

1 A JOINT MEMORIAL

2 REQUESTING THE ATTORNEY GENERAL TO CONVENE A TASK FORCE TO  
3 STUDY THE IMPLEMENTATION OF THE INSPECTION OF PUBLIC RECORDS  
4 ACT AND FOR THAT TASK FORCE TO GATHER INPUT FROM RELEVANT  
5 STAKEHOLDERS TO DETERMINE WHETHER ADMINISTRATIVE SOLUTIONS OR  
6 LEGISLATIVE CHANGES ARE NECESSARY OR DESIRABLE AND, IF SO, TO  
7 PROPOSE SUCH LEGISLATION FOR CONSIDERATION DURING THE FIRST  
8 SESSION OF THE FIFTY-EIGHTH LEGISLATURE.

9  
10 WHEREAS, the Inspection of Public Records Act provides  
11 the public with access to public records of government  
12 entities; and

13 WHEREAS, Section 14-2-1 NMSA 1978 declares that the  
14 policy of the state is that "[e]very person has a right to  
15 inspect public records of this state", with some exceptions;  
16 and

17 WHEREAS, providing access to public records promotes  
18 transparency in the operations of government and the conduct  
19 of public officials and employees and enables members of the  
20 public to hold government actors accountable; and

21 WHEREAS, the legislature has amended the Inspection of  
22 Public Records Act over time and should continue to evaluate  
23 that act to identify and implement improvements that promote  
24 clarity in its application, enhance transparency in  
25 government and strengthen public trust in state institutions;

1           NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
2 STATE OF NEW MEXICO that the attorney general be requested to  
3 convene a task force to study the implementation of the  
4 Inspection of Public Records Act; gather input from relevant  
5 stakeholders; evaluate that act's workability and  
6 effectiveness in ensuring government transparency and serving  
7 the public interest; and, if necessary or desirable, propose  
8 administrative solutions or legislation based on the task  
9 force's findings and recommendations for consideration during  
10 the first session of the fifty-eighth legislature; and

11           BE IT FURTHER RESOLVED that the task force consist of  
12 one representative from each of the following: the  
13 department of justice, the New Mexico municipal league, the  
14 New Mexico association of counties, the New Mexico foundation  
15 for open government, the American civil liberties union of  
16 New Mexico, the New Mexico press association, a defense  
17 attorney specializing in the Inspection of Public Records Act  
18 and a plaintiff's attorney specializing in the Inspection of  
19 Public Records Act; provided that the attorney general shall  
20 appoint the defense attorney and plaintiff's attorney; and

21           BE IT FURTHER RESOLVED that the task force adhere to the  
22 Open Meetings Act and allow the public and other governmental  
23 entities to provide input on the work of the task force,  
24 including input from public schools and public school  
25 districts; institutions of higher education; the judicial

1 branch of government, including district attorneys and public  
2 defenders and their records custodians; and broadcast  
3 journalists and other interested and affected parties; and

4 BE IT FURTHER RESOLVED that the task force report its  
5 recommendations to the appropriate interim committee that  
6 deals with courts, corrections and justice and the  
7 legislative finance committee by October 1, 2026; and

8 BE IT FURTHER RESOLVED that a copy of this memorial be  
9 transmitted to the attorney general. \_\_\_\_\_

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