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FISCAL IMPACT REPORT

ORIGINAL DATE 02/18/13
 LAST UPDATED 03/06/13 **HB** _____

SPONSOR Lopez

SHORT TITLE State Agency Institutional Racism Reviews **SB** 579/aSPAC

ANALYST Chabot

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		Minimal			Nonrecurring	Operating Funds

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)

State Personnel Office (SPO)

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee amendment to Senate Bill 579 adds to the subsection encouraging respectful treatment of individuals or groups traditionally burdened by discrimination “including, but not limited to, those who have experienced discrimination on the basis of their race, ethnicity, religion, national origin, disability, sexual orientation or perceived gender identity.”

Synopsis of Original Bill

Senate Bill 579 creates a new statute requiring state agencies to review their policies and practices to ensure they do not contribute to institutional racism. Each agency is to conduct the review and report findings to the “director” by January 1, 2014. Each agency shall adopt guidelines that:

- Improve fairness and extend opportunity in state government and in the delivery of services;
- Promote fairness and inclusion is seeking input, assessing applicant pools or making fiscal or other asset allocations by checking for inequitable effects before making final decisions;

- Encourage providing services in a culturally and linguistically appropriate manner;
- Encourage the respectful treatment of individuals or groups traditionally burdened by discrimination; and
- Provide a process for the application of the guidelines to the performance of services by contractors.

FISCAL IMPLICATIONS

No appropriation is provided and any review would be conducted from funds within agency budgets.

SIGNIFICANT ISSUES

The bill specifies the reports will be submitted to “the director”; however, the director is not specified. In addition, “the director” may contract for evaluation and review services to monitor agency compliance; however, an appropriation is not in the bill.

The DOH has an Office of Health Equity and offers its services to other agencies to serve as a technical consultant to other agencies.

The SPO points out the term “institutional racism” is not defined, and there is no enforcement provisions in the bill. It states intentionally discriminatory policies are prohibited by State Personnel Rules and the Human Rights Act. The act uses the term “encourages” which implies there is no mandate to do something.

GAC/svb:blm