

AN ACT

RELATING TO POST-SECONDARY EDUCATIONAL INSTITUTIONS; AMENDING SECTIONS OF THE NMSA 1978 TO PROVIDE EXCEPTIONS TO EMPLOYEE INTERESTS IN CONTRACTS.

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

Section 1. Section 21-1-17 NMSA 1978 (being Laws 1889, Chapter 138, Section 68, as amended) is amended to read:

"21-1-17. INTEREST IN CONTRACTS BY BOARD MEMBERS OR EMPLOYEES PROHIBITED.--No employee or member of a board of regents of any state educational institution shall have any direct or indirect financial interest in any contract for building or improving any of that state educational institution or for the furnishing of supplies or services to that institution except as permitted pursuant to the University Research Park Act or unless it complies with provisions of the Governmental Conduct Act and the Procurement Code."

Section 2. Section 21-1-35 NMSA 1978 (being Laws 1923, Chapter 148, Section 1415, as amended) is amended to read:

"21-1-35. SALES BY BOARDS, OFFICERS OR EMPLOYEES PROHIBITED--PARTIES TO CONTRACTS RECEIVING COMMISSION OR PROFIT--PENALTY.--No board of regents of a state educational institution, no member of a board and no school official or teacher, either directly or indirectly, shall sell to any

state educational institution that he is connected with by reason of being a member of a board of regents of a state educational institution or to any school official or teacher, any school books, school furniture, equipment, apparatus or any other kind of school supplies, sell property insurance or life insurance to any employee of that state educational institution or do any work under contract, nor shall any such board or members thereof or school officers or teachers receive any commission or profit on account thereof, and all such persons are prohibited from being parties directly or indirectly to any such contract or transaction; provided that the provisions of this section shall not apply to contracts entered into pursuant to the provisions of the University Research Park Act or that comply with provisions of the Governmental Conduct Act and the Procurement Code. Any person violating the provisions of this section shall be fined not exceeding one thousand dollars (\$1,000) or imprisoned not exceeding one year in the penitentiary of New Mexico or be fined and imprisoned as set forth in this section in the discretion of the court." \_\_\_\_\_

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