

NOTICE OF PROPOSED RULEMAKING

Public Hearing: Notice is hereby given that the New Mexico Educational Retirement Board (hereafter, “NMERB”) will convene a Rule Hearing at 9:00 a.m. on October 24, 2025, at the NMERB’s Santa Fe office, located at 5211 Las Soleras Drive, Santa Fe, New Mexico 87507.

Purpose: The purpose is to make rules consistent with changes made by the legislature to 22-11-25.1 NMSA 1978.

Statutory Authority: Educational Retirement Act, Paragraph (5) of Subsection A of Section 22-11-6 NMSA 1978.

Summary of Proposed Amendments:

Proposed Section 17 of 2.82.5 NMAC increases the Return to Work program earnings from less than fifteen thousand per fiscal year to twenty-five thousand per fiscal year.

Proposed Section 18 of 2.82.5 NMAC increases the Return to Work program limits from 36 consecutive or nonconsecutive months to 60 consecutive or nonconsecutive months.

Details for Obtaining a Copy of Proposed Rule Amendments and Submitting Oral or Written Comments:

A copy of the proposed rule amendments is available on the NMERB website at <https://www.erb.nm.gov>. Hard copies are available for pick up at the NMERB offices located at 701 Camino de los Marquesz, Santa Fe, NM 87505 or 8500 Menaul Blvd. NE, Suite B-450, Albuquerque, NM 87112 during regular business hours. The proposed rule amendments are also posted on the New Mexico Sunshine Portal at <https://ssp.nm.gov>. Interested individuals may provide oral comments at the public rule hearing or submit written comments by mail to Amanda Olsen, New Mexico Educational Retirement Board, P.O. Box 26129, Santa Fe, NM 87502 or by email to NMERB.RuleChange@erb.nm.gov or by fax to (505) 827-1855. Written comments must be received by 5:00 pm (MT) on October 23, 2025. All timely submitted written comments will be posted on the NMERB website at <https://www.erb.nm.gov>.

Any person with a disability who needs a reader, amplifier, qualified sign language interpreter, or auxiliary aid or service to attend or participate in the hearing should contact Amanda Olsen at (505) 531-6133 as soon as possible or at least ten business days before the public hearing.