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FISCAL IMPACT REPORT

SPONSOR Maestas/ Roybal Caballero ORIGINAL DATE 3/4/17 LAST UPDATED 3/7/17 HB 465

SHORT TITLE State Agency Workforce Diversity Reports SB _____

ANALYST Esquibel

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$60.0		\$60.0	Nonrecurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Information Technology (DoIT)

State Personnel Office (SPO)

SUMMARY

Synopsis of Bill

House Bill 465 (HB465) proposes all state agencies including departments, institutions, boards, bureaus, commissions or districts of the executive, legislative and judicial branches of government, including elected and appointed officers and employees, collect and maintain statistical data on the racial, ethnic, and gender composition of their workforce. Agencies would annually submit this data by July 1 to the State Personnel Office (SPO), and SPO would aggregate and publish the data on the state’s sunshine portal.

FISCAL IMPLICATIONS

The Department of Information Technology (DoIT) operates and maintains the state’s sunshine portal and reports creating a place on the sunshine portal would require a nonrecurring payment of approximately \$60 thousand to Real Time Solutions, the contract vendor that created and updates the sunshine portal. Maintaining and updating the sunshine portal with the bill’s proposed annual reports from SPO would fall under DoIT’s normal scope of work.

SIGNIFICANT ISSUES

The state's SHARE system currently collects gender and ethnicity data for most agencies in the executive branch of government. SPO reports on this data annually in its Classified Service Compensation Report which is posted on the SPO website (see p. 35 and p. 36, http://www.spo.state.nm.us/uploads/FileLinks/71318f529c53473d8573a3a1aae4d58d/2016_Compensation_Report.pdf).

However, the gender and ethnicity data collected by the SHARE system and annually compiled by SPO does not include all agencies proposed in the bill and no data is currently posted on the sunshine portal.

ADMINISTRATIVE IMPLICATIONS

Under the provisions of the bill, all state agencies including departments, institutions, boards, bureaus, commissions or districts of the executive, legislative or judicial branches of government, including elected and appointed officers and employees, would be required to collect diversity data and submit the data to the State Personnel Office (SPO).

OTHER SUBSTANTIVE ISSUES

The State Personnel Office (SPO) notes when an individual is hired, they voluntarily complete a personnel data form identifying their ethnicity; however, the SPO website states hiring is done without regard to race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, disability or any other characteristic protected by federal, state or local law. State Personnel Board (SPB) rules support New Mexico as an equal opportunity employer and SPB rule 1.7.59(C) states agencies shall be sensitive to creating diversity in the workplace.

RAE/al