



LFC Requester:           --          

**PUBLIC EDUCATION DEPARTMENT  
BILL ANALYSIS  
2026 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

*Check all that apply:*

Original     Amendment      
Correction  Substitute    

Date Prepared: January 21 2026

Bill No: HJM2

Committee Referrals: HJC

**Agency Name and Code:** PED - 924

Sponsor: Brown / Figueroa / McQueen

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Short Title: IPRA IMPLEMENTATION

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STUDY TASK FORCE

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**SECTION II: FISCAL IMPACT**

(Parenthesis ( ) Indicate Expenditure Decreases)

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
None	None	N/A	NFA

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
None	None	None	N/A	NFA

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Synopsis: House Joint Memorial 2 (HJM2) would direct the attorney general to convene a task force to study the implementation of the [Inspection of Public Records Act \(IPRA\)](#). The task force would include a defense attorney specialized in the IPRA, a plaintiff's attorney specialized in the IPRA, and a public school records custodian. This task force would also consist of one representative from each of the following: the Office of the Attorney General, the Administrative Office of the Courts, the Higher Education Department, the New Mexico Municipal League, the New Mexico Association of Counties, the New Mexico Foundation for Open Government, the American Civil Liberties Union of New Mexico, and the New Mexico Press Association.

The task force would be directed to provide notice of their meetings and allow for public input.

### **FISCAL IMPLICATIONS**

While there are no fiscal implications for HJM2, the task force may recommend legislative limitations to IPRA requests. IPRA requests represent a significant cost for executive agencies.

### **SIGNIFICANT ISSUES**

All states have their own public records or “freedom of information” laws that parallel New Mexico’s IPRA. These are often referred to as Freedom of Information Acts (FOIA), Open Records Acts, Sunshine Laws, or similar names including [Colorado’s Open Records Act \(CORA\)](#), [New Jersey’s Open Public Records Act \(OPRA\)](#) and [Tennessee’s Open Records Act](#). However, how these operate in practice is much less well defined.

In 2024, [New York University’s Journal of Legislation and Public Policy](#) included a systematic review of all 50 states’ “freedom of information” laws and found substantive differences. For example, the mean number of days to respond or close an information request ranged from around 8.8 in states like Nebraska and New Jersey to 423.2 in Arizona (while not as quick as those mentioned above, New Mexico has a response time on the shorter end of the spectrum). Along the same lines, [a review by a legal discovery technology company](#) produced similar results with New Mexico achieving average scores across all 50 states.

With these differences, there has been efforts in some states to reform these systems. Colorado for example has put forward several different bills over the years to improve its system such as in [2014](#) where lawmakers passed a proposal to cap charges for filing CORA requests to four times the Colorado minimum wage. However, a 2022 [bipartisan attempt](#) that would have, among other provisions, abolished per-page fees for electronic record requests, failed to become law. More recently, Oklahoma managed to pass [House Bill 2163](#), that would have formally created a Public Access Counselor Unit in the attorney general’s office and established a deadline-laden process to help those seeking public records. However, this attempt was formally vetoed by the governor (albeit to public backlash from the attorney general and others).

## **PERFORMANCE IMPLICATIONS**

None.

## **ADMINISTRATIVE IMPLICATIONS**

Timing and resource-related issues can arise regarding the completion of responses to IPRA requests. From the date of receiving a properly filed IPRA request, the agency has three days to send a letter of receipt, and from the date of sending that, an agency has 15 days to fully complete the request. So-called “burdensome letters” often must be sent to avoid late fulfillment or de facto denials of the request. This can be particularly true in agencies, such as the Public Education Department (PED), that may not have large teams of staff devoted to the processing and completion of IPRA requests. Recent case law, however, suggests that having a small response team is an insufficient excuse to lengthen the time needed to complete these requests. This creates additional burdens for agencies that have limited FTE and fiscal resources to devote to the satisfaction of IPRA requests paired with limited response times. Frequently, necessary documentation and information must come from parties within an agency that are not exclusively dedicated to the satisfaction of these requests, thus diverting time and resources away from other required programs and activities of the agency.

IPRA requests at PED – and presumably other agencies – have been consistently increasing year over year, with increasing complexity. Requesters are becoming more likely to use attorneys to relay their requests, which can make the interplay somewhat combative.

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

None.

## **TECHNICAL ISSUES**

None.

## **OTHER SUBSTANTIVE ISSUES**

None.

## **ALTERNATIVES**

None.

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

None.

## **AMENDMENTS**

None.