

AN ACT

RELATING TO BOARDS; PROHIBITING, RESTRICTING AND REQUIRING
REPORTING OF CERTAIN GIFTS TO MEMBERS OF THE RETIREMENT
BOARD; DECLARING AN EMERGENCY.

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

Section 1. A new section of the Public Employees
Retirement Act is enacted to read:

"RESTRICTIONS ON RECEIPT OF GIFTS--RESTRICTION ON
CAMPAIGN CONTRIBUTIONS--REQUIRED REPORTING.--

A. Except for gifts of food or beverage given in
a place of public accommodation, consumed at the time of
receipt, not exceeding fifty dollars (\$50.00) for a single
gift and the aggregate value of which gifts may not exceed
one hundred fifty dollars (\$150) in a calendar year, neither
a retirement board member nor an employee of the retirement
board or association shall receive or accept anything of
value directly or indirectly from a person who:

(1) has a current contract with the
retirement board or association;

(2) is a potential bidder, offeror or
contractor for the provision of services or personal property
to the retirement board or association;

(3) is authorized to invest public funds
pursuant to state or federal law or is an employee or agent

of such a person; or

(4) is an organization, association or other entity having a membership that includes persons described in Paragraphs (1) through (3) of this subsection.

B. No person who is a candidate in a primary or general election for a position that qualifies the person for ex-officio membership on the retirement board, no member serving ex officio on the retirement board and no person who is a nominee for retirement board membership by election by some or all of the members of the association pursuant to the Public Employees Retirement Act shall accept anything of a value of more than twenty-five dollars (\$25.00) as a contribution to an ex-officio member's statewide campaign in a primary or general election or as a contribution to the campaign of a nominee for membership on the board as a member elected by all or some of the members of the association from a person who:

(1) has a current contract with the retirement board or association;

(2) is a potential bidder, offeror or contractor for the provision of services or personal property to the retirement board or association;

(3) is authorized to invest public funds pursuant to state or federal law or is an employee or agent of such a person; or

(4) is an organization, association or other entity having a membership that includes persons described in Paragraphs (1) through (3) of this subsection.

C. Within ten days after an election in which one or more board members are elected by some or all of the members of the association pursuant to the Public Employees Retirement Act, all persons who were candidates for board membership in that election shall file with the association a report disclosing all contributions to their respective campaigns whether made directly to the candidate, a political action committee or to some other entity supporting the candidate's election. The contributions shall be reported by amount and specific source. Within sixty days after the election, the association shall publish the reports required by this subsection."

Section 2. A new section of the Educational Retirement Act is enacted to read:

"RESTRICTIONS ON RECEIPT OF GIFTS--RESTRICTION ON CAMPAIGN CONTRIBUTIONS--REQUIRED REPORTING.--

A. Except for gifts of food or beverage given in a place of public accommodation, consumed at the time of receipt, not exceeding fifty dollars (\$50.00) for a single gift and the aggregate value of which gifts may not exceed one hundred fifty dollars (\$150) in a calendar year, neither a board member nor an employee of the board shall receive or

accept anything of value directly or indirectly from a person who:

(1) has a current contract with the retirement board or association;

(2) is a potential bidder, offeror or contractor for the provision of services or personal property to the retirement board or association;

(3) is authorized to invest public funds pursuant to state or federal law or is an employee or agent of such a person; or

(4) is an organization, association or other entity having a membership that includes persons described in Paragraphs (1) through (3) of this subsection."

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.
