

LEGISLATIVE BULLETIN

VOL. 2017-6

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Reform, Reform Everywhere – But Where Does It Go?

The legislature passed the half-way mark on Thursday of last week. Lawmakers introduced several bills on that last day, many of which are League priorities. The House also passed and sent to the Senate House Appropriations and Finance Committee Substitute for House Bills 2 and 3, the General Appropriations Act of 2017. The bill is smaller than last year's budget. No word yet from Governor Susana Martinez's office as to what she will do.

Wednesday of this week was the League's annual Municipal Day at La Fonda Hotel. Approximately 250 local officials attended to hear Executive Director William Fulginiti give a legislative update, most of which centered on the state's fiscal crisis and how the legislature's attempts to fix it has potentially harsh effects on municipalities.

There are several bills that affect municipalities.

House Taxation and Revenue Committee Substitute for House Bill 202, originally introduced by **Representative Carl Trujillo**, is a far-reaching piece of legislation aimed at trying to shore up the state's reserves and level the tax playing field. Some of the issues contained in the bill include: 1) an Internet tax on companies doing business in the state via the Internet; 2) applying the gross receipts tax and governmental gross receipt tax to both non-profit and for-profit hospitals and health care services providers; however, the bill also gives those groups a 60 percent deduction, meaning they would pay the tax on 40 percent of receipts; 3) raises the Motor Vehicle Excise Tax from three to four percent; and 4) eliminates the Hold Harmless distribution for medical services to offset the Health Care Practitioner deduction. The Substitute received a Do Pass recommendation from the House Taxation and Revenue Committee and passed the House on a 37-32 vote on Wednesday.

Senate Bill 451, Exclude Some Governments from Hold Harmless introduced by **Senator George Muñoz**, would eliminate the hold harmless distributions to those municipalities and counties that have enacted any portion of the Hold Harmless Gross Receipts Tax. The bill currently is in Senate Corporations and Transportation Committee.

There were several bills dealing with raising the gasoline tax. House Bill 63, introduced by **Representatives Randy Crowder and Bobby Gonzales**, authorizes a \$.05 per gallon local gasoline and special fuels tax subject to referendum. The proceeds may only be used for local bridge and street projects. The bill passed the House on a 60-6 vote and received a Do Pass recommendation from the Senate Judiciary Committee. Senate Bill 95, introduced by **Senator Clemente Sanchez**, raises the state gasoline tax from \$.17 to \$.27 per gallon and the special fuels tax from \$.21 to \$.26 per gallon. Proceeds would go \$.05 to the state and \$.05 to local government, except amounts would be distributed to the Tax Stabilization Reserve until the state reserves reach 10 percent. Senate Bills 131 and 132, introduced by **Senator John Arthur Smith and Representative Bobby Gonzales**, raises the price of gasoline and special fuels based on an indexed price tied to non-residential construction. Again, revenue are distributed to the state's reserve fund and to local governments. Both bill are in Senate Finance Committee.

House Bill 266, First Responder Death Benefits introduced by **Representative Patricio Ruiloba**, received a Do Pass recommendation from House Business and Industry Committee. The bill adds emergency medical services first responder, emergency medical technician, emergency response provider and firefighter to the definitions in the Workers' Compensation Act.

LEAGUE OFFICE PARKING DURING THE SESSION

Because of the demand for parking around the Capitol during the session, we must protect the availability of parking for our municipal officials and staff. In order to reduce the possibility of accidents, a few areas in our lots are designated by signs as “NO PARKING” AREAS.” If you are visiting the session and need to park in the League lots, please help us by observing the following rules:

- 1. Do not park in the areas designated as “NO PARKING” zones.*
 - 2. Obtain a League Parking Permit from the reception desk and leave it on the rear-view mirror of your car so that it’s easily visible.*
 - 3. DOUBLE PARKING OR PARKING BEHIND ANOTHER CAR IS NO LONGER PERMITTED IN OUR LOTS.*
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YOUR LEGISLATIVE BULLETIN

This is the first in the series of weekly League **Legislative Bulletins** designed to communicate with municipal officials, legislators and the Executive Branch of state government.

This year the League will publish the **Bulletin** electronically and will not distribute a printed copy. We will post the **Bulletin** on Friday mornings on the League’s website under the listing of “Publications.” We will then e-mail a link to the document to our membership through our list serve that we use to distribute *The Municipal Reporter*.

Municipal officials who receive the **Bulletin** include all mayors, commissioners, councilors, trustees, managers, clerks, municipal judges, police chiefs and many other municipal officials.

The **Legislative Bulletin** contains:

- ◆ a brief review of all bills of municipal interest of which we have received a copy since the prior Bulletin (it will save you and us time if you make a note of the House or Senate Bill number you are interested in);
- ◆ a brief analysis of key legislative developments of the past week;
- ◆ detailed explanations of key municipal bills; and, perhaps,
- ◆ an Action Call if any important municipal bill is scheduled to be heard in committee or on the floor of either house.

Your legislator can be reached by name through the **Legislative Switchboard: (505) 986-4300** in Santa Fe. For those of you on line, the Legislature’s web site also contains the e-mail addresses of those legislators who use the service. That address is: <http://www.nmlegis.gov>. Also check the League’s web site (www.nmml.org) for League information.

CAPITAL PROJECT FUNDING BILLS

Capital outlay project requests in recent years have not been introduced as legislative bills, but submitted as “capital outlay requests.” All approved requests are then included in a major capital outlay bill for final passage.

In past years we have reported these requests as we received the printed copies. The legislature will track all capital outlay requests electronically only. Therefore, we are no longer able to report the requests for you as we had in the past. However, the good news is that all requests will be listed on the legislative web site at nmlegis.gov (click on Capital Outlay). Each request is listed under the appropriate county and then alphabetically by title and includes the description of the request along with the dollar amount. Legislative Council Service will be updating the information every Tuesday and Friday evenings so the new introductions will be available for you early on Wednesdays and Saturdays. As always, you can contact your legislators directly to find out when your project will be scheduled for hearing.

BIOGRAPHY OF A BILL

A bill is introduced by a sponsoring legislator on the floor of either house, numbered by the clerk and referred for consideration to one or more committees of that house. The deadline for introduction of all bills except appropriations bills or bills requested by the Governor (*special messages*) is Noon on the 30th day of a 60-day session (**February 16**).

Committee recommendations usually determine the success or failure of a bill. A bill may be amended in committee or on the floor at any point in the process — sometimes changed so severely that its own author would not recognize it — or a substitute measure with the same number and general subject matter may be put in its place.

If you are interested in a particular bill, do not be dismayed if it seems to sit for a long time in committee, particularly in a tax, finance or appropriations committee. Bills which ask for money or for taxing authority often lie dormant until the last few days of a session and then move with unbelievable speed.

If a bill passes successfully through its committee referrals, it returns to the floor of the house in which it was introduced for floor consideration. If it passes that house, it goes to the other house. However, it may also be tabled, referred again or defeated.

In the second house the bill is again considered in one or several committees and it may again be amended or substituted. If it gets through its committee assignments, it returns to the floor of that house for consideration and may from there be referred, tabled, passed or defeated.

If the bill passes the second house and it has been amended or substituted by the second house, the originating house must concur or fail to concur with the changes. If the originating house fails to concur, a conference committee representing both houses is appointed to decide what to present to both houses for acceptance.

A bill that has been passed in some agreed-upon form by both the House and the Senate goes to the Governor for signature. The Governor may choose to sign or to veto the bill. If the bill contains an appropriation, the Governor may veto portions if she wishes (*line item veto*); if it does not, she may only veto the entire bill. If vetoed, 2/3 of the House and 2/3 of the Senate must vote in favor of the bill in order to override the veto. If the veto override fails, the bill is dead.

Most bills do not reach the Governor's desk before the Legislature adjourns (**Noon, March 18**). The Governor has 20 days following the close of the session (**Noon, April 7**) to sign, veto or fail to sign (*pocket veto*) any bill that he did not act on during the session. Any bill is much more likely to have died in committee or on the floor before even reaching the Governor's desk.

In New Mexico, no more than 1/4 to 1/3 of bills introduced ever make it all the way to enactment. The historic trend in New Mexico is for more and more introductions each succeeding session.

ABBREVIATION CODE

HB	House Bill	SB	Senate Bill
HCR	House Concurrent Resolution	SCR	Senate Concurrent Resolution
HJR	House Joint Resolution	SJR	Senate Joint resolution
HJM	House Joint Memorial	SJM	Senate Joint Memorial
HM	House Memorial	SM	Senate Memorial

* Contains Emergency Clause (effective immediately on Governor's signing)
 CA - Constitutional Amendment (requires approval by statewide electorate)

	HOUSE COMMITTEES	HCW	Committee of the Whole
HAFC	Appropriations and Finance	HEEC	Enrolling and Engrossing
HAWC	Agriculture and Water Resources		
HBIC	Business and Industry	SENATE COMMITTEES	
HCPAC	Consumer and Public Affairs	SCC	Committee's Committee
HEC	Education	SCONC	Conservation
HENRC	Energy, Environment and Natural Resources	SCORC	Corporations and Transportation
HHHC	Health and Human Services	SCW	Committee of the Whole
HJC	Judiciary	SEC	Education
HLEDC	Labor and Economic Development	SFC	Finance
HRC	Rules and Order of Business	SIAC	Indian and Cultural Affairs
HLELC	Local Government, Elections, Land Grant & Cultural Affairs	SJC	Judiciary
HSIVC	State Government, Indian & Veterans Affairs	SPAC	Public Affairs
HTRC	Taxation & Revenue	SRC	Rules
HTPWC	Transportation, Public Works & Capital Improvements		

Bill Introductions through Thursday, February 16, 2017

- HB 469 LEGISLATIVE RETIREMENT CHANGES (Dodge)** Amends §§7-1-6.43 and 10-11A-3; the bill amends two sections regarding the use of legislative retirement funds. One section of the Tax Administration Act is amended to do away with superfluous language regarding the amount to be distributed to the legislative retirement fund and the second section amends the Volunteer Firefighters Retirement Act to cease distributions to the Volunteer Firefighters Retirement Fund from the legislative retirement fund for three fiscal years, FY 2018 through FY 2020. The amount distributed from the legislative retirement fund to the Volunteer Firefighters Retirement Fund is usually \$750,000. HAFC
- HB 478 METRO REDEVELOPMENT CODE CHANGES (Dow)** Amends (26)§§§§3-60A-1 through 3-60A-4, 3-60A-6 through 3-60A-10, 3-60A-12 through 3-60A-23.1 and 3-60A-26 through 3-60A-28; the bill amends sections of the Metropolitan Redevelopment Code including sections of the Redevelopment Act and the Redevelopment Bonding Act. The change made throughout is to replace “municipality” with “local government,” so that the Code now is authorized to be used by all counties, as well as all municipalities, not just incorporated or chartered counties as well as municipalities. The Code is a method for local governments to redevelop slums and blighted areas that have been identified as such in resolutions of the municipality or county. A tax increment program is included in the Code, along with provisions for use of eminent domain by the local government and participation with private partners to develop a blighted or slum area. HLELC/HSIVC/HAFC
- HB 483 ENHANCED CONCEALED CARRY FOR LAW ENFORCEMENT (Harper)** Amends (18) §§§§29-19-2 through 29-19-6, 29-19-8 through 29-19-12, 29-19-14, 30-7-2, 30-7-2.1, 30-7-2.4, 30-7-3, 30-7-13 and 34-9-19 and new material; the bill amends the Concealed Handgun Carry Act and authorizes the Department of Public Safety to issue enhanced concealed handgun licenses to law enforcement and active and retired military personnel as well as other people who qualify after a certification course. The enhanced concealed handgun license allows concealed handguns to be carried on the grounds of a school, preschool, courthouse or where liquor is dispensed or sold or a bus. HCPAC/HJC
- HB 485 COMBINE ECONOMIC DEVELOPMENT & TOURISM DEPARTMENTS (Youngblood)** Amends (86) §§§§3-60-B-4, 4-36-7, 5-9-9, 5-10-3, 5-10-5, 6-25-2, 6-25-4, 6-25-5, 6-31-3, 7-2-18.7, 7-2E-1.1, 7-2F-1, 7-2F-4, 7-2F-6, 7-9-86, 7-9-110.3, 7-9-114, 7-9-115, 7-9E-11, 7-9G-1, 7-27-5.26, 9-15-1, 9-15-3 through 9-15-7, 9-15-12, 9-15-16, 9-15-19.1, 9-15-19.2, 9-15-29, 9-15-30, 9-15-30.1, 9-15-32, 9-15-34, 9-15-34.1, 9-15-38, 9-15-39, 9-15-48, 9-15-49, 9-15-53, 9-15-56, 9-15-57, 9-15C-2, 12-13A-4, 12-13B-3-13-1-98, 13-6-2, 13-6-2.1, 13-6-3, 14-4A-5, 15-3-6.1, 15-3B-2, 15-10-2, 16-6-5, 21-2-6, 21-19-7, 21-19-7.1, 21-19-10 through 21-19-13, 50-14-4, 50-14A-5, 53-7B-1, 57-3C-2, 57-3C-5, 58-27-4, 58-31-1, 58-31-4, 60-1A-3, 60-6A-18, 67-3-17, 67-9-8, 67-16-3, 69-10-3, 70-11-8, 71-7-7 and 74-9-14 and enacts new material; the bill eliminates the Tourism Department, renames the Economic Development Department as the Economic Development and Tourism Department and establishes a Division of Tourism in the Economic Development and Tourism Department. Effective 7/1/17. HSIVC/HLELC/HAFC
- HB 487 TAX GAS AT THE RACK (Townsend)** Amends (29)§§§§ §&-1-2, 7-1-6.7, 7-1-6.9, 7-1-6.10, 7-1-6.39, 7-1-8.2, 7-1-13.1, 7-1-26, 7-1-28, 7-1-29, 7-1-69.1, 7-1B-1, 7-1B-6, 7-2-18.21, 7-2A-23, 7-9-26, 7-9-79.2, 7-13A-2, 7-13A-3, 7-13A-7, 7-29A-5, 7-29b-6, 57-19-27, 65-1-2, 65-1-28, 65-1-28.1, 66-1-4.21, 66-3-1.3 and new material; the bill enacts the Motor Fuels Taxes Act, replacing the Gasoline Tax Act and the Special Fuel Supplier Tax Act and repeals multiple sections of law. Although sections are amended in the Tax Administration Act that distribute the net taxes from the gasoline tax and special fuel excise tax, the distributions to municipalities and counties and to the local governments road fund are not changed. The rates of the taxes do not change, still \$.17 per gallon on gasoline and \$.21 per gallon on special fuels. Licensing, reporting and refund procedures may be changed and are more fully set forth in the Motor Fuels Taxes Act than in current law. Tribal fuel tax sharing agreements are eliminated. Effective 7/1/18. HTPWC/HTRC

- HB 488 DWI WITH REVOKED LICENSE PENALTIES (Rehm)** Amends §§66-5-39 and 66-5-39.1; the bill makes a DWI while driving on a revoked license due to a prior DWI offense or a violation of the Implied Consent Act a fourth degree felony. HJC/H AFC
- HB 489 EXCLUDE GREENFIELD AREAS FROM TIDD ACT (Romero)** Amends §5-15-3 and enacts new material; the bill excludes greenfield areas from development pursuant to the Tax Increment for Development Act and defines greenfield areas as those areas with no current structures and lacking the needed infrastructure to support a development project or those areas requiring predominantly new construction and infrastructure rather than rehabilitation of present structures and their associated infrastructure. Effective 7/1/17. HSIVC/HJC
- HB 493 AMUSEMENT RIDE OVERSIGHT (Powdrell-Culbert)** Amends §§§§§57-25-1 through 57-25-5 and enacts new material; the bill provides increased certification and inspection of amusement rides and devices. It changes the name of the Carnival Ride Insurance Act to the Amusement Ride and Device Safety Act. The purpose of the act is to guard against personal injury or property damage during the assembly, disassembly and use of amusement rides or devices. Climbing walls, ziplines and bouncy houses are now covered in the act. Insurance coverage is a minimum of \$3 million in the aggregate for injuries or property damage resulting from an operators amusement rides or devices. Inspectors must be registered with the Regulation and Licensing Department. Effective 7/1/17. HBIC/HJC
- HB 496 MOVE DMV [MVD] TO DEPARTMENT OF TRANSPORTATION (Gonzales)** Amends (45)§§§§§ 1-4-1.1, 1-4-18.1, 1-4-47, 1-5-30, 1-5-31, 7-1B-9, 7-24A-6.1, 11-6A-6, 15-8-5, 15-8-6, 24-6B-14, 24-6B-20, 29-2-18, 29-5-1.1, 29-5-4, 30-3-8.2, 30-16D-1, 30-16D-6, 31-26-15, 32A-2-19, 33-3-25, 38-5-3, 40-5A-3, 52-5-3, 65-1-2, 65-1-29, 65-3-14, 66-1-4, 66-1-4.4, 66-1-4.16, 66-3-1001.1, 66-5-15.2, 66-6-15, 66-6-23.1, 66-8-102.3, 66-8-102.4, 66-8-137.4, 66-12-6, 66-12-6.6, 66-12-6.7, 66-12-6.8, 67-3-6, 67-3-24 and 67-16-10; the bill moves the motor vehicle division from the Taxation and Revenue Department to the New Mexico Department of Transportation and administrative duties to the Secretary of Transportation. Effective 7/1/17. HSIVC
- HB 499 SEVERANCE TAX BOND PROJECTS (Larrañaga, Harper)** Effectively “sweeps” numerous Severance Tax Bond projects and directs those monies to the General Fund. HSVIC/HTRC
- HB 505 EXPUNGEMENT OF CRIMINAL RECORDS (Maestas)** Enacts new material; the bill enacts the Criminal Record Expungement Act to expunge criminal records when a person is: 1) a victim of identity theft leading to the conviction to be expunged; released without a conviction on the crime upon which the record is based; or 2) when a person who has been convicted of a misdemeanor or violation of a municipal ordinance, and who has completed any sentence related to the crime and paid all fines or fees due, petitions the court for expungement of the person’s record. Effective 1/1/18. HJC
- HB 509 FUEL TAX AT THE RACK (Gonzales, Trujillo C.)** Amends (29)§§§§ §&-1-2, 7-1-6.7 through 7-1-6.9, 7-1-6.10, 7-1-6.19, 7-1-6.27, 7-1-6.28, 7-1-6.39, 7-1-8.2, 7-1-13.1, 7-1-26, 7-1-28, 7-1-29, 7-1-69.1, 7-1B-1, 7-1B-6, 7-2-18.21, 7-2A-23, 7-9-26, 7-9-79.2, 7-13A-2, 7-13A-3, 7-13-3, 7-13A-7, 7-16A-3, 7-29A-5, 7-29b-6, 57-19-27, 65-1-2, 65-1-28, 65-1-28.1, 66-1-4.21, 66-3-1.3 and new material; the bill enacts the Motor Fuels Taxes Act, replacing the Gasoline Tax Act and the Special Fuel Supplier Tax Act and repeals multiple sections of law. Unlike HB 487, HB 509 increases the rates of the gasoline tax and the special fuel excise tax from \$.17 to \$.22 and \$.21 to \$.26, respectively. The distributions are changed, but this is necessary to maintain the same level of distribution when the rates are increased. Several other distributions are also made from the gasoline and special fuel taxes, such as a direct distribution to NMDOT for rest stop maintenance for five years and to the Tax Stabilization Reserve Fund until the reserves are certified to be at 8 percent of general fund appropriations. Tribal distributions are also eliminated in this bill. Effective 7/1/17 are §§45-54, 69 & 73 and effective 7/1/18 are §§1-44, 55-68, 70-72 and 74-83. HTRC

- SB 435 NO USE OF WATER BEFORE APPROVAL (Wirth)** Amends §72-6-3; a lease of water rights and subsequent use shall not take effect until after the application has been approved. SCONC/SJC
- SB 436 GAS TAX & DISTRIBUTIONS (Campos)** Raises the gasoline tax from \$.17 to \$.23 per gallon and raises the special fuels tax from \$.21 to \$.27 per gallon; distributes the revenue to one-third to the Pre-Kindergarten Fund, one-third to the General Fund and one-third to the Local Government Road Fund. SCORC/SFC
- SB 439 TRANSFER FT. BAYARD PROPERTY TO SANTA CLARA (Morales)** New material transfers to Fort Bayard historical hospital property to the Village of Santa Clara for a living heritage recreational complex; the Village shall not sell, trade or otherwise dispose of any property without approval of the legislature. SRC/SJC
- SB 441 GROSS RECEIPTS FOOD DEFINITIONS (Smith)** Amends§7-9-92; food means that is approved by the Department of Health pertaining to the federal Special Supplemental Nutrition Program for Women, Infants and Children; included flour tortillas, including flour tortillas with enriched wheat flour or bleached enriched wheat flour as the first ingredient or unprocessed meat, poultry and fish. SCORC/SFC
- SB 443 ORDINANCE ENFORCEMENT AND PENALTIES (Candelaria)** New material authorizes a municipality to enforce provisions of an ordinance through a civil administrative process; 1) the ordinance shall specify which provisions may be enforced through an administrative process; 2) contested violations shall be adjudicated by an independent administrative hearing officer; 3) the hearing officers shall issue a decision on the merits of the appeal not more than 30 days after the completion of the hearing; the ordinance shall specify the civil monetary penalties and such penalties shall not exceed \$50 per day for each violation nor a maximum total penalty of \$500; allows for appeals of a zoning authority through an independent administrative hearing officer; allows counties the use of administrative hearing officials. Effective 7/1/17. SPAC/SJC
- SB 448 HEALTH CARE TAX EXEMPTIONS & MEDICAID FUND (Ortiz y Pino)** Creates the Medicaid Trust Fund; receipts from the governmental gross receipts tax less the net receipts of an entity licensed by the Department of Health that is engaged in providing health care services is made as follows: 75 % to the Public Project Revolving Fund; 24% to the Energy, Minerals and Natural Resources Department and 1% to the Cultural Affairs Department; exempted from the gross receipts tax are receipts of organizations, except an entity licensed by the Department of Health that is principally engaged in providing health care services; a distribution is made to the Medicaid Trust Fund of 2.4 % of the net receipts of the gross receipts tax. Effective 7/1/17. SCORC/SFC
- SB 440 LAW ENFORCEMENT USE OF FORCE REVIEW BOARD (McSorley)** New material creates the Use of Force Review Board attached to the Administrative Office of the Courts; board has five members not appointed by the governor; upon receipt of notice of use of force incident from a law enforcement agency, the board shall meet and conduct a review of the incident and if the board determines the use of force was not justified, appoint a special prosecutor to bring the matter to a preliminary hearing. SJC/SFC
- SB 451 EXCLUDE SOME GOV'TS FROM HOLD HARMLESS (Muñoz)** For those municipalities with a population of 10,000 or less and have not enacted any portion of the hold harmless gross receipts tax (HHGRT), their distributions remain the same; for those that have enacted the HHGRT, the distributions cease; counties with a population of 48,000 or less and have not enacted any portion of the HHGRT retain their current distributions while counties that have enacted the tax, the distributions cease. SCOCR/SFC
- SB 452 PUBLIC USE & "EMINENT DOMAIN" (Muñoz)** Property may only be condemned if authorized by law and for the public use; if property is proposed to be condemned for alleged public use, the question of public use is a judicial question and determined without regard to legislative assertion that the use is public; the owner of land affected by land use law is entitled to just compensation from the state or political subdivision that enacted the land use law; lists certain exempts; requires the land owner to make a written demand for a specific amount of compensation. SCORC/SJC

- SB 456 INTERIOR DESIGNER LICENSURE TO RLD (Papen)** Transfers the powers and duties under the Interior Designers Act to the Regulations and Licensing Department; a licensed interior designer who signs, stamps or seals a plan, specification or document shall have the authority to submit the plan to a county, municipality or state authority for an interior design project. Effective 7/1/17. SPAC/SCORC
- SB 457 GROSS RECEIPTS TAX CHANGES (Smith, Ingle)** For those municipalities with a population of 10,000 or less and have not enacted any portion of the hold harmless gross receipts tax (HHGRT), their distributions remain the same; for those that have enacted the HHGRT, the distributions cease; counties with a population of 48,000 or less and have not enacted any portion of the HHGRT retain their current distributions while counties that have enacted the tax the distributions cease; governmental gross receipts includes net patient care revenue form a hospital licensed by the Department of Health; net patient care revenue is revenue that a non-profit or governmental hospital generates from treating patients, less any amount from contractual adjustments, bad debts and charitable treatment of patients; both non-profit and for-profit hospitals and health care practitioners are now subject to gross receipts and governmental gross receipts but are allowed a 60 percent deduction on receipts. The results is an approximate \$3 million loss to local governments. Effective 7/1/17. SCORC/SFC
- SB 460 SUNSET TAX CREDITS (Cisneros)** Repeals a number of tax credits and deductions beginning January 1, 2018. SCORC/SFC
- SB 474 DPS TO ASSIST WITH RAPE KIT TESTING (Stewart)** The Department of Public Safety forensic laboratories shall assist any other local law enforcement agency crime laboratory that has more than 100 untested samples of biological material collected from a sexual assault victim. SPAC
- SB 475 REQUIRE RAPE KIT POLICIES (Stewart)** By October 1, 2017 every law enforcement agency shall develop and implement a policy that prescribes how the agency handles rape kit samples and provides how the agency prioritizes a sample for testing. SJC
- SB 482 EMPLOYEE PREFERENCE ACT (Burt)** Same as HB 432. SPAC/SJC
- SB 484 NOTICE OF CONSTRUCTION NEAR FLIGHT PATHS (Burt)** New material; at least 45 days prior to issuing a construction permit on real property located beneath a military training flight path, the issuing agency shall provide notice to the commander of the request for a permit. SCORC
- SB 485 MILITARY BASE CONSTRUCTION GROSS RECEIPTS (Burt)** New material: from July 1, 2017 through June 30, 2022, receipts from the sale of services for construction of infrastructure on a military base to support a training mission involving F-16 fighter jets may be deducted from gross receipts taxes. SCORC/SFC
- *SB 486 LAW ENFORCEMENT RETURN TO WORK (Burt)** Certified law enforcement officers who have retired on or before December 31, 2016 under any municipal police member coverage plan, state police plan or adult correctional officer may be subsequently employed ab an affiliated employer if the retired member has not been employed by the affiliated employer or retained as an independent contractor for at least 90 days from the date of retirement provided that; 1) the retired member’s pension shall continue; 2) the retire members shall not become a member during the employment; 3) the retire member shall not accrue service credit; 4) the retired member and employer shall make contributions for the entire period of employment; 5) contributions shall not be refundable at the end of employment; the period of employment shall not exceed five years; 6) the chief of police or the most senior ranking law enforcement officer shall screen the retired members for employment; 7) an affiliated employer that is a Class A County with a population over 600,000 or a municipality with a population over 50,000 in a Class A County may not employ retired members that exceeds 10 percent of the employer’s force; 8) those special counties and municipalities shall employ retired members only at ranks below sergeant and shall not promote those above the ranks of sergeant during the employment; and 9) an affiliated public employer that is recruiting for a chief of police may hire a retired certified law enforcement officer in accordance with the established hiring process for the affiliated public employer. EMERGENCY CLAUSE SJC/SFC

- SB 487 PUBLIC EMPLOYEE LABOR BOARD ENFORCEMENT (Burt)** Amends §10-7E-9; the Labor Relations Board shall enforce the provisions of the Public Employee Bargaining Act through appropriate administrative remedies, except those remedies do not include reinstatement of position or the award or compensatory damages. SPAC/SJC
- SB 488 UNIFORMITY OF EMPLOYMENT LAW TERMS (Burt)** Same as SB 415. SPAC.SJC