

<b>LFC Requester:</b>	<b>Abraham Sanogo</b>
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**AGENCY BILL ANALYSIS  
2015 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

**[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)**

*and*

**[DFA@STATE.NM.US](mailto:DFA@STATE.NM.US)**

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Check all that apply:  
**Original**     **Amendment**      
**Correction**     **Substitute**   

**Date** February 23, 2015  
**Bill No:** HB 498

**Sponsor:** Rep. Nate Gentry  
**Short**    STATE PREEMPTION OF  
**Title:**    WAGE & LEAVE LAWS

**Agency Code:** Attorney General's Office  
**Person Writing**    Joshua R. Granata, AAG  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: SEE COMMENTS BELOW  
Duplicates/Relates to Appropriation in the General Appropriation Act:

**SECTION III: NARRATIVE**

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

**BILL SUMMARY**

Synopsis:

House Bill 498 is an act which proposes to amend Section 50-4-22.1 to preempt local laws addressing minimum wage and employee leave.

**FISCAL IMPLICATIONS**

N/A

**SIGNIFICANT ISSUES**

None noted.

**PERFORMANCE IMPLICATIONS**

N/A

**ADMINISTRATIVE IMPLICATIONS**

N/A

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

HB 20 proposes amend Section 50-4-22 in order to raise the minimum wage. HB 20 does not appear to conflict with HB 498.

HB 138 proposes amend Section 50-4-22 in order to raise the minimum wage. HB 20 does not appear to conflict with HB 498.

HB 360 proposes amend Section 50-4-22 in order to raise the minimum wage. HB 20 does not appear to conflict with HB 498.

SB 10 proposes amend Section 50-4-22 in order to raise the minimum wage. HB 20 does not appear to conflict with HB 498.

SB 342 proposes amend Section 10-7-9 in order to raise the minimum wage relating to certain public employees. HB 20 does not appear to conflict with HB 498.

SB 350 proposes amend Section 50-4-22 in order to raise the minimum wage and Section 10-7-9 in order to raise the minimum wage relating to certain public employees. HB 20 does not appear to conflict with HB 498.

SB 351 proposes to amend Section 50-4-22 to include dairy workers in the definition of employee and in the overtime protection provision of the minimum wage act. SB 351 does not appear to conflict with HB 498.

SB 432 proposes amend Section 50-4-22 in order to raise the minimum wage. HB 20 does not appear to conflict with HB 498.

SJR 9 proposes amend Section 50-4-22 in order to raise the minimum wage yearly. SJR does conflict with HB 498. Section 1(c) allows for local governments to impose a minimum wage which exceeds the state minimum wage.

**TECHNICAL ISSUES**

N/A

**OTHER SUBSTANTIVE ISSUES**

N/A

**ALTERNATIVES**

N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**Status quo**

**AMENDMENTS**

N/A