SENATE BILL 230

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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AN ACT
RELATING TO HUMAN RIGHTS; REQUIRING STATE AGENCIES TO DEVELOP
AND IMPLEMENT POLICIES TO IDENTIFY, ASSESS AND DECREASE
INSTITUTIONAL RACISM; PROVIDING CRITERIA BY WHICH STATE
AGENCIES SHALL IMPLEMENT SUCH POLICIES; PROVIDING DUTIES FOR
THE STATE PERSONNEL OFFICE.

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

SECTION 1. [NEW MATERIAL] DEVELOPMENT OF POLICIES TO
DECREASE INSTITUTIONAL RACISM--DEFINITION.--

A. On or before December 31 of each year, the state personnel office shall:

(1) conduct an evaluation of race as
self-identified by applicants, candidates and employees who are
subject to the Personnel Act as related to hiring, promotion,
retention and pay;

.218918.1
(2) develop policies to identify, assess, reduce and prevent inequities due to institutional racism in hiring, promotion and pay for those agencies with positions to which the provisions of the Personnel Act apply;

(3) conduct an analysis of state government employment datasets of race as self-identified by employees to track progress towards ending institutional racism; and

(4) develop and provide anti-institutional racism training for all employees subject to the Personnel Act.

B. On or before December 31 of each year, each state agency or state entity receiving state funding shall submit a plan to the appropriate interim committee dealing with courts, corrections and justice, the legislative finance committee and the legislature to address institutional racism as a part of the annual final budget or request for proposals submission for that agency or state entity. In fulfilling the requirements of this subsection, each state agency or state entity receiving state funding shall:

(1) assess its anti-institutional racism policies in hiring, promotion, retention, pay equity, community engagement and workplace participation;

(2) create steps in its hiring and promotion processes that incorporate the values of diversity, equity and inclusion;

(3) include a prominent statement on all job
advertisements and annual reviews that:

   (a) clearly articulates the state's commitment to reducing and preventing institutional racism; and
   (b) states that all employees are required to participate in anti-institutional racism training; and

   (4) provide aggregate demographic statistics for all employees, including race for those employees who self-identify.

C. For the purposes of this section, "institutional racism" means actions that result in differential access to the goods, services and opportunities of society due to the existence of institutional programs, policies and practices that intentionally or unintentionally place certain racial and ethnic groups at a disadvantage in relation to other groups.