

LFC Requester:	Simon, Joseph
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.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}

Date Prepared: 2/10/25 *Check all that apply:*
Bill Number: HB 336 Original Correction
 Amendment Substitute

Sponsor: Representative A.Martinez,
 Representative De La Cruz,
 Representative Vincent
Short Title: CERTAIN RETURN TO WORK
Agency Name and Code: 366-PERA
Number: _____
Person Writing: Anna Williams
Phone: 505-259-8489 **Email:** Annae.williams@pera.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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

Synopsis:

HB 336 amends the Public Employees Retirement Act [NMSA 1978 10-11-8] to expand the definition of “peace officer” in the return-to-work rules to mirror the current definition in NMSA 1978 10-11-26.2(B). The statute currently allows retired members to return to work as peace officers without suspension of their pension benefits but limits the definition of “peace officer” to employees of the attorney general or district attorney. The amendment will include employees of the state with the duty to maintain public order or make arrests in the definition of peace officer for purposes of return-to-work

FISCAL IMPLICATIONS

Because the statute requires return to work members and their employers to pay contributions it may have a very small positive impact to the funding ratio of the State General fund. For the year ending June 30, 2024, the State General fund ratio is 56.10%. The bill is currently undergoing an actuarial analysis for its impact to the fund.

HB 336 should not have an impact to PERA’s operating budget.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

PERA retirees will continue to be barred from returning to work with affiliated public employers, subject to certain statutory exceptions.

AMENDMENTS

None.