

1 SENATE BILL 537

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO STATE GOVERNMENT; AMENDING THE SUNSHINE PORTAL
12 TRANSPARENCY ACT; PROVIDING ACCESS TO ADDITIONAL INFORMATION
13 ABOUT STATE CONTRACTS.

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

16 SECTION 1. Section 10-16D-3 NMSA 1978 (being Laws 2010,
17 Chapter 34, Section 3, as amended) is amended to read:

18 "10-16D-3. SUNSHINE PORTAL--DEPARTMENT DUTIES.--

19 A. The department, with the department of finance
20 and administration, shall develop, operate and maintain a
21 single internet web site that is free, user-friendly,
22 searchable and accessible to the public, known as the "sunshine
23 portal", to host the state's financial information for the
24 purpose of governmental transparency and accountability to
25 taxpayers.

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1 B. No later than October 1, 2010, the department
2 shall create the architecture and the information exchange
3 process for the collection and electronic publication of the
4 state's financial information.

5 C. No later than July 1, 2011, the sunshine portal
6 shall be available for public access and include updated
7 information as required by Subsection D of this section.

8 D. The sunshine portal shall provide, at a minimum,
9 access to the following information:

10 (1) the state's cash balances by account or
11 fund;

12 (2) a monthly summary of the state's
13 investment accounts;

14 (3) annual operating budgets for each state
15 agency with monthly expenditures by category;

16 (4) contracts that a state agency enters into
17 for the lease, sale or development of state land and state
18 contracts that have a total contract price of more than twenty
19 thousand dollars (\$20,000) [~~naming the recipient of the~~
20 ~~contract, the purpose of the contract and the amounts~~
21 ~~expended~~]. No later than January 1, 2016, the information
22 provided shall include:

23 (a) the name of the recipient of the
24 contract;

25 (b) the purpose of the contract;

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1 (c) the amounts expended on the
2 contract;

3 (d) a copy of or an internet web site
4 link to a copy of the contract document, including amendments;
5 and

6 (e) a copy of or an internet web site
7 link to a copy of a resident certificate issued pursuant to
8 Section 13-1-22 NMSA 1978 and used in the award of a contract;

9 (5) the revenue that the state received in the
10 preceding month by source, such as type of tax, fee, fine,
11 administrative fee or other collection category;

12 (6) special appropriations received outside
13 the general appropriation act by each state agency and the
14 purpose of those appropriations;

15 (7) approved budget adjustment requests by
16 state agency and affected budget category;

17 (8) quarterly consensus revenue estimates;

18 (9) reversions and cash balances by state
19 agency and fund;

20 (10) appropriations for capital projects,
21 identified by project location, type of project and funding
22 source;

23 (11) a directory of all employee positions,
24 other than exempt employee positions, identified only by state
25 agency, position title and salary;

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1 (12) a directory of all exempt employee
2 positions, identified by state agency, position title, salary
3 and the name of the individual that holds the position;

4 (13) information relating to local education
5 providers compiled and published by the public education
6 department pursuant to Section 10-16D-6 NMSA 1978;

7 (14) a link to an open meeting tracker web
8 site upon which each state agency shall post open meetings
9 scheduled for the current month and the next month, including
10 the time and place of the meeting, the subject of the meeting
11 and an agenda;

12 (15) a link to the web site maintained by the
13 regulation and licensing department for the purpose of
14 accessing information relating to occupational licenses;

15 (16) a link to the state auditor's web site
16 for the purpose of accessing financial audits;

17 (17) a link to New Mexico's statutes;

18 (18) a link to the New Mexico Administrative
19 Code;

20 (19) a link to the secretary of state's web
21 sites for lobbyist regulation;

22 (20) an annual summary within three months
23 after the end of the fiscal year, or as soon thereafter as the
24 information becomes available, of the state's fiscal health,
25 including the state budget, revenues and expenditures for the

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1 previous fiscal year and projected revenues and operating
2 budgets for the current fiscal year; and

3 (21) additional information, as required by
4 rule of the department of finance and administration, that will
5 assist the public in understanding state government operations
6 and the use of taxpayer dollars.

7 E. State agencies shall provide updated financial
8 information as frequently as possible but at least monthly.

9 F. The department shall update the web site as new
10 information is received but at least monthly, include
11 information from the previous month or year, where relevant,
12 for comparison purposes and maintain the web site as the
13 primary source of public information about the activity of the
14 state government."