

1 HOUSE BILL 429  
2 57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025  
3 INTRODUCED BY  
4 Micaela Lara Cadena  
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10 AN ACT

11 RELATING TO PUBLIC RECORDS; REQUIRING DISCLOSURE OF THE NAMES  
12 OF FINALISTS FOR APPOINTIVE EXECUTIVE POSITIONS; PROVIDING FOR  
13 THE COLLECTION OF CERTAIN DEMOGRAPHIC DATA FOR APPLICANTS AND  
14 CANDIDATES FOR APPOINTIVE EXECUTIVE POSITIONS; PROVIDING AN  
15 EXEMPTION TO THE INSPECTION OF PUBLIC RECORDS ACT; REPEALING  
16 SECTION 21-1-16.1 NMSA 1978 (BEING LAWS 2011, CHAPTER 134,  
17 SECTION 23).

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

20 SECTION 1. A new section of the Inspection of Public  
21 Records Act is enacted to read:

22 "[NEW MATERIAL] APPOINTIVE EXECUTIVE POSITION--  
23 EXCEPTION--PUBLICATION REQUIRED OF FINALISTS.--

24 A. A state agency or institution or political  
25 subdivision of the state shall make publicly available on the

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underscoring material = new  
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1 agency's, institution's or political subdivision's website the  
2 names and resumes of no fewer than three finalists for an  
3 appointive executive position. The names and resumes shall be  
4 made publicly available no fewer than ten days prior to the  
5 final decision to select one of the finalists for the position.  
6 If fewer than three applicants or candidates for an appointive  
7 executive position possess the minimum qualifications for the  
8 position, those applicants or candidates shall be considered  
9 finalists.

10 B. A state agency or institution or political  
11 subdivision of the state shall establish and maintain a process  
12 for collecting demographic data from applicants and candidates  
13 for appointive executive positions on a voluntary and anonymous  
14 basis. The data collected shall include the applicant's or  
15 candidate's self-reported sex, gender identity, sexual  
16 orientation, race, ethnicity and primary and other languages  
17 spoken. The individual-level data collected shall be  
18 maintained as confidential and shall not be disclosed to any  
19 person involved in, or who may affect, the selection,  
20 appointment or hiring process. When the finalists for the  
21 appointive executive position are announced, the state agency  
22 or institution or political subdivision of the state shall make  
23 publicly available the demographic data collected; provided  
24 that the data shall be aggregated and shall not contain  
25 personally identifiable information.

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1 C. Records that would reveal the identity of an  
2 applicant or candidate for an appointive executive position,  
3 except for finalists as provided in this section, are exempt  
4 from inspection pursuant to the Inspection of Public Records  
5 Act.

6 D. Letters of reference or medical or psychological  
7 data concerning finalists shall not be made public or made  
8 available for public inspection or copying.

9 E. For the purposes of this section:

10 (1) "appointive executive position" means a  
11 non-elected chief executive officer of a state agency or  
12 institution or political subdivision of the state, but does not  
13 include a political appointment, including a cabinet secretary;  
14 and

15 (2) "finalist" means an applicant or candidate  
16 for an appointive executive position who is a member of the  
17 final group of applicants or candidates."

18 SECTION 2. REPEAL.--Section 21-1-16.1 NMSA 1978 (being  
19 Laws 2011, Chapter 134, Section 23) is repealed.

20 SECTION 3. EFFECTIVE DATE.--The effective date of the  
21 provisions of this act is July 1, 2025.

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