



End of Session Report NM Restaurant Association

Legislation Breakdown

813 - Bills were introduced

112 - Memorials, Joint Memorials, Resolutions, Joint Resolutions or Concurrent Resolutions were introduced

162 - Total Bills were sent to the Governor for Action

41 - Memorials, Joint Memorials, Resolutions, Joint Resolutions or Concurrent Resolutions were passed by the Legislature

48 piece(s) of legislation were tracked this session.

48 - Bills

Legislation Signed By Governor or Signed Memorials:

7 piece(s) of tracked legislation have been signed.

HB 11 GRT & PERMANENT FUND FOR LEDA PROJECTS (Christine Chandler) Action: Signed by Governor

Synopsis:

House Bill 11 (HB 11) permits a portion of state and local Gross Receipts Tax revenue to be used as public support on certain economic development projects. This bill changes the name of the Local and Regional Economic Development Support Fund and its uses. HB 11 creates a business recovery grant program for rent and lease payments via a \$200 million General Fund appropriation. This bill declares an emergency.

HB 15 SUSTAINABLE BUILDING TAX CREDIT (Kristina Ortez) Action: Signed by Governor

Synopsis:

House Bill 15 (HB 15) creates the 2021 Sustainable Building Tax Credit (SBTC). This bill terminates the New Sustainable Building Tax Credit and renames it the 2015 SBTC.

HB 20 HEALTHY WORKPLACES ACT (Christine Chandler) Action: Signed by Governor

Synopsis:

House Bill 20 (HB 20) creates the Healthy Workplaces Act to direct employers to provide earned sick leave and details the requirements and enforcement.

HB 98 OMNIBUS TAX BILL (Javier I Martinez) Action: Signed by Governor

Synopsis:

House Bill 98 (HB 98) makes comprehensive changes to tax statutes including credits, garnishment of wages, Gross Receipts Tax, and technical changes.

HB 177 HOMEMADE FOOD ACT (Zachary J Cook) Action: Signed by Governor

Synopsis:

Relating to food by enacting the Homemade Food Act and providing definitions, establishing labeling and information requirements for homemade food items, exempting non-potentially hazardous homemade food items from regulations pursuant to the Food Sanitation Act or the New Mexico Food Act and establishing state preemption of regulation of home food items.

HB 255 ALCOHOL DELIVERIES (Antonio Maestas) Action: Signed by Governor

Synopsis:

House Bill 255 (HB255) relates to the Liquor Control Act. It provides for tax deductions for certain license holders, creates a new license, allows for alcohol delivery, and creates new taxes on alcohol. This legislation has an effective date of July 1, 2021.

HB 303 UNLAWFUL LIQUOR LICENSE INDUCEMENTS (Zachary J Cook) Action: Signed by Governor

Synopsis:

House Bill 303 (HB 303) specifies unlawful inducements for certain liquor licensees.

SB 1 RESTAURANT GROSS RECEIPT TAX DEDUCTION (Peter Wirth) Action: Signed by Governor

Synopsis:

Senate Bill 1 (SB 1) creates a 2020 personal income tax rebate and a temporary Gross Receipts Tax (GRT) deduction for certain restaurants. To balance the loss of GRT, SB 1 distributes the decrease in revenue to local governments.

SB 2 WAIVE 2021 LIQUOR LICENSE FEES (Elizabeth "Liz" Stefanics) Action: Signed by Governor

Synopsis:

Senate Bill 2 (SB 2) waives 2021 license fees for licenses issued pursuant to the Liquor Control Act. It declares an emergency.

SB 3 SMALL BUSINESS RECOVERY ACT (Jacob Candelaria) Action: Signed by Governor

Synopsis:

Senate Bill 3 (SB3) changes the name of the Small Business Recovery Act of 2020 to the Small Business Recovery Act. Makes changes in definitions and extends the deadline to apply for a Small Business Recover Loan. Delays the reversion of the Small Business Recovery Loan Fund. SB3 changes the terms of Small Business Recovery Loans (Recovery Loans) and allows recipients to refinance the loan. SB3 increases the amount of the Severance Tax Permanent Fund invested. Declares an emergency.

SB 27 PRESERVATION OF HOUSING (Nancy Rodriguez) Action: Signed by Governor

Synopsis:

Senate Bill 27 (SB 27) expands the purpose of the New Mexico Housing Trust Fund Act to include the preservation of housing. It permits the development of program guidelines and certain funds to be awarded based on need. SB declares an emergency.

SB 35 MINIMUM WAGE FOR SECONDARY SCHOOL STUDENTS (Jeff Steinborn) Action: Signed by Governor

Synopsis:

Senate Bill 35 (SB35) amends employment law to remove the exception to the minimum wage requirement for secondary school students.

SB 52 EXTENDED UNEMPLOYMENT BENEFITS (Bill B. O'Neill) Action: Signed by Governor

Synopsis:

Senate Bill 52 (SB52) makes a change to Section 51-1-48 NMSA 1978, to provide certain extended unemployment benefits.

Legislation Passed Awaiting Action:

2 piece(s) of tracked legislation have passed the House and the Senate and are awaiting further action.

SB 49 USES OF LOCAL ECON DEVELOPMENT FUNDING (Pat Woods) Action: Signed by Governor

Synopsis:

This bill allows municipalities to use up to 25% of Local Economic Development Act funding for retail business.

HB 112 HEALTH BENEFITS FOR CERTAIN NON-CITIZENS (Javier I Martinez) Action: Signed by Governor

Synopsis:

House Bill 112/a (HB112/a) Related to health by providing eligibility for a state or local health benefit to certain non-citizens and modifying the Hospital Funding Act and modifying the Indigent Hospital and County Healthcare Act.

Legislation Not Passed the Legislature:

33 piece(s) of tracked legislation have not passed the House and the Senate. In a 30-day session these may not have been ruled Germane.

3 piece(s) of tracked legislation passed the House but died in the Senate.

HB 8 LIQUOR DELIVERY & LICENSES (Dayan Hochman-Vigil) Current Location: HCEDC

Synopsis:

House Bill 8 (HB 8) amends and enacts sections of the Liquor Control Act to permit certain persons to deliver alcoholic beverages. It adds a new type of restaurant license that allows sale of alcoholic beverages in restaurants and imposes license issuance fees. HB 8 allows dispenser's licenses to be transferred out of a local option district intact and allows certain dispenser's licenses to reinstate retail privileges.

HB 13 EMERGENCY SERVICES FOR NON-CITIZENS (Brittney Barreras) Current Location: HAFC

Synopsis:

Related to health. Enacts a new section of the Public Assistance Act to clarify eligibility for and coverage of certain services provided to non-citizens

HB 33 LIVESTOCK BOARD MEAT INSPECTIONS (Rebecca Dow) Current Location: SCal

Synopsis:

House Bill 33 (HB 33) authorizes the New Mexico Livestock Board to conduct meat inspections to ensure the safety and quality of meat for human consumption.

HB 37 PAID SICK LEAVE ACT (Angelica Rubio) Current Location: HLVMC

Synopsis:

House Bill 37 (HB 37) enacts the Paid Sick Leave Act. HB 37 requires accrual of paid sick leave for employees, provides remedies for violations, requires rulemaking, establishes burden of proof standards for retaliation cases and declares an emergency.

HB 38 PAID FAMILY & MEDICAL LEAVE ACT (Christine Chandler) Current Location: HAFC

Synopsis:

House Bill 38 (HB 38) enacts the Paid Family and Medical Leave Act the Paid Family and Medical Leave Act Trust Fund. HB 38 also provides for payment to an eligible employee, limits the time allowed for paid family and medical leave. HB 38 provides for administration of the program by the Workforce Solutions Department. HB 38 enacts administrative penalties. HB 38 creates a temporary advisory committee.

HB 44 UNEMPLOYMENT COMPENSATION RESTRICTION CHANGES (Patricia Roybal Caballero) Current Location: HLVMC

Synopsis:

House Bill 44 (HB 44) temporarily allow eligibility for unemployment compensation benefits during a public health emergency. HB 44 declares and emergency.

HB 63 DWI BLOOD TESTING (William Rehm) Current Location: HCPAC

Synopsis:

House Bill 63 (HB 63) amends the warrant requirements for testing the blood of a person suspected of driving while under the influence of alcohol or drugs, amends who may administer a chemical blood test, and clarifies that a chemical blood test may be for drugs or alcohol.

HB 72 FAMILY FRIENDLY WORKFORCE TRAINING (Christine Trujillo) Current Location: HAFC

Synopsis:

House Bill 72 (HB 72) appropriates \$500,000 to the Workforce Solutions Department for family-friendly workplace education and training.

HB 110 PHASED MINIMUM WAGE INCREASE (Patricia Roybal Caballero) Current Location: HCEDC

Synopsis:

House Bill 110 (HB 110) increases the minimum wage for employees in phases, provides for an annual cost of living increase in that minimum wage rate beginning in 2025, and repeals Section 50-4-23 NMSA 1978 (being laws 1967, Chapter 242, Section 1, as amended), which provides for reduced minimum wages for persons with disabilities.

HB 118 HOMELESS YOUTH EMPLOYMENT TAX CREDIT (D. Wonda Johnson) Current Location: HHHC

Synopsis:

House Bill 118 (HB 118) adds homeless youths to the Foster Youth Employment Income Tax Credit and the Foster Youth Employment Corporate Income Tax Credit. HB 118 allows a credit to be taken for each year an employer employs a foster or homeless youth. HB 118 removes qualified from the foster youth definition. HB 118 is applicable to taxable years beginning on and after January 1, 2021.

HB 121 MEAT PROCESSING & MARKETING PROGRAM (Jack Chatfield) Current Location: HAFC

Synopsis:

House Bill 121 (HB 121) appropriates one hundred fifty thousand dollars (\$150,000) the New Mexico Department of Agriculture for a statewide meat processing and marketing program.

HB 122 HEALTH INSURANCE PREMIUM SURTAX (Deborah A Armstrong) Current Location: SFC

Synopsis:

Relating to health insurance by increasing the health insurance surtax and distributing a portion of the revenue of the surtax to a new Health Care Affordability Fund, creating the Health Care Affordability Fund to be used to reduce the cost of health care coverage for New Mexico residents, and requiring the Superintendent of Insurance to report on the expenditures from the Health Care Affordability Fund Requiring the Superintendent of Insurance to establish and annually update health insurance criteria that define affordability standards.

HB 134 FAMILY-FRIENDLY WORKPLACE INCENTIVE PGM. (Joshua Nathaniel Hernandez) Current Location: HAFC

Synopsis:

House Bill 134 (HB 134) establishes a program to reward small business employers for adopting family-friendly workplace policies. Creates the Family-friendly Workplace Fund. Makes a \$9,000,000 appropriation.

HB 148 UNEMPLOYMENT CONTRIBUTION RATE CHANGE (Christine Chandler) Current Location: HAFC

Synopsis:

House Bill 148 (HB 148) makes changes to Section 51-1-11 NMSA 1978, to provide a temporary addition to the contribution rate of contributing employers and a temporary increase to the base wage for which employer contributions to the Unemployment Compensation Fund are made. HB 148 makes a nonrecurring appropriation from the General Fund to the Workforce Solutions Department in FY2021.

HB 164 NEW LIQUOR DISPENSER LICENSES (Larry R Scott) Current Location: HCEDC

Synopsis:

House Bill 164 (HB 164) requires the director of the Alcoholic Beverage Control Division of the Regulation and Licensing Department to annually offer to issue new dispenser licenses in an amount equal to five percent of the total number of dispenser licenses issued. It provides for a sealed bid process to award opportunities to apply for a license and removes the limit on the number of dispenser licenses that can be issued. HB 164 removes the lottery process for issuing new licenses and provides for a fee.

HB 267 TOURISM DEPT. PROGRAMS & SERVICES (Meridith Dixon) Current Location: HAFC

Synopsis:

House Bill 267 (HB 267) makes three separate nonrecurring General Fund appropriations to the Tourism Department in FY2022 and FY2023. Purposes are to 1) provide destination marketing services and support to certain business improvement districts; 2) provide technical assistance to tourism events through a Tourism Event Revitalization Program; and 3) develop a Tourism Industry Career Advancement Pilot Program.

HB 268 CORONAVIRUS & WORKERS' COMP (Dayan Hochman-Vigil) Current Location: SJC

Synopsis:

House Bill 268 (HB 268) amends Workers' compensation to create a presumption that coronavirus disease 2019 is an injury by accident arising out of and in the course of employment for essential employees. HB 268 permits employers to rebut the presumption and defines "essential employee." HB 268 prohibits workers' compensation insurers from using coronavirus disease 2018 claims in developing rating plans. Declares an emergency.

HB 349 "FALSE ADVERTISING" DEFINITIONS (Tara L. Lujan) Current Location: HJC

Synopsis:

House Bill 349 (HB 349) includes unauthorized use of intellectual property in the definition of false advertising.

SB 6 LIQUOR CONTROL ACT (Peter Wirth) Current Location: SJC

Synopsis:

Senate Bill 6 (SB6) amends and enacts sections of the Liquor Control Act to permit certain persons to deliver alcoholic beverages. It adds a new type of restaurant license that allows sale of alcoholic beverages in restaurants and imposes license issuance fees. SB 6 allows dispenser's licenses to be transferred out of a local option district intact and allows certain dispenser's licenses to reinstate retail privileges.

SB 25 WAIVER OF PENALTIES ON CERTAIN TAXES (Cliff R. Pirtle) Current Location: SFC

Synopsis:

Senate Bill 25 (SB 25) provides a temporary waiver of penalties and interest on some Gross Receipts and Compensating Tax during and immediately after certain public health orders are in effect. SB 25 declares an emergency.

SB 28 NEW MEXICO HOUSING TRUST FUND (Nancy Rodriguez) Current Location: SFC

Synopsis:

Senate Bill 28 (SB 28) appropriates twelve million dollars (\$12,000,000) to the NM Housing Trust Fund. The Mortgage Finance Authority Act Oversight Committee endorsed this bill.

SB 74 PUBLIC HEALTH ORDER TERMINATION & RENEWAL (Gregory Baca) Current Location: SCal

Synopsis:

Senate Bill 74 (SB 74) enacts a new section of the Emergency Powers Code, amends the Public Health Emergency Response Act and enacts a new section of the Public Health Act. It provides for automatic termination of a public health emergency order or a public health order that closes public places or limits gatherings. SB 74 provides for renewal or amendment of a public health emergency order or a public health order by the legislature or by particular legislative leaders in certain circumstances. It declares an emergency

SB 79 SMALL BUSINESS PANDEMIC TAKINGS REPARATIONS (Cliff R. Pirtle) Current Location: STBTC

Synopsis:

Senate Bill 79 (SB79) enacts the Small Business Pandemic Takings Reparations Act; creates the Pandemic Reparations Division in the Taxation and Revenue Department; provides powers and duties; creates the Small Business Pandemic Reparations Tax Credit and provides for certificates of eligibility; provides a process for protests; creates the Pandemic Reparations Fund; and makes an appropriation.

SB 87 NO RETALIATION FOR IPRA (Jacob Candelaria) Current Location: SJC

Synopsis:

Amends the Inspection of Public Records Act by prohibiting retaliation and providing civil liability for a custodian or public body for taking retaliatory action against a person who requested public records.

SB 89 AMEND PERSONAL INCOME TAX BRACKETS (Bill Tallman) Current Location: STBTC

Synopsis:

Senate Bill 89 (SB 89) modifies the personal income tax bracket for Tax Years beginning 2022.

SB 110 INCREASING EMPLOYER CONTRIBUTION (Mimi Stewart) Current Location: SEC

Synopsis:

Relating to school personnel by increasing employer contributions for group health insurance and making an appropriation.

SB 118 FOOD ACCESSIBILITY ACT (Cliff R. Pirtle) Current Location: SFC

Synopsis:

Senate Bill 118 (SB118) enacts the Food Accessibility Act (Act); exempts certain food sales from licensure, regulation and inspection requirements; allows the acquisition of meat pursuant to ownership of an animal share; directs the establishment of a state meat inspection program; exempts meat from gross receipts tax and governmental gross receipts tax; amends and enacts sections of the NMSA 1978; and declares an emergency.

SB 136 LOCAL OPTION FOR RESTAURANTS (William Soules) Current Location: STBTC

Synopsis:

Senate Bill 136 (SB 136) provides that a local option district may hold an election to allow the sale by certain restaurant licenses of spirituous liquors distilled and bottled in New Mexico.

SB 293 REFUND & WAIVER OF CERTAIN BUSINESS LICENSES (Jacob Candelaria) Current Location: STBTC

Synopsis:

Senate Bill 293 (SB 293) amends business restrictions providing for the refund and waiver of license fees to certain businesses whose operations were restricted by an executive order made pursuant to the Public Health Emergency Response Act.

SB 320 NEW LIQUOR LICENSE TYPES (Ron Griggs) Current Location: STBTC

Synopsis:

Senate Bill 320 (SB 320) creates new types of liquor licenses and alters the requirements and powers conferred by certain liquor licenses

SB 386 RECORDATION TAX ACT (Ron Griggs) Current Location: STBTC

Synopsis:

Senate Bill 386 (SB 386) enacts taxes for property recordings and food gross receipts. SB 386 exempts Social Security and Military Retirement from income tax.

SB 405 "JOINT EMPLOYER" IN HUMAN RIGHTS ACT (Linda M. Lopez) Current Location: STBTC

Synopsis:

Senate Bill 405 (SB 405) makes changes to Section 28-1-2 NMSA 1978 to expand the definition of employer to include joint employers.

SB 428 UNEMPLOYMENT CALCULATION DATES (Craig Brandt) Current Location: STBTC

Synopsis:

SRCcs/SB 428: Senate Rules Committee, committee substitute for Senate Bill 428 extends the omission of certain data through June 30, 2022, from the calculations of employer contributions to the Unemployment Compensation Fund, excess claims premiums and excess claims rates. SRCcs/SB 428 extends the use of the 2019 Computation Date Reserve Factor through June 30, 2022.