

HOUSE BILL 132

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

INTRODUCED BY

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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.--

A. As used in this section:

(1) "duty belt" means a belt used for the
purpose of holding a gun, handcuffs, a baton and other items
related to law enforcement; and

(2) "police officer" means a commissioned
employee of a law enforcement agency that is part of or

.233218.1

underscored material = new
[bracketed material] = delete

1 administered by the state or a political subdivision of the
2 state who is responsible for the prevention and detection of
3 crime or the enforcement of the penal, traffic or highway laws
4 of this state and includes:

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

10 (b) a sheriff and a deputy sheriff.

11 B. If a police officer is diagnosed with one or
12 more of the following conditions after the period of employment
13 indicated and the condition was not revealed during an initial
14 employment medical screening examination or during a subsequent
15 medical review pursuant to the Occupational Health and Safety
16 Act and rules promulgated pursuant to that act, the condition
17 is presumed to be proximately caused by employment as a police
18 officer:

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

24 (2) back pain due to wearing a duty belt as a
25 condition of employment after twenty years if hired on or

1 before June 30, 2013 and twenty-five years if hired on or after
2 July 1, 2013; and

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

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

11 D. Medical treatment based on the presumptions
12 created in this section shall be provided by an employer as for
13 a job-related condition or injury unless and until a court of
14 competent jurisdiction determines that the presumption does not
15 apply. If the court determines that the presumption does not
16 apply or that the condition or injury is not job related, the
17 employer's workers' compensation insurance provider shall be
18 reimbursed for health care costs by the medical or health
19 insurance plan or benefit provided for the police officer by
20 the employer."