

HOUSE BILL 102

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

INTRODUCED BY

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AN ACT

RELATING TO THE LEGISLATURE; ALLOWING COMPENSATION FOR  
LEGISLATIVE SERVICE BASED ON PRIOR-YEAR ANNUAL MEDIAN HOUSEHOLD  
INCOME IN NEW MEXICO; ALLOWING A LEGISLATOR TO REFUSE THE  
COMPENSATION OR A COMPENSATION INCREASE; PROVIDING A CONTINGENT  
EFFECTIVE DATE.

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

SECTION 1. A new section of Chapter 2, Article 1 NMSA  
1978 is enacted to read:

"NEW MATERIAL] LEGISLATIVE COMPENSATION.--

A. Legislators may receive compensation pursuant to  
Article 4, Section 10 of the constitution of New Mexico. The  
compensation shall be determined initially by the 2027 annual  
median household income for New Mexico reported in the American  
community survey published in or around September 2028. After

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1 the initial compensation determination, the compensation shall  
2 be adjusted upward or downward every four years by the most  
3 recent reported median household income for New Mexico.  
4 Beginning with the fifty-ninth legislature, legislative  
5 compensation begins when a legislator is seated and sworn in at  
6 the beginning of a legislature and shall continue until the  
7 legislator is no longer a legislator.

8 B. A legislator may choose not to receive  
9 compensation or an increase in compensation by filing a  
10 written, signed notice of refusal with the chief clerk of the  
11 legislator's chamber. A compensation refusal may be withdrawn  
12 at any time after a legislative session by the same process of  
13 notice to the chief clerk. If instating compensation or  
14 canceling a refusal of a compensation increase, the new  
15 compensation shall begin with the first full pay period after  
16 notice has been received by the chief clerk; provided, however,  
17 that the new compensation is prospective only and shall not  
18 include any payment of lost compensation during the time of  
19 refusal.

20 C. Legislators shall not be considered state  
21 employees for any purpose by virtue of their receiving the  
22 compensation provided for in this section."

23 SECTION 2. CONTINGENT EFFECTIVE DATE.--The effective date  
24 of the provisions of this act is January 16, 2029 if the  
25 secretary of state has certified that the constitution of New

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1 Mexico has been amended by a joint resolution of the second  
2 session of the fifty-seventh legislature entitled "PROPOSING TO  
3 AMEND ARTICLE 4, SECTION 10 OF THE CONSTITUTION OF NEW MEXICO  
4 TO ALLOW LEGISLATIVE COMPENSATION THAT IS LIMITED TO THE MEDIAN  
5 HOUSEHOLD INCOME FOR NEW MEXICO, TO REQUIRE LEGISLATIVE  
6 COMPENSATION TO BE REDUCED IF THE MEDIAN HOUSEHOLD INCOME FOR  
7 NEW MEXICO FALLS, TO ALLOW LEGISLATIVE COMPENSATION TO BE  
8 INCREASED ONLY IF THE MEDIAN HOUSEHOLD INCOME FOR NEW MEXICO  
9 RISES AND TO PROVIDE FOR DELAYED IMPLEMENTATION."

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