

State Statute for Labor Enforcement Fund reads as follows:

13-4-13.1.1. Public works contracts; registration of contractors and subcontractors.

A. Except as otherwise provided in this subsection, in order to submit a bid valued at more than sixty thousand dollars (\$60,000) in order to respond to a request for proposals or to be considered for award of any portion of a public works project greater than sixty thousand dollars (\$60,000) for a public works project that is subject to the Public Works Minimum Wage Act [[13-4-10](#) to [13-4-17](#) NMSA 1978], the contractor, serving as a prime contractor or not, shall be registered with the Division. Bidding documents issued or released by a state agency or political subdivision of the state shall include a clear notification that each contractor, prime contractor or subcontractor is required to be registered pursuant to this subsection. The provisions of this section do not apply to vocational classes in public schools or public post-secondary educational institutions.

B. The state or any political subdivision of the state shall not accept a bid on a public works project subject to the Public Works Minimum Wage Act from a prime contractor that does not provide proof of required registration for itself.

C. Contractors and subcontractors may register with the division on a form provided by the division and in accordance with Workforce Solutions Department rules. The Division shall charge a registration fee of four hundred dollars (\$400) every two years. The division shall issue to the applicant a certificate of registration within fifteen days after receiving from the applicant the completed registration form and the registration fee.

D. No less than thirty days before the expiration of a registration certificate, the Division shall mail or electronically transmit to a registrant's address as reflected in the files of the Division a reminder of the approaching expiration date.

E. Registration fees collected by the division shall be deposited in the Labor Enforcement Fund.

13-4-14.2. Registration cancellation, revocation, suspension; injunctive relief.

The Director of Labor and Industrial Division of the Labor Department may:

A. cancel, revoke or suspend with conditions, including probation, the registration of any party required to be registered pursuant to the Public Works Minimum Wage Act [[13-4-10](#) NMSA 1978] for failure to comply with the registration provision or for good cause, subject to appeal pursuant to Section [13-4-15](#) NMSA 1978; and

B. seek injunctive relief in district court for failure to comply with the registration provisions of the Public Works Minimum Wage Act.

13-4-14.1. Labor enforcement fund; creation; use.

The "labor enforcement fund" is created in the state treasury. The fund shall consist of contractor and subcontractor registration fees collected by the Labor and Industrial Division of the Labor Department and all investment and interest income from the fund. The fund shall be administered by the division and money in the fund is appropriated to the division for administration and enforcement of the Public Works Minimum Wage Act [[13-4-10](#) NMSA 1978]. Money in the fund shall not revert to the general fund at the end of a fiscal year.