



Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

**Synopsis:** House Bill 202 requires seven state agencies to share data and system access with the Office of Child Advocate through a formal written agreement. The bill establishes a working group to develop the agreement and provides funding for technical services.

#### **What This Bill Does**

- Requires seven state agencies to enter into a multi-agency memorandum of understanding to share data and system access with the Office of Child Advocate.
- Creates a working group led by the Office of Child Advocate to develop the terms of the data-sharing agreement.
- Mandates collaboration with the Department of Information Technology and the Attorney General.
- Appropriates \$75,000 for technical services needed to implement the agreement.

#### **Who Is Affected**

- The Office of Child Advocate gains access to data and systems from multiple agencies to better serve children.
- Seven state agencies must share information: Administrative Office of the Courts, Children Youth and Families Department, Department of Health, Department of Public Safety, Early Childhood Education and Care Department, Health Care Authority, and Public Education Department.
- The goal is for children and families in New Mexico to benefit from improved coordination amongst agencies serving them.

#### **Key Changes**

- Establishes formal data-sharing framework where none previously existed.
- Requires automatic audit logging to track access to sensitive information.
- Mandates development of a breach plan to protect shared data.
- Ensures compliance with federal privacy laws including HIPAA and FERPA.

#### **Important Details**

- The working group must hold an initial meeting by June 15, 2026.
- The final agreement must be executed by October 15, 2026.
- A completed agreement must be provided to the legislature, governor, and relevant committees by November 1, 2026.
- Each agency can include specific appendices to address unique confidentiality requirements.
- Funding will be available through fiscal year 2027 with any unused funds reverting to the general fund

## **FISCAL IMPLICATIONS**

There will be a significant impact due to the requirement to establish a new data sharing and hosting platform which meets the requirements of this legislation. Currently, much of the data managed by these different agencies is hosted on different systems.

In IT, a tenant refers to a logically isolated unit within a shared infrastructure, allowing multiple clients or organizations to use the same software application while maintaining separate access to their data and configurations. In multi-tenant software architecture, each tenant's data is isolated and remains invisible to others. DoIT hosts a multi-tenant software environment for executive branch agencies. However, the Administrative Office of the Courts (AOC), as part of the judicial branch of government, is not part of the DoIT multi-tenant environment. All of the executive branch agencies could share their data through a DoIT cloud-hosted solution, but a separate system would be needed to integrate and host the AOC data and integrate it with the executive branch agencies' data.

Some additional funding would be needed to configure and pay for additional storage cost of a DoIT cloud hosted environment for share executive branch agency data. The amount of funding needed would depend on the amount of data, security configuration requirements, and amount of time required to store the data. However, the costs to establish a new data hosting and sharing platform to accommodate data sharing across the executive and judicial branches of government would be more substantial. Complex, enterprise-grade multi-tenant platforms generally cost \$300K–\$500K+ to build and deploy initially. This includes infrastructure, security, and scalability features. For full-stack multi-tenant hosting at scale, annual operational costs often exceed \$100K–\$250K, depending on workload, compliance, and redundancy requirements.

The AOC currently operates and maintains the NM dataXchange data sharing platform. Currently, limited data from New Mexico Trial Courts, San Juan County, Sandoval County, Bernalillo County and NM Department of Public Safety is available on the NM dataXchange platform. It is unclear whether this platform would be able to accommodate the data sharing required by this legislation, while meeting the necessary audit logging, security, privacy, and federal compliance requirements.

## **SIGNIFICANT ISSUES**

The timeline of October 15, 2026, to develop and cause the execution of the multi-agency memorandum of understanding required by the legislation does not allow for adequate time to address complicated issues related to data governance, data management, security, privacy protection, and separation of powers that are implicated by this proposal.

Data quality problems include inaccuracies, incompleteness, duplication, inconsistencies, outdated records, and poor governance, all of which undermine analytics, compliance, and decision-making. First, each agency that is a part of this legislation would have to agree on a common set of data standards, in order for the data that is shared to be useable by the Office of Child Advocate. Then they would have to apply those data standards to existing data sets and resolve any errors in old data. For example, variations in date formats, capitalization, or schema across systems (e.g., “New York” vs. “NEW YORK”); data that does not reflect real-world values (e.g., wrong customer address or incorrect financial figures); missing fields or records

(e.g., blank phone numbers, missing dates); and redundant entries across systems (e.g., same customer listed multiple times) can complicate reconciliation, break data integration, and skew analytics. In order to sort that data, these agencies would also have to agree upon and apply a common set of data classification standards, so that the right data goes to the right places and data that needs to be secure for privacy or federal compliance requirements remain secure when shared. The system that hosts this shared data would also have to operate on the same set of data management and classification standards. Data governance questions must also be addressed to clearly define who owns and is responsible for the data once it is shared on the sharing platform, and which set of data is the ultimate source of truth for analytic, statistical, and reporting purposes.

The uniform crime reporting system, HIPAA, FERPA, and court rules, all impose strict limitations on the sharing of this data. Reconciling all of those limitations to allow the type of data sharing required by this legislation would further complicate the data governance, data classification, and data security standards and controls that would need to be developed and implemented. To ensure compliance with the federal laws governing this data, relevant federal authorities would also have to review and approve this data sharing agreement and system prior to implementation, causing further delays and increasing costs. Creating a sharing system to manage all of this data with varying layers of regulatory and privacy requirements would be a very complicated endeavor. The feasibility and cost of such an effort would have to be studied before the working group could even begin to form the multi-agency memorandum.

## **PERFORMANCE IMPLICATIONS**

## **ADMINISTRATIVE IMPLICATIONS**

Administrative complications regarding data governance, management, and quality issues will have to be resolved prior to implementation of the multi-agency memorandum of understanding. Once resolved there will be a significant administrative impact from implementation of the agreed upon standards.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

Extend the amount of time for the group to reach a multi-agency memorandum of understanding. Require the agreement to come with a funding recommendation based on a feasibility study and make implementation contingent upon funding and the necessary timeline for implementation.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

## **AMENDMENTS**