

1 SENATE BILL 77

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Michael Padilla and Art De La Cruz and Cynthia Borrego

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10 AN ACT

11 RELATING TO PUBLIC WORKS; REQUIRING CONTRIBUTIONS TO APPRENTICE
12 AND TRAINING PROGRAMS OR TO THE PUBLIC WORKS APPRENTICE AND
13 TRAINING FUND FOR PUBLIC WORKS CONSTRUCTION PROJECTS; PROVIDING
14 AN EXCEPTION.

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

17 **SECTION 1.** Section 13-4D-4 NMSA 1978 (being Laws 1992,
18 Chapter 74, Section 4, as amended) is amended to read:

19 "13-4D-4. ADMINISTRATION.--

20 A. The Public Works Apprentice and Training Act
21 shall be administered by the workforce solutions department.
22 The department shall collect employers' contributions in
23 accordance with that act, review employers' compliance
24 statements, review certified payroll reports to verify training
25 contributions, investigate allegations of and impose penalties

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1 for employer noncompliance and disburse funds as provided in
2 Section 13-4D-5 NMSA 1978.

3 B. Public works construction projects, except [~~for~~
4 ~~street, highway, bridge, road, utility or maintenance contracts~~
5 ~~with employers who elect not to participate in training]~~ as
6 provided in Subsection C of this section, shall not be
7 constructed unless an employer agrees to make contributions to
8 approved apprentice and training programs in New Mexico in
9 which the employer is a participant or to the public works
10 apprentice and training fund administered by the workforce
11 solutions department. Contributions shall be made in the same
12 manner and in the same amount as apprentice and training
13 contributions required pursuant to wage rate determinations
14 made by the department.

15 C. The provisions of Subsection B of this section
16 shall not apply to public works construction projects involving
17 a craft or trade that is not recognized as apprenticeable by
18 the office of apprenticeship of the employment and training
19 administration of the United States department of labor or the
20 apprenticeship council.

21 [~~G.~~] D. The workforce solutions department shall
22 adopt rules and regulations necessary to implement the
23 provisions of the Public Works Apprentice and Training Act."

24 SECTION 2. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2026.

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