

LFC Requester:

Joseph Simon

AGENCY BILL ANALYSIS
2024 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.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:

Original Amendment
Correction Substitute

Date 1FEB2024

Bill No: SB 272

Sponsor: Carrie Hamblen
Sexual Orientation & Gender
Short Orientation Data
Title:

Agency Name
and Code

Number: 790-Department of Public Safety

Person Writing Bill

Analysis: Kiki Arellano

Phone: 505-479-2184 Kiki.arellano@dps.nm

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

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

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

SECTION III: NARRATIVE

BILL SUMMARY

Requires state agencies to collect voluntary data on sexual orientation and gender identity in certain circumstances.

The bill states that the executive department (which it defines as all state agencies under the purview of the Governor), or any state public body shall collect voluntary self-identification information related to sexual orientation or gender identity in the following circumstances:

- Related to federal programs or surveys, where the guidelines for demographic data collection categories are defined by the federal program or survey.
- In accordance with guidelines issued by the Department of Health for demographic data collection.

State agencies that collect this data would report it to the Legislature, including the method used for data collection, and make the data available to the public — excluding personal identifying information, which would be confidential. Additional requirements are included meant to protect the confidentiality of the data.

Defines “public body” as an “advisory board, a commission, a committee, an agency or an entity created by the constitution or laws of New Mexico or any branch of government of the executive, legislative or judicial branch of a state or local government that receives public funding.”

FISCAL IMPLICATIONS

No additional fiscal implications to DPS.

SIGNIFICANT ISSUES

None for DPS.

PERFORMANCE IMPLICATIONS

The Department of Public Safety (DPS) is currently collecting this information when new employees are hired and onboarded. The Personal Data Form will need to be modified to add the word “Optional”. Information provided is entered by the Human Resources Bureau Staff into the

SHARE Hunan Capital Module (HCM).

As there are currently no canned reports or queries to compile this information. The State Personal Office may want to work with the Department of Finance and Administration and the Department of Information Technology to develop a standardized report for executive agencies to use for consistent and uniform reporting.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

None identified.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

None, currently.