SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 245

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

AN ACT

RELATING TO HUMAN RIGHTS; CREATING THE GOVERNOR'S LEADERSHIP
DIVERSITY NETWORK; PROVIDING DUTIES; PROVIDING FOR CULTURAL
AWARENESS CERTIFICATION FOR PRIVATE SECTOR ENTITIES; PROVIDING
FOR A CULTURAL COMPETENCY CERTIFICATION PROGRAM FOR NEW MEXICO
EMPLOYERS AND THEIR EMPLOYEES; REQUIRING ALL PUBLIC OFFICERS
AND EMPLOYEES, INCLUDING ALL BRANCHES OF STATE GOVERNMENT,
PUBLIC SCHOOLS, SPECIAL SCHOOLS AND PUBLIC POST-SECONDARY
EDUCATIONAL INSTITUTIONS, TO HAVE CULTURAL AWARENESS TRAINING.

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

SECTION 1. [NEW MATERIAL] GOVERNOR'S DIVERSITY LEADERSHIP
NETWORK--CREATED--MEMBERS--POWERS AND DUTIES.--

A. The "governor's diversity leadership network" is created and administratively attached to the governor's office.

The governor shall appoint a diverse membership from the
private sector, including leaders from business and industry, farming and ranching, financial institutions, health care facilities and professionals and community-based nonprofit organizations, and representatives of state and local governments and public and higher education. Members shall not receive compensation for their service on the governor's diversity leadership network.

B. The purpose of the governor's diversity leadership network is to:

(1) spotlight the many racial and ethnic subpopulations that live and work in New Mexico and the need for all New Mexicans to be aware of, appreciate and celebrate the cultural differences alive in the state;

(2) engage leaders from diverse backgrounds to actively network with peers around the state and support the next generation of culturally diverse leadership in all spheres of American life;

(3) develop a library of cultural awareness, cultural competency and diversity leadership professional development resources, from short trainings to certifiable professional development, available to public and private sector employers; and

(4) assist and support state and local public and private efforts to diversify workplaces, eliminate cultural prejudices and discrimination and celebrate cultural
differences while strengthening the common threads that bind us into one state and one nation.

C. The governor's diversity leadership network shall develop and implement a cultural competency certificate program for New Mexico employers and their employees. The training shall include:

(1) improving engagement with employees, customers or clients from different cultural backgrounds;

(2) counteracting unconscious bias;

(3) diversity and inclusion in the workplace;

and

(4) fostering a climate of inclusion.

SECTION 2. A new section of Chapter 2, Article 3 NMSA 1978 is enacted to read:

"[NEW MATERIAL] LEGISLATIVE EMPLOYEES--CULTURAL AWARENESS TRAINING.--Beginning December 31, 2021, the New Mexico legislative council shall develop or adopt a training approved by the governor's diversity leadership network and require all legislative employees, including session staff, to have completed a cultural awareness training at least once every two years. The legislative council service may provide direct training or may train identified people in each permanent legislative committee, the house of representatives and the senate to conduct the training of their employees and session staff."
SECTION 3. A new section of the Personnel Act is enacted to read:

"[NEW MATERIAL] CULTURAL AWARENESS TRAINING--ALL EXECUTIVE BRANCH EMPLOYEES.--On or before December 31, 2021, the state personnel office shall develop or adopt a training approved by the governor's diversity leadership network. All state employees, whether exempt or classified, shall have cultural awareness training at least once every two years. The state personnel office shall train human resources or other leaders in state agencies who are responsible for conducting the training in their state agencies. Each state agency shall verify to the personnel office that it has held the training for its employees and that every employee of the state agency has satisfactorily completed the training by the end of each biennium."

SECTION 4. A new section of Chapter 34, Article 9 NMSA 1978 is enacted to read:

"[NEW MATERIAL] ADMINISTRATIVE OFFICE OF THE COURTS--CULTURAL AWARENESS TRAINING.--On or before December 31, 2021, the administrative office of the courts shall develop or adopt a training approved by the governor's diversity leadership network. All judges and judicial employees shall have cultural awareness training at least once every two years. The administrative office of the courts shall train human resources or other leaders in the courts and judicial agencies who are..."
responsible for conducting the training in their courts or judicial agencies. Each court and judicial agency shall verify to the administrative office of the courts that it has held the training for its employees and that every employee of the court and judicial agency has satisfactorily completed the training by the end of each biennium."

SECTION 5. A new section of Chapter 21, Article 1 NMSA 1978 is enacted to read:

"[NEW MATERIAL] BOARDS OF REGENTS--CULTURAL AWARENESS TRAINING AT SPECIAL SCHOOLS AND PUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS.--On or before December 31, 2021, the board of regents or governing board of each of the special schools and each of the public post-secondary educational institutions shall develop or adopt a training approved by the governor's diversity leadership network. The board of regents or governing board of each special school or public post-secondary educational institution shall require that every employee have cultural awareness training at least once every two years. The board of regents or governing board may delegate its responsibility for the selection or development of the cultural awareness curriculum, which may be offered as virtual or in-person training, for dissemination to all departments, colleges and schools of the institution to conduct faculty and staff training."

SECTION 6. A new section of the School Personnel Act is
enacted to read:

"[NEW MATERIAL] CULTURAL AWARENESS TRAINING--ALL PUBLIC
SCHOOL PERSONNEL.--

A. On or before December 31, 2021, the department
shall ensure that each school district and charter school
develop or adopt a training approved by the governor's
diversity leadership network.

B. All school districts and charter schools shall
require their public school personnel to complete cultural
awareness training at least once every two years. The local
superintendent or the head administrator of a charter school
shall assign a central administrator to train school personnel
in each public school who will conduct the training at their
public schools."

SECTION 7. EFFECTIVE DATE.--The effective date of the
provisions of this act is July 1, 2021.