

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

AN ACT
RELATING TO MARKETING; CREATING THE MARKETING EXCELLENCE
BUREAU IN THE MARKETING DIVISION OF THE TOURISM DEPARTMENT;
SPECIFYING DUTIES; AMENDING A SECTION OF THE ECONOMIC
DEVELOPMENT CORPORATION ACT.

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

SECTION 1. A new section of the Tourism Department Act
is enacted to read:

"MARKETING EXCELLENCE BUREAU--CREATED--DUTIES.--

A. The "marketing excellence bureau" is created in
the marketing division of the department.

B. The marketing excellence bureau shall:

(1) serve as a centralized collection of
marketing-focused expertise, knowledge and resources to
support the program goals of executive branch agencies;

(2) provide guidance, information, support
and training related to marketing efforts;

(3) support strategy alignment and develop
efficiencies for marketing efforts for all executive branch
agencies;

(4) assist executive branch agencies in
identifying and developing new market strategies and
technology solutions to enhance the agencies' marketing
efforts; and

1 (5) lead the marketing strategy, asset
2 creation and advertising placements for the economic
3 development corporation and for all executive branch agencies
4 and marketing and public education programs, as requested."

5 SECTION 2. Section 53-7A-6 NMSA 1978 (being Laws 2003,
6 Chapter 183, Section 6) is amended to read:

7 "53-7A-6. APPLICATION OF OTHER LAWS.--

8 A. The corporation formed pursuant to the Economic
9 Development Corporation Act is separate and apart from the
10 state and shall not be deemed an agency, public body or other
11 political subdivision of New Mexico for purposes of applying
12 laws relating to personnel, procurement of goods and
13 services, gross receipts tax, disposition or acquisition of
14 property, capital outlays and per diem and mileage; provided
15 that the corporation shall be deemed an executive branch
16 agency for purposes of receiving marketing services from the
17 tourism department.

18 B. Notwithstanding the provisions of the Open
19 Meetings Act, meetings of the corporation shall be closed to
20 the public when proprietary technical or business information
21 or any information regarding location or expansion of a
22 business is discussed.

23 C. Information obtained by the corporation that is
24 proprietary technical or business information or related to
25 the possible relocation or expansion of a business shall be

1 confidential and not subject to inspection pursuant to the
2 Inspection of Public Records Act.

3 D. The corporation, its officers, directors and
4 employees shall be granted immunity from liability for any
5 tort as provided in the Tort Claims Act and may enter into
6 agreements with insurance carriers to insure against a loss
7 in connection with its operations even though the loss may be
8 included among losses covered by the risk management fund of
9 New Mexico."

10 SECTION 3. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2024. _____

12
13
14
15
16
17
18
19
20
21
22
23
24
25