AN ACT

RELATING TO PUBLIC WORKS; REQUIRING CONTRIBUTIONS TO APPRENTICE AND TRAINING PROGRAMS OR TO THE PUBLIC WORKS APPRENTICE AND TRAINING FUND FOR PUBLIC WORKS CONSTRUCTION PROJECTS; PROVIDING FOR A CONTRIBUTION RATE OF ZERO FOR NON-APPRENTICESHIP TRADE CLASSIFICATIONS FOR CERTAIN PROJECTS.

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

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

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

A. The Public Works Apprentice and Training Act shall be administered by the workforce solutions department. The department shall collect employers' contributions in accordance with that act, review employers' compliance statements, review certified payroll reports to verify training contributions, investigate allegations of and impose penalties for employer noncompliance and disburse funds as provided in Section 13-4D-5 NMSA 1978.

B. Public works construction projects shall not be constructed unless an employer agrees to make contributions to approved apprentice and training programs in New Mexico in which the employer is a participant or to the public works apprentice and training fund administered by the workforce

solutions department. Contributions shall be made in the same manner and in the same amount as apprentice and training contributions required pursuant to wage rate determinations made by the department.

C. In establishing apprentice and training contributions in wage rate determinations for street, highway, bridge, road, utility and light engineering public works construction projects, the workforce solutions department shall set a contribution of zero for any trade classification for which there is no approved apprentice and training program.

D. The workforce solutions department shall adopt rules and regulations necessary to implement the provisions of the Public Works Apprentice and Training Act."

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