HOUSE BILL 550

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

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AN ACT

RELATING TO PROCUREMENT; BROADENING THE SCOPE OF DISTRIBUTION OF INFORMATION RELATING TO SOLE SOURCE AND EMERGENCY PROCUREMENT CONTRACTS.

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

SECTION 1. Section 13-1-128 NMSA 1978 (being Laws 1984, Chapter 65, Section 101, as amended) is amended to read:

"13-1-128. SOLE SOURCE AND EMERGENCY PROCUREMENTS-- PUBLICATION OF AWARD TO AGENCY [WEB SITE] WEBSITE AND SUNSHINE PORTAL--CONTENT AND SUBMISSION OF RECORD.--

A. Prior to award of a sole source procurement contract, the state purchasing agent or central purchasing office shall:

(1) provide the information described in Subsection E of this section to the department of information

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1 technology for posting on the sunshine portal; and

2 (2) forward the same information to:

3 (a) the legislative finance committee;

4 (b) persons who have made a written

5 request for the information and who have provided an email

6 address to the state purchasing agent or central purchasing

7 office; and

8 (c) the legislative council service for

9 distribution to current state legislators by email.

10 B. Prior to the award of a sole source procurement

11 contract, the local public body central purchasing office

12 shall:

13 (1) post the information described in

14 Subsection E of this section on the local public body [web

15 site] website, if one exists;

16 (2) provide the information as provided in

17 Subsection E of this section to persons who have made a written

18 request for the information and who have provided an email

19 address to the local public body central purchasing office; and

20 (3) provide the information as provided in

21 Subsection E of this section to the legislative council service

22 for distribution to current state legislators by email.

23 C. Within three business days of awarding an

24 emergency procurement contract, the awarding central purchasing

25 office within a state agency shall:

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(1)   provide the information described in Subsection E of this section to the department of information technology for posting on the sunshine portal; and

(2)   forward the same information to:

(a)   the legislative finance committee;

(b)   persons who have made a written request for the information and who have provided an email address to the awarding central purchasing office within a state agency; and

(c)   the legislative council service for distribution to current state legislators by email.

D.   Within three business days of awarding an emergency procurement contract, the local public body central purchasing office shall:

(1)   post the information described in Subsection E of this section on the local public body [web site] website, if one exists;

(2)   provide the information as provided in Subsection E of this section to persons who have made a written request for the information and who have provided an email address to the local public body central purchasing office; and

(3)   provide the information as provided in Subsection E of this section to the legislative council service for distribution to current state legislators by email.

E.   All central purchasing offices shall maintain,

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1   for a minimum of three years, records of sole source and

2   emergency procurements. The record of each such procurement

3   shall be public record and shall contain:

4   (1)   the contractor's name and address;

5   (2)   the amount and term of the contract;

6   (3)   a listing of the services, construction or

7   items of tangible personal property procured under the

8   contract;

9   (4)   whether the contract was a sole source or

10   emergency procurement contract; and

11   (5)   the justification for the procurement

12   method."

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