

AN ACT

RELATING TO PUBLIC RECORDS; PROVIDING FOR COMPUTER DATABASE  
INFORMATION OF COUNTIES AND MUNICIPALITIES AS PUBLIC RECORDS.

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

Section 1. Section 14-3-18 NMSA 1978 (being Laws 1963,  
Chapter 186, Section 2, as amended) is amended to read:

"14-3-18. COUNTY AND MUNICIPAL RECORDS--GEOGRAPHIC  
INFORMATION SYSTEM--COMPUTER DATABASES--COPY FEES.--

A. The administrator may advise and assist county  
and municipal officials in the formulation of programs for the  
disposition of public records maintained in county and  
municipal offices.

B. Notwithstanding the provisions of Subsection E  
of this section, a county or municipality may charge a  
reasonable fee, as adopted by ordinance of the respective  
board of county commissioners or governing body of a  
municipality, for a document or product generated by a  
geographic information system.

C. Except as otherwise provided by federal or  
state law, information contained in a computer database shall  
be a public record and shall be subject to disclosure in  
printed or typed format by a county or municipality that has  
inserted that information into the database, in accordance  
with the Public Records Act.

D. The administrator may advise and assist county and municipal officials with the procedures, schedules and technical standards for the retention of computer databases.

E. A county or municipality that has inserted data in a computer database shall authorize an electronic copy to be made of the computer database of a public record on a currently available electronic medium for a person if the person agrees to pay a reasonable fee based upon the cost of:

- (1) materials;
- (2) making an electronic copy of the computer database; and
- (3) personnel time to research and retrieve the electronic record.

F. Subject to any confidentiality provisions of law, a county or municipality may permit another federal, state or local government entity access to all or any portion of a computer database created by the county or municipality.

G. A county or municipality may at its option, and if it has the capability, permit access or use of its computer and network system to search, manipulate or retrieve information from a computer database and charge reasonable fees based on the cost of materials, personnel time, access time and the use of the county or municipality's computer network."

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