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HOUSE BILL 187

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY

Matthew McQueen

AN ACT

RELATING TO PUBLIC EDUCATION; ALLOWING THE PUBLIC EDUCATION  
DEPARTMENT TO WAIVE THE NEPOTISM RULE FOR FAMILY OF LOCAL  
SCHOOL BOARD MEMBERS IN CERTAIN CASES.

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

**SECTION 1.** Section 22-5-6 NMSA 1978 (being Laws 1971,  
Chapter 199, Section 1, as amended) is amended to read:

"22-5-6. NEPOTISM PROHIBITED.--

A. A local superintendent shall not initially  
employ or approve the initial employment in any capacity of a  
person who is the spouse, father, father-in-law, mother,  
mother-in-law, son, son-in-law, daughter, daughter-in-law,  
brother, brother-in-law, sister or sister-in-law of a member of  
the local school board or the local superintendent. The local  
school board may waive the nepotism rule for family members of

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1 a local superintendent. Upon application from the local  
2 superintendent, the public education department may waive the  
3 nepotism rule for family members of a member of a local school  
4 board if the local superintendent shows:

5 (1) that a family member considered for  
6 employment is qualified for the position; and

7 (2) other good cause.

8 B. Nothing in this section shall prohibit the  
9 continued employment of a person employed on or before July 1,  
10 2008."