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AN ACT
RELATING TO PUBLIC RECORDS; AMENDING THE PUBLIC RECORDS ACT
TO ALLOW DONATIONS FROM PRIVATE SOURCES.

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

SECTION 1. Section 14-3-5 NMSA 1978 (being Laws 1959,
Chapter 245, Section 5) is amended to read:

"14-3-5. GIFTS, DONATIONS AND LOANS.--

A. The commission may receive from private sources financial or other donations to assist in building, enlarging, maintaining or equipping a records center or for the acquisition by purchase of documentary material, in accordance with plans made and agreed upon by the commission and the administrator. The commission may also receive from private sources financial or other donations for support of specific agency functions if the donations are so designated. Funds thus received shall be administered by the commission separately from funds supplied by the state for the execution of the Public Records Act but shall be audited by the state. Such funds shall not be subject to reversion to the general fund if unexpended at the close of the fiscal year. Although all material acquired by expenditure of such donated funds and all such donated material shall become the unqualified and unrestricted property of the state, permanent public acknowledgment of the names of the donors may, in each case,

1 be made in an appropriate manner.

2 B. The commission may receive either as donations
3 or loans from private sources, other state agencies,
4 counties, municipalities, the federal government and other
5 states or countries documentary materials of any physical
6 form or characteristics that are deemed to be of value to the
7 state and the general public for historical reference or
8 research purposes. Acceptance of both donations and loans
9 shall be at the discretion of the commission upon advice of
10 the administrator. Accepted donations shall become, without
11 qualification or restriction, the property of the state of
12 New Mexico. Loans shall be accepted only after a written
13 agreement covering all terms and conditions of each loan
14 shall have been signed by the lender and the administrator
15 and approved by the commission." _____

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