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HOUSE BILL 614

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

Raymundo Lara

AN ACT

RELATING TO PUBLIC RECORDS; EXEMPTING CERTAIN RECORDS OF THE
PUBLIC SCHOOL INSURANCE AUTHORITY FROM THE INSPECTION OF PUBLIC
RECORDS ACT; PROVIDING A PENALTY.

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

SECTION 1. A new section of the Public School Insurance
Authority Act is enacted to read:

"~~[NEW MATERIAL]~~ RECORDS EXEMPT FROM INSPECTION--
EXCEPTIONS--PENALTY FOR DISCLOSING CONFIDENTIAL INFORMATION.--

A. The following records created or maintained by
the authority are confidential and shall not be subject to any
right of inspection by any person not a state officer, member
of the legislature or state employee within the scope of
official duties:

- (1) records pertaining to insurance coverage;

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1 provided that any record of a particular coverage shall be
2 available to a public officer, public employee or governmental
3 entity insured under such coverage; and

4 (2) records pertaining to claims for damages
5 or other relief against any governmental entity or public
6 officer or employee; provided that such records shall be
7 subject to public inspection by New Mexico residents one
8 hundred eighty days after the latest of the following dates:

9 (a) the date all statutes of limitation
10 applicable to the claim have run;

11 (b) the date all litigation involving
12 the claim and the occurrence giving rise thereto has been
13 brought to final judgment and all appeals and rights to appeal
14 have been exhausted;

15 (c) the date the claim is fully and
16 finally settled; or

17 (d) the date the claim has been placed
18 on closed status.

19 B. Records protected pursuant to Subsection A of
20 this section shall be made available as necessary for purposes
21 of audit or defense. A person performing such audit or
22 providing such defense shall keep such records confidential,
23 except as required otherwise by law.

24 C. A person who discloses records protected
25 pursuant to Subsection A of this section to another person in

.213757.1

underscoring material = new
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1 violation of this section is guilty of a misdemeanor and shall,
2 upon conviction, be fined not more than one thousand dollars
3 (\$1,000). The state shall not employ any person so convicted
4 for a period of five years after the date of conviction."

5 SECTION 2. EFFECTIVE DATE.--The effective date of the
6 provisions of this act is July 1, 2019.

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