

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE JOINT MEMORIAL 2

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

A JOINT MEMORIAL

REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO STUDY THE IMPLEMENTATION OF THE INSPECTION OF PUBLIC RECORDS ACT AND FOR THAT TASK FORCE TO GATHER INPUT FROM RELEVANT STAKEHOLDERS TO DETERMINE WHETHER ADMINISTRATIVE SOLUTIONS OR LEGISLATIVE CHANGES ARE NECESSARY OR DESIRABLE AND, IF SO, TO PROPOSE SUCH LEGISLATION FOR CONSIDERATION DURING THE FIRST SESSION OF THE FIFTY-EIGHTH LEGISLATURE.

WHEREAS, the Inspection of Public Records Act provides the public with access to public records of government entities; and

WHEREAS, Section 14-2-1 NMSA 1978 declares that the policy of the state is that "[e]very person has a right to inspect public records of this state", with some exceptions; and

WHEREAS, providing access to public records promotes

1 transparency in the operations of government and the conduct of
2 public officials and employees and enables members of the
3 public to hold government actors accountable; and

4 WHEREAS, the legislature has amended the Inspection of
5 Public Records Act over time and should continue to evaluate
6 that act to identify and implement improvements that promote
7 clarity in its application, enhance transparency in government
8 and strengthen public trust in state institutions;

9 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
10 STATE OF NEW MEXICO that the attorney general be requested to
11 convene a task force to study the implementation of the
12 Inspection of Public Records Act; gather input from relevant
13 stakeholders; evaluate that act's workability and effectiveness
14 in ensuring government transparency and serving the public
15 interest; and, if necessary or desirable, propose
16 administrative solutions or legislation based on the task
17 force's findings and recommendations for consideration during
18 the first session of the fifty-eighth legislature; and

19 BE IT FURTHER RESOLVED that the task force consist of one
20 representative from each of the following: the department of
21 justice, the New Mexico municipal league, the New Mexico
22 association of counties, the New Mexico foundation for open
23 government, the American civil liberties union of New Mexico,
24 the New Mexico press association, a defense attorney
25 specializing in the Inspection of Public Records Act and a

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1 plaintiff's attorney specializing in the Inspection of Public
2 Records Act; provided that the attorney general shall appoint
3 the defense attorney and plaintiff's attorney; and

4 BE IT FURTHER RESOLVED that the task force adhere to the
5 Open Meetings Act and allow the public and other governmental
6 entities to provide input on the work of the task force,
7 including input from public schools and public school
8 districts; institutions of higher education; the judicial
9 branch of government, including district attorneys and public
10 defenders and their records custodians; and broadcast
11 journalists and other interested and affected parties; and

12 BE IT FURTHER RESOLVED that the task force report its
13 recommendations to the appropriate interim committee that deals
14 with courts, corrections and justice and the legislative
15 finance committee by October 1, 2026; and

16 BE IT FURTHER RESOLVED that a copy of this memorial be
17 transmitted to the attorney general.

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