

1 SENATE BILL 88

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

4 Sander Rue

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10 AN ACT

11 RELATING TO PUBLIC MONEY; REQUIRING POSTING ON THE SUNSHINE
12 PORTAL OF FACTS REGARDING THE AMOUNT OF ANY STATE PUBLIC MONEY
13 PAID IN SETTLEMENT OF HUMAN RIGHTS CLAIMS.

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

16 SECTION 1. [NEW MATERIAL] HUMAN RIGHTS CLAIMS--
17 SETTLEMENTS--PAYMENT OF DAMAGES AND FEES WITH PUBLIC MONEY--
18 SUNSHINE PORTAL.--

19 A. State public money shall not be used to pay
20 actual or compensatory damages or attorney fees as required by
21 a settlement agreement arising from a claim filed with the
22 human rights commission or the United States equal employment
23 opportunity commission unless and until the human rights
24 commission or a state agency that is a party to a settlement
25 agreement arising from a claim filed with the United States

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1 equal employment opportunity commission has posted on the
2 sunshine portal:

3 (1) a summary of the facts leading to the
4 settlement agreement, including the name of the state agency,
5 department or office involved in the settlement but not
6 including the names or job titles of individual claimants,
7 appellants or respondents; and

8 (2) the amount of state public money paid for
9 actual or compensatory damages and attorney fees.

10 B. The posting shall occur within thirty days of
11 the execution of a settlement agreement.

12 C. As used in this section, "state" means a state
13 agency, department or office that has authority to contract in
14 the name of the state or to make payments from state funds.