HOUSE BILL 793

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Leo C. Watchman Jr.

AN ACT

RELATING TO EDUCATION; PROVIDING THAT PUBLIC SCHOOL EMPLOYEES SHALL RECEIVE, UPON RETIREMENT, PAYMENT FOR THEIR ACCRUED BUT UNUSED SICK LEAVE.

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

Section 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] RETIREMENT--PAYMENT FOR UNUSED SICK
LEAVE. --

A. Upon retirement of a public school employee, at the same time the employee receives his final payment for salary, the employee shall also receive full payment for any sick leave that the employee has accrued but not used. The value of the sick leave shall be calculated at the same rate as the employee's final salary.

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- B. Payment for the sick leave pursuant to Subsection A of this section shall not be used in any calculation of "salary" for the purposes of the Educational Retirement Act.
 - C. As used in this section:
- (1) "public school employee" means a certified school employee or a non-certified school employee; and
- (2) "retirement" means the termination of employment by a public school employee who is eligible to receive a retirement benefit pursuant to the Educational Retirement Act."

- 2 -