

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO LAW ENFORCEMENT PERSONNEL; PROVIDING FOR THE LAW ENFORCEMENT PROTECTION FUND TO BE USED FOR LUMP SUM PAYMENTS TO RETAIN LAW ENFORCEMENT PERSONNEL IN MUNICIPALITIES AND COUNTIES THAT HAVE AT LEAST A TEN PERCENT LAW ENFORCEMENT EMPLOYMENT VACANCY RATE.

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

SECTION 1. Section 29-13-7 NMSA 1978 (being Laws 1983, Chapter 289, Section 7, as amended) is amended to read:

"29-13-7. EXPENDITURE LIMITATION--CONTROL.--

A. Amounts distributed from the fund shall be expended only for the following:

- (1) the repair and purchase of law enforcement apparatus and equipment, including the financing and refinancing thereof, that meet minimum nationally recognized

underscoring material = new  
~~[bracketed material] = delete~~

underscored material = new  
[bracketed material] = delete

1 standards;

2 (2) the purchase of law enforcement equipment,  
3 including protective vests, for police dogs;

4 (3) expenses associated with advanced law  
5 enforcement planning and training;

6 (4) maintaining the balance of the peace  
7 officers' survivors fund at a minimum amount of three hundred  
8 fifty thousand dollars (\$350,000);

9 (5) complying with match or contribution  
10 requirements for the receipt of federal funds relating to  
11 criminal justice programs; ~~and~~

12 (6) no more than fifty percent of the  
13 replacement salaries of municipal and county law enforcement  
14 personnel of municipalities or counties rated as Class 1 in  
15 Paragraph (1) of Subsection B of Section 29-13-4 NMSA 1978  
16 participating in basic law enforcement training; or

17 (7) until June 30, 2019, lump sum payments to  
18 retain municipal and county law enforcement personnel in  
19 municipalities and counties with law enforcement employment  
20 vacancy rates of at least ten percent. Such lump sum payments  
21 shall not constitute base salaries or wages and shall not be  
22 considered to be salary or be used for any purposes under the  
23 Public Employees Retirement Act.

24 B. Amounts distributed from the fund shall be  
25 expended only pursuant to approved budgets and upon duly

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

executed vouchers approved as required by law."

- 3 -