

LFC Requester:	Scott Sanchez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov

(Analysis must be uploaded as a PDF)

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: February 15, 2025 *Check all that apply:*
Bill Number: HB 352 Original Correction
 Amendment Substitute

Sponsor: Sen. Katy M. Duhigg **Agency Name and Code** University of New Mexico-952
Short Title: Certain Photos as Confidential **Number:** _____
Person Writing Lenaya Montoya
Phone: 5052771670 **Email** lenayamontoya@unm.edu

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total				No fiscal impact		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB 352 amends the Medical Investigations subsection of law that outlines autopsies performed by the Office of Medical Investigator (OMI) and the release of autopsy photos related to their investigation. The amendment to Section 24-11-7, is adding one sentence that states, "Photographic images taken by a state, district or deputy medical investigator are confidential, are not public records and shall not be accessible to the public other than for use or potential use in a civil or criminal proceeding."

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

As a state entity, OMI is subject to the Inspection of Public Records Act (IPRA). There have previously been and are presently requests through IPRA to request autopsy photographs, which are being placed in internet videos.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

The passing of this Bill would allow OMI and the UNM IPRA Office to no longer spend time gathering and producing autopsy photographs.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

There is a relationship with IPRA as IPRA has an exception under Section 14-2-1(L), "as otherwise provided by law." This amendment would be within this IPRA exception and allow for autopsy photos to be withheld.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The consequences of not enacting this Bill would continue to allow for anyone to request autopsy photos under IPRA. Presently, IPRA requests are being utilized to publicize photographs of decedents on various social media websites for shock and awe purposes.

AMENDMENTS