

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 559

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Sander Rue

AN ACT

RELATING TO CONTRACTS; REQUIRING THE SUNSHINE PORTAL TO PROVIDE
ACCESS TO ALL STATE CONTRACTS.

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

SECTION 1. Section 10-16D-3 NMSA 1978 (being Laws 2010,
Chapter 34, Section 3) is amended to read:

"10-16D-3. SUNSHINE PORTAL--DEPARTMENT DUTIES.--

A. The department, with the department of finance
and administration, shall develop, operate and maintain a
single internet web site that is free, user-friendly,
searchable and accessible to the public, known as the "sunshine
portal", to host the state's financial information for the
purpose of governmental transparency and accountability to
taxpayers.

B. No later than October 1, 2010, the department

underscoring material = new
~~[bracketed material] = delete~~

1 shall create the architecture and the information exchange
2 process for the collection and electronic publication of the
3 state's financial information.

4 C. No later than July 1, 2011, the sunshine portal
5 shall be available for public access and include updated
6 information as required by Subsection D of this section.

7 D. The sunshine portal shall provide, at a minimum,
8 access to the following information:

9 (1) the state's cash balances by account or
10 fund;

11 (2) a monthly summary of the state's
12 investment accounts under the control of the state investment
13 council;

14 (3) annual operating budgets for each state
15 agency with monthly expenditures by category;

16 (4) contracts that a state agency enters into
17 for the lease, sale or development of state land or if they
18 have a total value of more than twenty thousand dollars
19 (\$20,000), naming both the recipient and purpose of the
20 contract;

21 (5) the revenue that the state received in the
22 preceding month by source, such as type of tax, fee, fine,
23 administrative fee or other collection category;

24 (6) special appropriations received outside
25 the general appropriation act by each state agency and the

.185464.2SA

underscoring material = new
[bracketed material] = delete

1 purpose of those appropriations;

2 (7) approved budget adjustment requests by
3 state agency and affected budget category;

4 (8) reversions and cash balances by state
5 agency and fund;

6 (9) appropriations for capital projects,
7 identified by project location, type of project and funding
8 source;

9 (10) a directory of all employee positions,
10 other than exempt employee positions, identified only by state
11 agency, position title and salary;

12 (11) a directory of all exempt employee
13 positions, identified by state agency, position title, salary
14 and the name of the individual that holds the position;

15 (12) a link to an open meeting tracker web
16 site upon which each state agency shall post open meetings
17 scheduled for the current month and the next month, including
18 the time and place of the meeting, the subject of the meeting
19 and an agenda;

20 (13) a link to New Mexico's statutes;

21 (14) a link to the New Mexico Administrative
22 Code;

23 (15) a link to the secretary of state's web
24 sites for lobbyist regulation;

25 (16) all state contracts;

.185464.2SA

underscored material = new
[bracketed material] = delete

1 [~~(16)~~] (17) an annual summary within three
2 months after the end of the fiscal year of the state's fiscal
3 health, including the state budget, revenues and expenditures
4 for the previous fiscal year and projected revenues and
5 operating budgets for the current fiscal year; and

6 [~~(17)~~] (18) additional information, as
7 required by rule of the department of finance and
8 administration, that will assist the public in understanding
9 state government operations and the use of taxpayer dollars.

10 E. State agencies shall provide updated financial
11 information and state contracts as frequently as possible but
12 at least monthly.

13 F. The department shall update the web site as new
14 information is received but at least monthly, include
15 information from the previous month or year, where relevant,
16 for comparison purposes and maintain the web site as the
17 primary source of public information about the activity of the
18 state government."