

1 AN ACT
2 RELATING TO HIGHER EDUCATION; ENACTING THE PUBLIC SERVICE
3 LOAN FORGIVENESS MULTIPLIER ACT; PROVIDING A MULTIPLIER FOR
4 ADJUNCT AND CONTINGENT FACULTY AT POST-SECONDARY EDUCATIONAL
5 INSTITUTIONS; PROVIDING FOR THE CERTIFICATION OF FULL-TIME
6 EMPLOYMENT STATUS; PROVIDING FOR NOTICE AND RENEWAL OF A
7 PUBLIC SERVICE LOAN FORGIVENESS FORM; PROVIDING FOR THE
8 DISSEMINATION OF PUBLIC SERVICE LOAN FORGIVENESS INFORMATION.

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

11 SECTION 1. A new section of Chapter 21 NMSA 1978 is
12 enacted to read:

13 "SHORT TITLE.--This act may be cited as the
14 "Public Service Loan Forgiveness Multiplier Act".

15 SECTION 2. A new section of Chapter 21 NMSA 1978 is
16 enacted to read:

17 "DEFINITIONS.--As used in the Public Service Loan
18 Forgiveness Multiplier Act:

19 A. "certifying employment" means either completing
20 the employer sections of the public service loan forgiveness
21 form or sharing data directly with the United States
22 department of education that corresponds to the information
23 required for the public service loan forgiveness form;

24 B. "employee" means someone who works for a public
25 service employer, regardless of whether the public service

1 employer considers that work to be full-time or part-time,
2 contingent or contracted, or who receives a form W-2 from the
3 employer;

4 C. "full-time" means the lesser of:

5 (1) working at least an average of thirty
6 hours per week or working at least an average of thirty hours
7 per week throughout a contractual or employment period of at
8 least eight months in a twelve-month period; or

9 (2) an hourly standard adopted by the United
10 States department of education;

11 D. "public service employer" means a post-
12 secondary educational institution in the state that is
13 designated as a qualifying employer under the federal public
14 service loan forgiveness program by the United States
15 department of education;

16 E. "public service loan forgiveness form" means
17 the form used by the United States department of education to
18 certify an individual's employment at a public service
19 organization and is used to determine eligibility for the
20 purposes of the public service loan forgiveness program; and

21 F. "public service loan forgiveness program" means
22 the federal loan forgiveness program established pursuant to
23 34 C.F.R. Section 685.219, as amended."

24 SECTION 3. A new section of Chapter 21 NMSA 1978 is
25 enacted to read:

1 "CERTIFICATION OF EMPLOYMENT--HOUR MULTIPLIER--
2 DETERMINATION OF FULL-TIME EMPLOYMENT.--

3 A. For the purposes of certifying employment for
4 the public service loan forgiveness program for employees who
5 are former or current adjunct professors or contingent
6 faculty at a post-secondary educational institution, a public
7 service employer shall credit at least four and thirty-five
8 hundredths hours worked for each hour of credit or classroom
9 contact time, regardless of when the hours are worked,
10 including hours worked on or after October 1, 2007. The
11 provisions of this subsection shall not supersede any greater
12 adjustment factor established by a collective bargaining
13 agreement or employer policy in recognition of additional
14 work associated with lecture or classroom time for the
15 purpose of the public service loan forgiveness program and
16 shall have no other applicability for public service
17 employers and employees.

18 B. When determining whether an employee is
19 considered full-time, for the purpose of certifying
20 employment for the public service loan forgiveness program
21 only, a public service employer shall not treat any adjusted
22 total hours worked pursuant to this section differently from
23 hours worked without an adjustment factor.

24 C. For the purpose of certifying employment only,
25 a public service employer shall:

1 (1) consider as full-time, as necessary, any
2 employee who satisfies the definition of "full-time" pursuant
3 to Subsection C of Section 2 of the Public Service Loan
4 Forgiveness Multiplier Act; and

5 (2) treat as a continuous employment period
6 any consecutive academic terms for which an employee teaches,
7 regardless of whether such hours are taught pursuant to
8 separate employment contracts and regardless of whether such
9 academic terms are separated by routine academic vacation,
10 but only to the extent that doing so maximizes the amount of
11 time for which an employee's employment can be considered
12 full-time.

13 D. A public service employer shall adopt a policy
14 of maximizing the amount of time for which an employee's
15 employment can be considered full-time. Nothing in this
16 section shall require a public service employee to increase
17 the number of contracted hours for which the employee is
18 paid.

19 E. Notwithstanding the provisions of this section,
20 should the United States department of education promulgate
21 rules related to the calculation of hours worked for the
22 purposes of certifying employment for the public service loan
23 forgiveness program that are more favorable to employees than
24 those requirements provided herein, those rules shall
25 govern."

1 SECTION 4. A new section of Chapter 21 NMSA 1978 is
2 enacted to read:

3 "EMPLOYMENT CERTIFICATION--PUBLIC SERVICE LOAN
4 FORGIVENESS FORM--CALCULATION OF TIME WORKED.--

5 A. In the event that the United States department
6 of education permits public service employers to certify
7 employment for past or present individual employees or groups
8 of employees directly with the United States department of
9 education or its agents, notwithstanding any other provision
10 of law, a public service employer shall be permitted to send
11 to the United States department of education or its agents
12 the information necessary for employment certification.

13 B. Subject to the provisions of this section, a
14 public service employer shall certify the employment of:

15 (1) any former or current employee who
16 requests that the public service employer complete a public
17 service loan forgiveness form; and

18 (2) any employee who is ending work with the
19 public service employer.

20 C. The public service employer shall certify the
21 period of employment requested by the former or current
22 employee or, if no period is specified, shall certify a
23 former or current employee's entire period of employment.

24 D. Post-secondary educational institutions shall
25 use the calculation established in Section 3 of the Public

1 Service Loan Forgiveness Multiplier Act and may apply it to
2 hours worked beginning October 1, 2007, only for the purpose
3 of determining whether a part-time employee is considered
4 full-time for the public service loan forgiveness program.

5 E. A public service employer shall not
6 unreasonably delay certifying employment.

7 F. Nothing in this section shall prevent a public
8 service employer from seeking permission from employees prior
9 to certifying the employees' employment."

10 SECTION 5. A new section of Chapter 21 NMSA 1978 is
11 enacted to read:

12 "HIGHER EDUCATION DEPARTMENT DUTIES--PUBLIC SERVICE
13 EMPLOYER DUTIES--DISSEMINATION OF LOAN FORGIVENESS
14 INFORMATION.--

15 A. The secretary of higher education or the
16 secretary's designee shall develop and update, as necessary,
17 materials designed to promote and increase awareness of the
18 public service loan forgiveness program. The secretary or
19 the secretary's designee may use materials developed by other
20 state agencies or by the United States department of
21 education, as appropriate. The materials shall include:

22 (1) a standardized letter for public service
23 employers to distribute to employees that briefly summarizes
24 the public service loan forgiveness program, provides
25 information about what eligible employees are required to do

1 to benefit from the program and recommends that eligible
2 employees contact their student loan service for additional
3 resources;

4 (2) a detailed fact sheet describing the
5 public service loan forgiveness program, including the
6 official websites maintained by the United States department
7 of education for the program and by the United States
8 department of the treasury for student loan borrower
9 resources; and

10 (3) a document containing frequently asked
11 questions about the public service loan forgiveness program.

12 B. The secretary of higher education shall
13 coordinate with other state agencies and offices, as
14 necessary, to make the materials available to public service
15 employers.

16 C. Each public service employer shall annually
17 provide to all employees the most recent available version of
18 the materials required pursuant to Subsection A of this
19 section in written or electronic form. In addition to those
20 materials, a public service employer shall provide a newly
21 hired employee with those same materials within thirty days
22 of the employee's first day of employment by mail, by
23 electronic mail or during an in-person new employee
24 orientation."

25 SECTION 6. EFFECTIVE DATE.--The effective date of the

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provisions of this act is July 1, 2025. _____