

LFC Requester:

Joseph Simon

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date 19JAN2024

Bill No: HB 154

Agency Name

and Code

790-Department of Public Safety

Number:

Sponsor: William "Bill" R. Rehm

Person Writing

Carolyn Huynh

Short Public Retirees Returning to

Title: Work

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This bill proposes to allow some retired public safety and water resource PERA members to return to public service work under certain conditions through July 1, 2029, and applies to law enforcement officers, corrections and probation and parole officers, municipal detention center officers, and water resources and public water and wastewater operators.

The bill’s language tracks with House Bills 64 and 65 from the 2023 regular session and places various conditions upon retirees and prospective employers, including: requiring a four month waiting period upon retirement before returning to work; mandating that the retiree not be reemployed by city government when the population exceeds 500,000; disallowing the retiree to become a secondary PERA member upon reemployment; imposing nonrefundable, required retirement contributions on the retiree and their employer during all periods of subsequent employment; requiring that the retiree return to work in an entry-level position with the possibility of advancement in accordance with the employers policies and procedures; requiring public employers to develop and implement policies related to seniority and lay-offs not accounting for the retiree’s previous years of service; and allowing employers to participate in the reemployment of retired members if their vacancy rate is above 11 percent.

FISCAL IMPLICATIONS

No additional fiscal implications to DPS have been identified as potential return-to-work members would be hired into vacant positions that DPS has projected in Personal Service and Employee Benefit (PSEB) costs.

SIGNIFICANT ISSUES

No significant issues to DPS.

PERFORMANCE IMPLICATIONS

This bill could lead to a large number of retired police officers “returning to work,” which could assist with staffing challenges plaguing law enforcement in the state. This assumption is based on several factors, including the lower age at which many law enforcement officers retire and the significant number of officers who returned to work when an earlier version of this law was in place.

ADMINISTRATIVE IMPLICATIONS

Although previous versions of this bill disallowed retirees who returned to work from advancing past entry-level positions, this bill would allow advancement in accordance with the public

employer's policies and procedures.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship, or relationship issues to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None at this time.