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HOUSE BILL 356

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Al Park

AN ACT

RELATING TO EMPLOYMENT LAW; REQUIRING EMPLOYERS TO PROVIDE
LEAVE TO CRIME VICTIMS TO ATTEND JUDICIAL PROCEEDINGS.

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

Section 1. LEAVE FOR CRIME VICTIMS. --

A. Subject to Subsection B of this section, an employer shall provide paid or unpaid leave to an employee who is a crime victim to attend any judicial proceeding that relates to a crime committed against the victim.

B. An employer may require that a request for leave pursuant to this section be supported by satisfactory evidence and the employee shall provide, in a timely manner, satisfactory evidence to the employer.

C. An employer who violates the provisions of this section is guilty of a misdemeanor and shall be sentenced in

underscored material = new
[bracketed material] = delete

1 accordance with Section 31-19-1 NMSA 1978.

2 D. For purposes of this section:

3 (1) "crime victim" means a:

4 (a) person in New Mexico who is injured
5 by any other person by any act or omission that is a crime in
6 New Mexico; or

7 (b) resident of New Mexico who is
8 injured by such a crime occurring in a state other than New
9 Mexico;

10 (2) "employer" includes any individual,
11 partnership, association, corporation, business trust, legal
12 representative or any organized group of persons employing
13 fifteen or more employees at any one time, acting directly or
14 indirectly in the interest of an employer in relation to any
15 employee, including the state or any political subdivision of
16 the state, but not including the United States; and

17 (3) "satisfactory evidence" includes any
18 police, court and official records and reports concerning a
19 crime committed against the victim.

20 Section 2. EFFECTIVE DATE. --The effective date of the
21 provisions of this act is July 1, 2005.

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