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SENATE BILL 158

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Bill Tallman

AN ACT

RELATING TO PUBLIC RECORDS; EXEMPTING FROM THE INSPECTION OF
PUBLIC RECORDS ACT OUTSTANDING UNPAID WARRANTS.

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

SECTION 1. Section 14-2-1 NMSA 1978 (being Laws 1947,
Chapter 130, Section 1, as amended) is amended to read:

"14-2-1. RIGHT TO INSPECT PUBLIC RECORDS--EXCEPTIONS.--

A. Every person has a right to inspect public
records of this state except:

(1) records pertaining to physical or mental
examinations and medical treatment of persons confined to an
institution;

(2) letters of reference concerning
employment, licensing or permits;

(3) letters or memoranda that are matters of

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1 opinion in personnel files or students' cumulative files;

2 (4) law enforcement records that reveal
3 confidential sources, methods, information or individuals
4 accused but not charged with a crime. Law enforcement records
5 include evidence in any form received or compiled in connection
6 with a criminal investigation or prosecution by a law
7 enforcement or prosecuting agency, including inactive matters
8 or closed investigations to the extent that they contain the
9 information listed in this paragraph;

10 (5) as provided by the Confidential Materials
11 Act;

12 (6) trade secrets, attorney-client privileged
13 information and long-range or strategic business plans of
14 public hospitals discussed in a properly closed meeting;

15 (7) tactical response plans or procedures
16 prepared for or by the state or a political subdivision of the
17 state, the publication of which could reveal specific
18 vulnerabilities, risk assessments or tactical emergency
19 security procedures that could be used to facilitate the
20 planning or execution of a terrorist attack; ~~[and]~~

21 (8) outstanding unpaid warrants issued by a
22 public body but not cleared by its fiscal agent bank; and

23 ~~[(8)]~~ (9) as otherwise provided by law.

24 B. Protected personal identifier information
25 contained in public records may be redacted by a public body

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1 before inspection or copying of a record. The presence of
2 protected personal identifier information on a record does not
3 exempt the record from inspection. Unredacted records that
4 contain protected personal identifier information shall not be
5 made available on publicly accessible [~~web sites~~] websites
6 operated by or managed on behalf of a public body."

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