member shall have actual credited service
13 increased by twenty percent for the purposes of state police
14 member, correctional officer member and probation and parole
15 officer member coverage plan 1.

16 C. The credited service, accrued after July 1,
17 2021, of a juvenile correctional officer member, an adult
18 probation and parole officer or a juvenile probation and parole
19 officer shall be increased by twenty percent for the purposes
20 of state police member, correctional officer member and
21 probation and parole officer member coverage plan 1.

22 D. Except as provided in Subsection B of this
23 section, the credited service of a member covered under state
24 police member, correctional officer member and probation and
25 parole officer member coverage plan 1 shall be credited as

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1 provided in Section 10-11-4 NMSA 1978.

2 E. State police member, correctional officer member
3 and probation and parole officer member coverage plan 1 is
4 applicable to juvenile correctional officer members, adult
5 probation and parole officer members and juvenile probation and
6 parole officer members in the first full pay period after July
7 1, 2021 if the retirement board certifies to the secretary of
8 state that, of those juvenile correctional officer members,
9 adult probation and parole officer members and juvenile
10 probation and parole officer members to be covered under state
11 police member, correctional officer member and probation and
12 parole officer member coverage plan 1, a majority of the
13 respective members voting have voted to approve adoption of
14 that plan at an election conducted pursuant to Laws 2020,
15 Chapter 11, Sections 63 through 66 [~~of this 2020 act~~]."

16 SECTION 2. APPLICABILITY.--The provisions of this act
17 apply to credited service accrued:

- 18 A. on and after the effective date of this act; and
 - 19 B. prior to the effective date of this act;
- 20 provided that the credited service was accrued by a state
21 police member who is subject to the provisions of Subsection B
22 of Section 1 of this act and that state police member has not
23 previously retired.