

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 141

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO GOVERNMENTAL CONDUCT; PROHIBITING DISCLOSURE OF  
SENSITIVE PERSONAL INFORMATION BY STATE AGENCY EMPLOYEES.

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

**SECTION 1.** A new section of the Governmental Conduct Act  
is enacted to read:

"[NEW MATERIAL] SENSITIVE PERSONAL INFORMATION.--

A. A state agency employee shall not disclose  
sensitive personal information acquired by virtue of the  
employee's position with a state agency to anyone outside the

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state agency except when such disclosure is:

(1) necessary to carry out a function of the state agency;

(2) necessary to comply with an order of a court of this state or of the United States;

(3) required by a subpoena;

Hf1→(4) made to or by a court in the course of a judicial proceeding or made in a court record;←Hf1

Hf1→(4) (5)←Hf1 required by the Inspection of Public Records Act;

Hf1→(5) (6)←Hf1 permitted by Section 66-2-7.1 NMSA 1978;

Hf12→(7) made pursuant to the Whistleblower Protection Act;←Hf12

Hf1→(6) Hf12→(7)←Hf1 (8)←Hf12 required by federal law; or

Hf1→(7) Hf12→(8)←Hf1 (9)←Hf12 made with the written consent of the person whose information would be disclosed.

B. As used in this section, "sensitive personal information" means a person's:

(1) status as a recipient of public assistance;

(2) status as a victim of a serious violent offense as defined in Section 33-2-34 NMSA 1978;

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(3) sexual orientation, gender identity, physical or mental disability, immigration status, national origin or religion; and

(4) social security number or individual tax identification number."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2019.

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