RELATING TO EDUCATION; PROHIBITING PUBLIC AND PRIVATE
INSTITUTIONS OF POST-SECONDARY EDUCATION FROM REQUESTING OR
REQUIRING A STUDENT, APPLICANT OR POTENTIAL APPLICANT FOR
ADMISSION TO PROVIDE A PASSWORD OR ACCESS TO THE SOCIAL
NETWORKING ACCOUNT OF THE STUDENT OR APPLICANT FOR ADMISSION.

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

SECTION 1. REQUEST FOR ACCESS TO SOCIAL NETWORKING ACCOUNT PROHIBITED.--

- A. It is unlawful for a public or private institution of post-secondary education to request or require a student, applicant or potential applicant for admission to provide a password to gain access to the student's, applicant's or potential applicant's account or profile on a social networking web site or to demand access in any manner to a student's, applicant's or potential applicant's account or profile on a social networking web site.
- B. It is unlawful for public or private institutions of post-secondary education to deny admission to an applicant or potential applicant for admission on the basis of the applicant's or potential applicant's refusal to provide an agent of a public or private institution of post-secondary education access to the applicant's or potential applicant's account or profile on a social media

1	networking site.
2	C. It is unlawful for a private or public
3	institution of post-secondary education to take any
4	disciplinary action against a student for the student's
5	refusal to grant access to an agent of the private or public
6	institution of post-secondary education to the student's
7	account or profile on a social media networking site.
8	D. Nothing in this section prohibits a public or
9	private institution of post-secondary education from
10	obtaining information about a student, applicant or potential
11	applicant for admission that is in the public domain.
12	E. As used in this section, "social networking web
13	site" means an internet-based service that allows individuals
14	to:
15	(l) construct a public or semi-public
16	profile within a bounded system created by the service;
17	(2) create a list of other users with whom
18	they share a connection within the system; and
19	(3) view and navigate their list of
20	connections and those made by others within the system SJC/SB 422
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