

1 SENATE BILL 90

2 54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO HUMAN RIGHTS; REQUIRING STATE AGENCIES TO DEVELOP
12 AND IMPLEMENT POLICIES TO DECREASE INSTITUTIONAL RACISM;
13 PROVIDING CRITERIA BY WHICH STATE AGENCIES SHALL IMPLEMENT SUCH
14 POLICIES.

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

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

19 A. Each state agency and any entity receiving state
20 funding shall develop and implement policies to decrease
21 institutional racism and provide effective, equitable and fair
22 service to the state's diverse communities. No later than July
23 31 of each year, state agencies shall report to the legislature
24 their findings, action plans, policies and practices for
25 addressing institutional racism.

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1 B. In fulfilling the requirements of Subsection A
2 of this section, state agencies shall:

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

6 (2) create a data infrastructure that allows
7 for tracking progress toward ending institutional racism;

8 (3) institute a statewide evaluation of race
9 and gender gaps in hiring, promotion, retention and pay and
10 institute an action plan for rectifying inequities in hiring,
11 promotion, retention and pay;

12 (4) include a statement of preferred criteria
13 on all job advertisements and annual reviews;

14 (5) include criteria for promotion and
15 appointments that value a demonstrated commitment to ending
16 institutional racism and advocating for equity and inclusion,
17 as well as working with broadly diverse communities;

18 (6) appoint an equity liaison on all job
19 searches;

20 (7) for the public education department,
21 advance critical, intersectional ethnic studies in P-20
22 education for teachers, staff, students and families; and

23 (8) provide and document annual anti-
24 institutional racism training for all employees.

25 C. For the purposes of this section, "institutional

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1 racism" means actions that result in differential access to the
2 goods, services and opportunities of society due to the
3 existence of institutional programs, policies and practices
4 that intentionally or unintentionally place certain racial and
5 ethnic groups at a disadvantage in relation to other groups.