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SENATE BILL 421

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO VOLUNTEER FIREFIGHTERS RETIREMENT; LIMITING THE  
TIME PERIOD FOR POSTING OR ADJUSTING SERVICE CREDIT.

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

**SECTION 1.** Section 10-11A-6 NMSA 1978 (being Laws 1983,  
Chapter 263, Section 6, as amended) is amended to read:

"10-11A-6. DETERMINATION OF SERVICE CREDIT.--

A. A member may claim one year of service credit  
for each year in which a fire department certifies that the  
member:

(1) attended fifty percent of all scheduled  
fire drills for which the fire department held the member  
responsible to attend;

(2) attended fifty percent of all scheduled  
business meetings for which the fire department held the member

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1 responsible to attend; and

2 (3) participated in at least fifty percent of  
3 all emergency response calls for which the fire department held  
4 the member responsible to attend.

5 B. The chief of each fire department shall submit  
6 to the association by March 31 of each year documentation of  
7 the qualifications of each member for the preceding calendar  
8 year; provided that the chief shall:

9 (1) submit the documentation on forms provided  
10 by the association;

11 (2) acknowledge the truth of the records under  
12 oath before a notary public; and

13 (3) have the notarized forms signed by the  
14 mayor, if distributions from the fire protection fund for the  
15 fire department are made to an incorporated municipality, or  
16 the chair of the county commission, if distributions from the  
17 fire protection fund for the fire department are made to a  
18 county fire district.

19 C. For service credit that has been earned, but not  
20 credited pursuant to Subsection B of this section, a member may  
21 post or adjust service credit earned for ~~[one or more calendar~~  
22 ~~years beginning on or after January 1, 1979]~~ not more than the  
23 two preceding calendar years; provided that the member shall:

24 (1) file with the association a completed  
25 "Corrected Qualification Record" or "Adjusted Qualification

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1 Record" as prescribed by the board;

2 (2) acknowledge the truth of the records under  
3 oath before a notary public; and

4 (3) have the notarized forms signed by the  
5 mayor, if distributions from the fire protection fund for the  
6 fire department are made to an incorporated municipality, or  
7 the chair of the county commission, if distributions from the  
8 fire protection fund for the fire department are made to a  
9 county fire district.

10 D. The association may request the fire marshal  
11 division of the public regulation commission to verify member  
12 qualifications submitted to the association."

13 SECTION 2. EFFECTIVE DATE.--The effective date of the  
14 provisions of this act is January 1, 2014.