1	HOUSE BILL 34
2	44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999
3	INTRODUCED BY
4	Luci ano "Lucky" Varel a
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10	AN ACT
11	RELATING TO RISK MANAGEMENT; ALLOWING PROMPTER PUBLIC
12	INSPECTION OF RECORDS PERTAINING TO CLAIMS FOR DAMAGES.
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14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:
15	Section 1. Section 15-7-9 NMSA 1978 (being Laws 1981,
16	Chapter 280, Section 1) is amended to read:
17	"15-7-9. CONFIDENTIALITY OF RECORDSPENALTY
18	A. The following records created or maintained by
19	the risk management division <u>of the general services</u>
20	<u>department</u> are confidential and shall not be subject to any
21	right of inspection by any person not a state officer, member
22	of the legislature or state employee within the scope of his
23	official duties:
24	(1) records pertaining to insurance coverage;
25	provided any record of a particular coverage shall be
	. 125077. 1

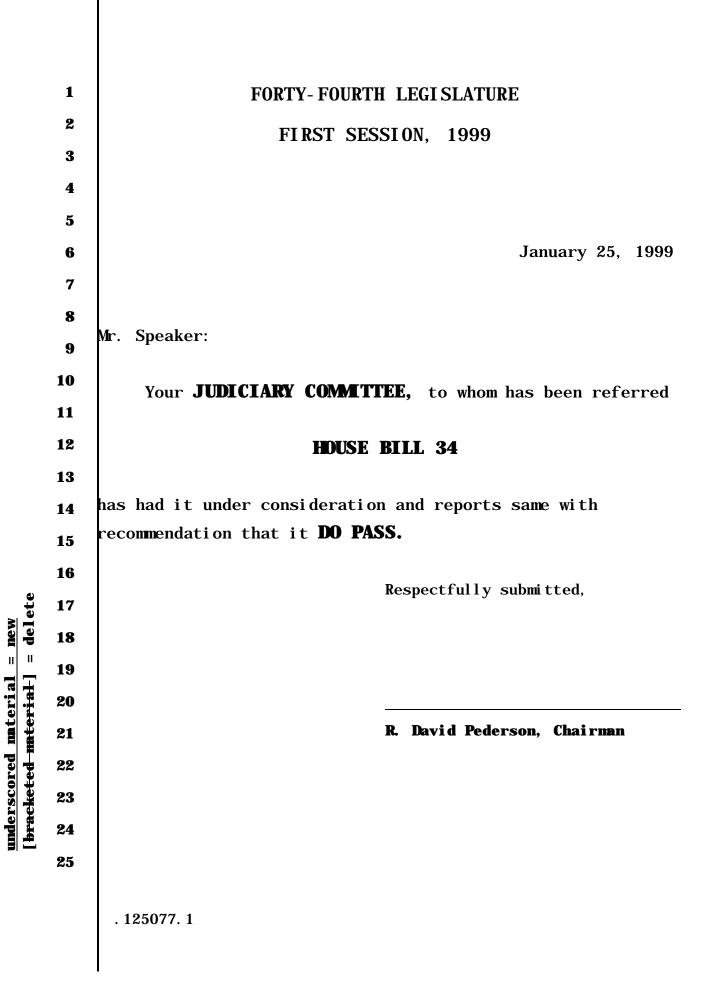
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1	available to any public officer, public employee or								
2	governmental entity insured under such coverage; and								
3	(2) records pertaining to claims for damages								
4	or other relief against any governmental entity or public								
5	officer or employee; provided such records shall be subject to								
6	public inspection by New Mexico citizens [ one hundred eighty]								
7	thirty days after the latest of the following dates:								
8	(a) the date all statutes of limitation								
9	applicable to the claim have run;								
10	(b) the date all litigation involving								
11	the claim and the occurrence giving rise thereto has been								
12	brought to final judgment and all appeals and rights to appeal								
13	have been exhausted;								
14	(c) the date the claim is fully and								
15	finally settled; or								
16	(d) the date the claim has been placed								
17	on closed status.								
18	B. Records protected pursuant to Subsection A of								
19	this section shall be made available as necessary for purposes								
20	of audit or defense. Any person performing such audit or								
21	providing such defense shall keep such records confidential,								
22	except as required otherwise by law.								
23	C. Any person who reveals records protected								
24	pursuant to Subsection A of this section to another person in								
25	violation of this section is guilty of a misdemeanor and								
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	1	shall, upon conviction, be fined not more than one thousand									
	2	dollars (\$1,000). The state shall not employ any person so									
	3	convicted for a period of five years after the date of									
	4	conviction. "									
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	8			Date				
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	11	Yes: Excused:	12 None					
	12	Absent:						
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