

HOUSE BILL 132

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

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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 WORKERS' COMPENSATION; PROVIDING FOR A LIST OF CONDITIONS PRESUMED TO BE PROXIMATELY CAUSED BY EMPLOYMENT AS A POLICE OFFICER.

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

SECTION 1. A new Section 52-3-32.2 NMSA 1978 is enacted to read:

"52-3-32.2. [NEW MATERIAL] POLICE OFFICER OCCUPATIONAL CONDITIONS.--

.233218.1AIC February 14, 2026 (8:05am)

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A. As used in this section:

(1) HLVMC → "duty belt" means a belt used for
~~the purpose of holding a gun, handcuffs, a baton and other~~
~~items related to law enforcement~~ ← HLVMC HLVMC → "noise-induced
hearing loss" means a type of permanent sensorineural hearing
impairment caused by damage to the inner ear from occupational
exposure to loud sounds, either as a one-time blast or
gradually over time, including tinnitus ← HLVMC ; and

(2) "police officer" means a commissioned employee of a law enforcement agency that is part of or administered by the state or a political subdivision of the state who is responsible for the prevention and detection of crime or the enforcement of the penal, traffic or highway laws of this state and includes:

(a) an employee of a missile range civilian police department who is a graduate of a recognized certified regional law enforcement training facility and who is currently certifiable by the New Mexico law enforcement academy; and

(b) a sheriff and a deputy sheriff.

B. If a police officer is diagnosed with one or more of the following conditions after the period of employment indicated and the condition was not revealed during an initial employment medical screening examination or during a subsequent medical review pursuant to the Occupational Health and Safety

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Act and rules promulgated pursuant to that act, the condition is presumed to be proximately caused by employment as a police officer:

HLVMC→(1) ~~posttraumatic stress disorder diagnosed by a physician or psychologist that results in physical impairment, primary or secondary mental impairment or death after twenty years if hired on or before June 30, 2013 and twenty-five years if hired on or after July 1, 2013;~~

~~(2) back pain due to wearing a duty belt as a condition of employment after twenty years if hired on or before June 30, 2013 and twenty-five years if hired on or after July 1, 2013; and~~

~~(3) heart issues after twenty years if hired on or before June 30, 2013 and twenty-five years if hired on or after July 1, 2013.~~ ←HLVMC

HLVMC→(1) ~~noise-induced hearing loss that results in physical impairment;~~

~~(2) posttraumatic stress disorder diagnosed by a physician or psychologist that results in physical impairment, primary or secondary mental impairment or death; or~~

~~(3) heart injury or stroke suffered within twenty-four hours of responding to or returning from a call, while engaging in supervised physical training or while responding to or performing in an emergency. The presumption~~

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~~created in this subsection shall not be made if the police officer's employer does not have a current physical training program and the police officer does not have a current medical screening examination or review pursuant to the Occupational Health and Safety Act and rules promulgated pursuant to that act allowing participation in that program.~~ ←HLVMC

C. The presumptions created in this section may be rebutted by a preponderance of evidence in a court of competent jurisdiction showing that the police officer engaged in conduct or activities outside of employment that posed a significant risk of contracting or developing a described condition.

HLVMC→~~D. When any presumptions created in this section do not apply, it shall not preclude a police officer from demonstrating a causal connection between employment and condition or injury by a preponderance of evidence in a court of competent jurisdiction.~~ ←HLVMC

HLVMC→~~D.~~ ←HLVMC HLVNC→~~E.~~ ←HLVMC Medical treatment based on the presumptions created in this section shall be provided by an employer as for a job-related condition or injury unless and until a court of competent jurisdiction determines that the presumption does not apply. If the court determines that the presumption does not apply or that the condition or injury is not job related, the employer's workers' compensation insurance provider shall be reimbursed for health care costs by the medical or health insurance plan or benefit

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provided for the police officer by the employer."

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