

HOUSE BILL 215

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

INTRODUCED BY

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AN ACT

RELATING TO INSURANCE; DIRECTING THE WORKFORCE SOLUTIONS  
DEPARTMENT TO STUDY AND PROVIDE RECOMMENDATIONS ON ISSUES  
RELATED TO PROVIDING UNEMPLOYMENT INSURANCE OR WAGE REPLACEMENT  
TO UNEMPLOYED WORKERS WHO ARE INELIGIBLE FOR INSURANCE  
BENEFITS; MAKING AN APPROPRIATION.

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

SECTION 1. TEMPORARY PROVISIONS--WORKFORCE SOLUTIONS  
DEPARTMENT--WAGE REPLACEMENT AND INCOME ASSISTANCE STUDY.--

A. As used in this section, "excluded workers"  
means unemployed workers who are ineligible for state or  
federal unemployment insurance benefits.

B. The workforce solutions department shall study  
and prepare a report with recommendations by December 1, 2023  
on the feasibility of providing income assistance or wage

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1 replacement to excluded workers or workers who have lost  
2 employment or income due to the downsizing of an extractive  
3 industry. A copy of the report shall be provided to the  
4 governor and presented to the sustainable economy task force of  
5 the economic development department, the legislative finance  
6 committee, the legislative health and human services committee  
7 and the revenue stabilization and tax policy committee.

8 C. The workforce solutions department shall  
9 coordinate with relevant state agencies, the office of the  
10 governor, nongovernmental organizations, the United States  
11 department of labor, organizations that represent workers  
12 ineligible for existing unemployment insurance programs and  
13 other stakeholders to study and report on the following:

14 (1) the types of workers who are currently  
15 ineligible for unemployment insurance due to immigration status  
16 or status as self-employed independent contractors, including  
17 undocumented immigrant workers, domestic workers, workers in  
18 extractive industries, bona fide self-employed workers in low-  
19 wage industries, home health care workers and child care  
20 providers;

21 (2) the costs and potential funding sources to  
22 provide excluded workers and workers who recently lost  
23 employment or income with unemployment benefits or wage  
24 replacement;

25 (3) with regard to excluded workers:

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1 (a) the reasons excluded workers are  
2 excluded from the state's unemployment insurance program,  
3 whether legal or otherwise;

4 (b) the economic insecurity and impact  
5 to excluded workers' families and communities;

6 (c) the legislative or administrative  
7 changes needed to include excluded workers in the state's  
8 unemployment insurance program;

9 (d) the eligibility criteria and  
10 documents necessary to prove eligibility if the excluded  
11 workers were to be included under state law; and

12 (e) the ways to provide excluded workers  
13 with unemployment insurance; and

14 (4) technological, staffing and administrative  
15 costs for the workforce solutions department to expand  
16 unemployment benefits to excluded workers and workers who have  
17 lost employment or income due to the downsizing of an  
18 extractive industry.

19 D. To ensure involvement of various stakeholders,  
20 the workforce solutions department shall hold at least three  
21 focus groups in three geographically distinct communities on  
22 the study's subject matter to collect different experiences and  
23 perspectives from excluded workers. In conducting the study  
24 and preparing the report, the department shall incorporate the  
25 expertise of external stakeholders, including:

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- 1 (1) immigrant advocacy organizations;  
2 (2) organizations that represent workers who  
3 are currently excluded from the state's unemployment insurance  
4 program;  
5 (3) labor unions;  
6 (4) representatives from the business  
7 community;  
8 (5) nongovernmental organizations that focus  
9 on the economic well-being of the state's low-income families  
10 and children; and  
11 (6) organizations that provide services to  
12 immigrants who are independent contractors to ensure their  
13 economic success and integration.

14 SECTION 2. APPROPRIATION.--Two hundred thousand dollars  
15 (\$200,000) is appropriated from the general fund to the  
16 workforce solutions department for expenditure in fiscal year  
17 2024 to study and prepare a report on the opportunities for and  
18 barriers to extending unemployment insurance to workers who are  
19 currently excluded from unemployment insurance. Any unexpended  
20 or unencumbered balance remaining at the end of fiscal year  
21 2024 shall revert to the general fund.