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AN ACT

RELATING TO PUBLIC RECORDS; AMENDING THE INSPECTION OF PUBLIC RECORDS ACT TO EXCEPT FROM DISCLOSURE ANY RECORD CONTAINING PERSONAL IDENTIFYING INFORMATION OR SENSITIVE INFORMATION RELATED TO THE PRACTICE OF A MEDICAL PROVIDER WHO PERFORMS MEDICAL SERVICES RELATED TO ABORTION.

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

SECTION 1. Section 14-2-1 NMSA 1978 (being Laws 1947, Chapter 130, Section 1, as amended) is amended to read:

"14-2-1. RIGHT TO INSPECT PUBLIC RECORDS--EXCEPTIONS.--

Every person has a right to inspect public records of this state except:

A. records pertaining to physical or mental examinations and medical treatment of persons confined to an institution;

B. letters of reference concerning employment, licensing or permits;

C. letters or memoranda that are matters of opinion in personnel files or students' cumulative files;

D. portions of law enforcement records as provided in Section 14-2-1.2 NMSA 1978;

E. as provided by the Confidential Materials Act;

F. trade secrets;

G. attorney-client privileged information;

1 H. long-range or strategic business plans of
2 public hospitals discussed in a properly closed meeting;

3 I. tactical response plans or procedures prepared
4 for or by the state or a political subdivision of the state,
5 the publication of which could reveal specific
6 vulnerabilities, risk assessments or tactical emergency
7 security procedures that could be used to facilitate the
8 planning or execution of a terrorist attack;

9 J. information concerning information technology
10 systems, the publication of which would reveal specific
11 vulnerabilities that compromise or allow unlawful access to
12 such systems; provided that this subsection shall not be used
13 to restrict requests for:

14 (1) records stored or transmitted using
15 information technology systems;

16 (2) internal and external audits of
17 information technology systems, except for those portions
18 that would reveal ongoing vulnerabilities that compromise or
19 allow unlawful access to such systems; or

20 (3) information to authenticate or validate
21 records received pursuant to a request fulfilled pursuant to
22 the Inspection of Public Records Act;

23 K. submissions in response to a competitive grant,
24 land lease or scholarship and related scoring materials and
25 evaluation reports until finalists are publicly named or the

1 award is announced;

2 L. records containing personal identifying
3 information or sensitive information related to the practice
4 of a medical provider employed by a public body who performs
5 medical services related to abortion; and

6 M. as otherwise provided by law." _____

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