

1 SENATE BILL 230

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

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5 and Harold Pope, Jr. and Shannon D. Pinto  
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10 AN ACT

11 RELATING TO HUMAN RIGHTS; REQUIRING STATE AGENCIES TO DEVELOP  
12 AND IMPLEMENT POLICIES TO IDENTIFY, ASSESS AND DECREASE  
13 INSTITUTIONAL RACISM; PROVIDING CRITERIA BY WHICH STATE  
14 AGENCIES SHALL IMPLEMENT SUCH POLICIES; PROVIDING DUTIES FOR  
15 THE STATE PERSONNEL OFFICE.  
16

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

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

20 A. On or before December 31 of each year, the state  
21 personnel office shall:

22 (1) conduct an evaluation of race as  
23 self-identified by applicants, candidates and employees who are  
24 subject to the Personnel Act as related to hiring, promotion,  
25 retention and pay;

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1 (2) develop policies to identify, assess,  
2 reduce and prevent inequities due to institutional racism in  
3 hiring, promotion and pay for those agencies with positions to  
4 which the provisions of the Personnel Act apply;

5 (3) conduct an analysis of state government  
6 employment datasets of race as self-identified by employees to  
7 track progress towards ending institutional racism; and

8 (4) develop and provide anti-institutional  
9 racism training for all employees subject to the Personnel Act.

10 B. On or before December 31 of each year, each  
11 state agency or state entity receiving state funding shall  
12 submit a plan to the appropriate interim committee dealing with  
13 courts, corrections and justice, the legislative finance  
14 committee and the legislature to address institutional racism  
15 as a part of the annual final budget or request for proposals  
16 submission for that agency or state entity. In fulfilling the  
17 requirements of this subsection, each state agency or state  
18 entity receiving state funding shall:

19 (1) assess its anti-institutional racism  
20 policies in hiring, promotion, retention, pay equity, community  
21 engagement and workplace participation;

22 (2) create steps in its hiring and promotion  
23 processes that incorporate the values of diversity, equity and  
24 inclusion;

25 (3) include a prominent statement on all job

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1 advertisements and annual reviews that:

2 (a) clearly articulates the state's  
3 commitment to reducing and preventing institutional racism; and

4 (b) states that all employees are  
5 required to participate in anti-institutional racism training;  
6 and

7 (4) provide aggregate demographic statistics  
8 for all employees, including race for those employees who  
9 self-identify.

10 C. For the purposes of this section, "institutional  
11 racism" means actions that result in differential access to the  
12 goods, services and opportunities of society due to the  
13 existence of institutional programs, policies and practices  
14 that intentionally or unintentionally place certain racial and  
15 ethnic groups at a disadvantage in relation to other groups.

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