

LFC Requester:	Rachel Mercer-Garcia
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply: **Date** 01/31/2024
Original **Amendment** **Bill No:** HB 284
Correction **Substitute**

Sponsor: Meredith Dixon; Tara Jaramillo; Marian Matthews; Gail Armstrong; Jennifer Jones **Agency Name and Code** 361-OBAE
Number: _____
Person Writing Vanessa Willock
Short Title: N/A **Phone:** 505-629-6004 **Email** Vanessa.Willock@connect.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

- 1) HB 284 creates a new section of the Children, Youth and Families Department Act titled “Electronic Records—Retention.”
- 2) The new section requires that CYFD employees use state-issued electronic devices only for communications related to the performance of and within the scope of their duties.
- 3) Provides that failure to comply with the provisions of the section may constitute grounds for immediate termination of employment by the Department.
- 4) Requires that department issued electronic devices contain only software and applications that are compliant with federal, state, local, territorial, and tribal data retention and protection laws.
- 5) Requires the implementation of a system by January 1, 2025, approved by DoIT, that will back up on an hourly basis all electronic records generated or received by CYFD employees related to or within the scope of their employment. Requires that CYFD retain all such electronic records for a period of at least 24 years after the termination of an employee’s employment with CYFD.
- 6) Provides definitions for the terms “back up”; “electronic device”; and “electronic records”.

FISCAL IMPLICATIONS

None to OBAE

SIGNIFICANT ISSUES

None for OBAE

PERFORMANCE IMPLICATIONS

None to OBAE

ADMINISTRATIVE IMPLICATIONS

None to OBAE

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

None for OBAE

OTHER SUBSTANTIVE ISSUES

None for OBAE

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

None