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HOUSE BILL 11

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Tara Jaramillo and Kathleen Cates and Reena Szczepanski and
Eleanor Chávez and Marian Matthews

AN ACT

RELATING TO FAMILIES; ENACTING THE OFFICE OF CHILD ADVOCATE
ACT; PROVIDING FOR THE STATE CHILD ADVOCATE; CREATING THE
OFFICE OF CHILD ADVOCATE AND ESTABLISHING THE POWERS AND DUTIES
OF THAT OFFICE; PROVIDING FOR THE ESTABLISHMENT OF THE STATE
CHILD ADVOCATE SELECTION COMMITTEE; AMENDING AND ENACTING
SECTIONS OF THE NMSA 1978; MAKING AN APPROPRIATION.

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

SECTION 1. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--Sections 1 through 14 of
this act may be cited as the "Office of Child Advocate Act"."

SECTION 2. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in the Office of
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1 Child Advocate Act:

2 A. "committee" means the state child advocate
3 selection committee;

4 B. "near fatality" means an injury or condition
5 caused by abuse or neglect that results in a child:

6 (1) being placed in serious or critical
7 condition, as certified by a licensed physician; and

8 (2) receiving critical care for at least
9 twenty-four hours following the child's admission to a critical
10 care unit;

11 C. "office" means the office of child advocate; and

12 D. "substitute caregiver" means a person, including
13 a relative of the child, licensed or certified by the
14 department or a child placement agency to provide care for
15 children in the custody of the department or agency."

16 SECTION 3. A new section of the Children's Code is
17 enacted to read:

18 "[NEW MATERIAL] OFFICE OF CHILD ADVOCATE--CREATED.--The
19 "office of child advocate" is created and is administratively
20 attached to the office of the attorney general pursuant to
21 Section 9-1-7 NMSA 1978. The office shall maintain autonomy
22 over the office's budget and any decisions the office may
23 take."

24 SECTION 4. A new section of the Children's Code is
25 enacted to read:

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1 "[NEW MATERIAL] STATE CHILD ADVOCATE--APPOINTMENT--
2 DUTIES.--The head of the office is the "state child advocate",
3 who shall be appointed for a term of six years, except that the
4 initial term shall begin on July 1, 2024 and shall end on
5 December 31, 2024. The state child advocate may be reappointed
6 to successive terms. An appointed state child advocate shall
7 serve and have all of the duties, responsibilities and
8 authority of that office during the period of time in which the
9 state child advocate is appointed. The governor may remove the
10 state child advocate only for malfeasance, misfeasance or abuse
11 of office. The state child advocate shall oversee the office
12 and assign and distribute the work of the state child
13 advocate."

14 SECTION 5. A new section of the Children's Code is
15 enacted to read:

16 "[NEW MATERIAL] STATE CHILD ADVOCATE SELECTION COMMITTEE--
17 DUTIES.--

18 A. The "state child advocate selection committee"
19 is created and consists of nine members, including:

20 (1) one member who shall be selected by the
21 president pro tempore of the senate;

22 (2) one member who shall be selected by the
23 minority floor leader of the senate;

24 (3) one member who shall be selected by the
25 speaker of the house of representatives;

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1 (4) one member who shall be selected by the
2 minority floor leader of the house of representatives;

3 (5) four members who shall be selected by the
4 governor, no more than two of whom are from the same political
5 party and one of whom shall have specialized expertise in the
6 federal Indian Child Welfare Act of 1978 and the Indian Family
7 Protection Act; and

8 (6) a committee chair, whom a majority of the
9 other eight members select and who is:

10 (a) not a candidate for the position of
11 state child advocate; and

12 (b) a person with extensive knowledge of
13 child protective or juvenile justice services.

14 B. The committee shall meet exclusively for the
15 purpose of nominating persons to fill a current or impending
16 vacancy in the position of state child advocate. The committee
17 shall actively solicit, accept and evaluate applications for
18 the position of state child advocate and may require applicants
19 to submit any information that the committee deems relevant to
20 the consideration of applications. Within ninety days before
21 the date on which the term of a state child advocate ends or no
22 later than thirty days after the occurrence of a vacancy in the
23 state child advocate position, the committee shall convene and,
24 within thirty days after convening, submit to the governor the
25 names of persons who are recommended for appointment to the

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1 position by a majority of the committee members.

2 C. Immediately after receiving nominations for the
3 state child advocate, the governor may make one request of the
4 committee for submission of additional names. The committee
5 shall promptly submit those additional names if a majority of
6 the committee members find that additional persons would be
7 qualified and recommends those persons for appointment as state
8 child advocate. The governor shall fill a vacancy or appoint a
9 successor to fill an impending vacancy in the office of state
10 child advocate within thirty days after receiving final
11 nominations from the committee by appointing one of the persons
12 nominated by the committee.

13 D. The committee is administratively attached to
14 the office of the attorney general pursuant to the provisions
15 of Section 9-1-7 NMSA 1978.

16 E. After the initial meeting of the committee, the
17 governor or a majority of the committee members may call
18 subsequent meetings of the committee to nominate persons to
19 fill a current or impending vacancy in the position of state
20 child advocate.

21 F. The members of the committee shall receive per
22 diem and mileage as provided in the Per Diem and Mileage Act
23 and shall receive no other compensation, perquisite or
24 allowance."

25 SECTION 6. A new section of the Children's Code is

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1 enacted to read:

2 "[NEW MATERIAL] OFFICE OF CHILD ADVOCATE--POWERS--
3 DUTIES.--The office:

4 A. shall:

5 (1) review the department's provision of
6 services to children and families, receive complaints
7 concerning the actions of the department or of any entity that
8 provides services to children and families through funds
9 provided by the department and make appropriate referrals when
10 the state child advocate determines that a child or family may
11 be in need of assistance from the office;

12 (2) review current systems to determine the
13 extent to which the department's policies and procedures
14 protect and enhance children's personal dignity, right to
15 privacy, appropriate health care and education in accordance
16 with state and federal law;

17 (3) adopt and promulgate rules in accordance
18 with the State Rules Act as are deemed necessary to carry out
19 the provisions of the Office of Child Advocate Act;

20 (4) operate a toll-free hotline and electronic
21 communication portal to receive complaints pursuant to this
22 section;

23 (5) investigate and attempt to resolve
24 complaints made by or on behalf of children placed in the
25 custody of the department, receiving services under the

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1 supervision of the department, subject to a referral to the
2 department or under investigation by the department;

3 (6) decide, in its discretion, whether to
4 investigate a complaint or refer complaints to another agency
5 for investigation;

6 (7) upon rendering a decision to investigate a
7 complaint, notify the complainant of the intention to
8 investigate and, if the office declines to investigate a
9 complaint or continue an investigation, notify the complainant
10 that no further action will be taken by the office;

11 (8) update the complainant on the progress of
12 the investigation and notify the complainant of the final
13 outcome within ninety days;

14 (9) work in collaboration with relevant
15 parties to strengthen the department's services for children
16 and families;

17 (10) analyze and monitor the development and
18 implementation of federal, state and local laws, regulations
19 and policies relating to child and family welfare and recommend
20 changes when appropriate;

21 (11) support children and families by
22 providing information about recipients' rights and
23 responsibilities related to departmental services;

24 (12) upon request, provide comprehensive
25 information concerning child and family welfare to the

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1 governor, state agencies and legislators;

2 (13) compile an annual report pursuant to
3 Section 7 of the Office of Child Advocate Act;

4 (14) subpoena witnesses to provide testimony
5 in cases in which a fatality or near fatality of a child has
6 occurred while the child was in the custody of the department;

7 (15) address any challenges accessing
8 information or records that are necessary for carrying out the
9 provisions of the Office of Child Advocate Act; and

10 (16) in the course of investigating a
11 complaint, have authority to request, access and review
12 information, records or documents, including records of third
13 parties, that the office deems necessary to conduct a thorough
14 and independent review of a complaint so long as the department
15 would be entitled to access or receive such information,
16 records or documents; and

17 B. may:

18 (1) adopt and promulgate rules pertaining to
19 the administration of the office and, subject to appropriation,
20 hire and contract for such professional, technical and support
21 staff as needed to carry out the functions of the office;
22 provided that such hiring and contracting shall be without
23 regard to party affiliation and solely on the grounds of
24 competence and fitness to perform the duties of the position.
25 Employees of the office, except the state child advocate, are

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1 subject to the provisions of the Personnel Act; and

2 (2) meet or communicate with any children
3 placed in the custody of the department, receiving services
4 under the supervision of the department, subject to a referral
5 to the department or under investigation by the department."

6 SECTION 7. A new section of the Children's Code is
7 enacted to read:

8 "[NEW MATERIAL] ANNUAL REPORT--REPORT CONTENTS--CREATION
9 AND MAINTENANCE OF WEBSITE CONTAINING REPORT INFORMATION.--

10 A. Each year, the office shall submit to the
11 legislative finance committee, the department and the governor
12 on or before September 1 a report addressing services provided
13 by the department, including:

14 (1) the quality of services provided to
15 children and families;

16 (2) the conditions of placements for New
17 Mexico's children, including the number of out-of-state
18 placements and an assessment of each active congregate care and
19 juvenile justice facility in which children in the custody of
20 the department are placed;

21 (3) the number of children removed from a
22 residence of a parent, substitute caregiver or guardian;

23 (4) the number of children returned to a
24 household from which they were removed;

25 (5) the number of children placed in the

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1 custody of a juvenile justice facility;

2 (6) the number of children placed in the
3 custody of the department who have run away from a department
4 placement, the number of children placed in the custody of the
5 department who have been found after running away and the
6 number of children placed in the custody of the department who
7 are currently missing;

8 (7) the number of cases in which families
9 subject to court-ordered treatment plans or voluntary placement
10 agreements have absconded with children placed in the custody
11 of the department;

12 (8) a review of systemic issues related to
13 services for assistance to children and families within the
14 child protection and juvenile justice systems;

15 (9) findings and recommendations related to
16 the implementation of the federal Indian Child Welfare Act of
17 1978 and the Indian Family Protection Act;

18 (10) recommendations related to improving
19 services for children and families;

20 (11) data disaggregated by race, ethnicity,
21 gender, geographic location, sexual identity, disability status
22 and any other categories that the office deems necessary; and

23 (12) an outline of the training and
24 certification process for the state child advocate and office
25 staff.

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1 B. The office shall create and maintain a web page
2 on which the data contained in Subsection A shall be provided
3 in an accessible manner and updated quarterly.

4 C. Each year the annual report shall be posted to
5 the web page created pursuant to Subsection B of this section."

6 **SECTION 8.** A new section of the Children's Code is
7 enacted to read:

8 "[NEW MATERIAL] TRAINING AND CERTIFICATION.--

9 A. The state child advocate shall ensure that
10 office staff are trained in:

11 (1) federal, state, local and tribal laws,
12 regulations and policies with respect to child protection and
13 juvenile justice services in the state;

14 (2) investigative techniques, including
15 trauma-informed care and questioning;

16 (3) the federal Indian Child Welfare Act of
17 1978, the Indian Family Protection Act, tribal culture, tribal
18 relations and sovereign nation status;

19 (4) department policies and procedures,
20 including policies and procedures related to abuse and neglect,
21 out-of-home placement and safety and risk assessments; and

22 (5) such other matters as the office deems
23 appropriate.

24 B. The state child advocate shall develop
25 procedures for the training and certification of appropriate

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1 staff.

2 C. An officer, employee or other representative of
3 the office shall not investigate any complaint filed with the
4 office unless that person is certified by the office."

5 SECTION 9. A new section of the Children's Code is
6 enacted to read:

7 "[NEW MATERIAL] CONFLICT OF INTEREST.--Persons who are
8 employees of the office or who have contracts with the office
9 shall not have a conflict of interest with the department or
10 with an entity that provides services to children and families
11 through funds provided by the department relating to the
12 performance of their responsibilities pursuant to the
13 Children's Code. For the purposes of this section, a conflict
14 of interest exists whenever the state child advocate, an
15 employee of the office or a person having a contract with the
16 office:

17 A. has direct involvement in the licensing,
18 certification or accreditation of a provider or facility
19 delivering services to children and families;

20 B. has a direct ownership interest in a provider or
21 facility delivering services to children and families;

22 C. is employed by or participates in the management
23 of a provider or facility delivering services to children and
24 families; or

25 D. receives or has the right to receive, directly

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1 or indirectly, remuneration pursuant to a compensation
2 arrangement with a provider or facility delivering services to
3 children and families."

4 SECTION 10. A new section of the Children's Code is
5 enacted to read:

6 "[NEW MATERIAL] INCIDENTS, FATALITIES AND NEAR
7 FATALITIES.--

8 A. The department shall provide the office with a
9 copy of all reports related to actual physical injury to
10 children in the custody of the department or a significant risk
11 of such an injury.

12 B. The department shall provide the office with a
13 written notification within seventy-two hours of:

14 (1) a fatality or near fatality of a child in
15 its custody or referred or receiving services under the
16 supervision of the department; and

17 (2) the restraint or seclusion of a child in
18 its custody."

19 SECTION 11. A new section of the Children's Code is
20 enacted to read:

21 "[NEW MATERIAL] LAW ENFORCEMENT REPORTS.--Upon request by
22 the office, law enforcement agencies shall share with the
23 office all law enforcement reports involving children placed in
24 the custody of the department, receiving services under the
25 supervision of the department, subject to a referral to the

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1 department or under investigation by the department."

2 SECTION 12. A new section of the Children's Code is
3 enacted to read:

4 "[NEW MATERIAL] CONFIDENTIALITY OF INFORMATION--TESTIMONY
5 OR DISCLOSURE OF EVIDENCE AT A JUDICIAL OR ADMINISTRATIVE
6 HEARING.--

7 A. The office shall maintain the confidentiality of
8 all case records, third-party records and court records, as
9 well as any information gathered in the course of
10 investigations and system monitoring duties. These records are
11 exempt from public inspection and copying pursuant to the
12 Inspection of Public Records Act and shall be kept confidential
13 unless:

14 (1) disclosure is ordered by the court;

15 (2) disclosure is necessary to prevent
16 imminent harm and the imminent harm is communicated directly to
17 the state child advocate or staff of the office;

18 (3) disclosure is necessary to the department
19 in order for the department to determine the appropriateness of
20 initiating an investigation regarding potential abuse or
21 neglect or other emergency circumstances; or

22 (4) disclosure is necessary to the department
23 in order for the department to determine the appropriateness of
24 initiating an investigation to determine facility compliance
25 with applicable rules of licensure or certification or both.

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1 B. Notwithstanding Subsection A of this section,
2 the office may publicly report any patterns of conduct or
3 repeated incidents identified by the office in carrying out the
4 provisions of the Office of Child Advocate Act; provided that
5 the office shall not publicly disclose either of the following:

6 (1) individually identifiable information
7 about a child unless the information is already known to the
8 public; and

9 (2) investigation findings when there is
10 pending law enforcement investigation or prosecution.

11 C. The state child advocate or staff of the office
12 may not be compelled to testify or produce evidence in any
13 judicial or administrative proceeding with respect to any
14 matter involving the exercise of office duties. All related
15 memoranda, work products, notes or case files of the office are
16 confidential and are not subject to discovery, subpoena or
17 other means of legal compulsion and are not admissible as
18 evidence in a judicial or administrative proceeding. However,
19 the state child advocate may provide testimony related to
20 quarterly or annual reports submitted to the legislature, the
21 department or the governor."

22 SECTION 13. A new section of the Children's Code is
23 enacted to read:

24 "[NEW MATERIAL] OTHER REMEDIES.--An individual who pursues
25 remedies pursuant to the Office of Child Advocate Act is not

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1 precluded from pursuing other legal or equitable remedies."

2 SECTION 14. A new section of the Children's Code is
3 enacted to read:

4 "[NEW MATERIAL] NOTIFICATION OF OFFICE OF CHILD
5 ADVOCATE.--The department shall notify all children placed in
6 the custody of the department, receiving services under the
7 supervision of the department, subject to a referral to the
8 department or under investigation by the department and their
9 parents, guardians, substitute caregivers and fictive kin of
10 the existence of the office, its purpose and function and its
11 toll-free hotline and electronic communication portal with
12 instructions for access."

13 SECTION 15. Section 32A-2-32 NMSA 1978 (being Laws 1993,
14 Chapter 77, Section 61, as amended) is amended to read:

15 "32A-2-32. CONFIDENTIALITY--RECORDS.--

16 A. All records pertaining to the child, including
17 all related social records, behavioral health screenings,
18 diagnostic evaluations, psychiatric reports, medical reports,
19 social studies reports, records from local detention
20 facilities, client-identifying records from facilities for the
21 care and rehabilitation of delinquent children, pre-parole or
22 supervised release reports and supervision histories obtained
23 by the juvenile probation office, parole officers and the
24 juvenile public safety advisory board or in possession of the
25 department, are confidential and shall not be disclosed

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1 directly or indirectly to the public.

2 B. The disclosure of all mental health and
3 developmental disability records shall be made pursuant to the
4 Children's Mental Health and Developmental Disabilities Act.

5 C. The records described in Subsection A of this
6 section, other than mental health and developmental disability
7 records, shall be disclosed only to any of the following,
8 provided that the agency, person or institution receiving
9 information shall not re-release the information without proper
10 consent or as otherwise provided by law:

- 11 (1) court personnel;
- 12 (2) the child's court appointed special
13 advocates;
- 14 (3) the child's attorney or guardian ad litem
15 representing the child in any matter;
- 16 (4) department personnel;
- 17 (5) corrections department personnel;
- 18 (6) law enforcement officials when the request
19 is related to the investigation of a crime;
- 20 (7) district attorneys or children's court
21 attorneys;
- 22 (8) a state government social services agency
23 in any state;
- 24 (9) those persons or entities of a child's
25 Indian tribe specifically authorized to inspect such records

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1 pursuant to the federal Indian Child Welfare Act of 1978, the
2 Indian Family Protection Act or any regulations promulgated
3 under ~~[that act]~~ those acts;

4 (10) tribal juvenile justice system and social
5 service representatives;

6 (11) a foster parent, if the records are those
7 of a child currently placed with that foster parent or of a
8 child being considered for placement with that foster parent,
9 when the disclosure of the information is necessary for the
10 child's treatment or care and shall include only that
11 information necessary to provide for treatment and care of the
12 child;

13 (12) school personnel involved with the child
14 if the records concern the child's educational needs, but shall
15 only include that information necessary to provide for the
16 child's educational planning and needs;

17 (13) a health care or mental health
18 professional involved in the evaluation or treatment of the
19 child, the child's parents, guardians or custodian or other
20 family members;

21 (14) representatives of the protection and
22 advocacy system;

23 (15) the child's parent, guardian or legal
24 custodian when the disclosure of the information is necessary
25 for the child's treatment or care and shall include only that

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1 information necessary to provide for the treatment or care of
2 the child;

3 (16) any other person or entity, by order of
4 the court, having a legitimate interest in the case or the work
5 of the court who agrees not to otherwise release the records;

6 [~~and~~]

7 (17) the child, if fourteen years of age or
8 older; and

9 (18) the office of child advocate and its
10 employees and contractors, pursuant to the requirements of the
11 Delinquency Act, if the records are needed for the purpose of
12 implementing the Office of Child Advocate Act.

13 D. If disclosure of otherwise confidential records
14 is made to the child or any other person or entity pursuant to
15 a valid release of information signed by the child, all victim
16 or witness identifying information shall be redacted or
17 otherwise deleted.

18 E. Whoever intentionally and unlawfully releases
19 any information or records closed to the public pursuant to
20 this section or releases or makes other unlawful use of records
21 in violation of this section is guilty of a petty misdemeanor.

22 F. The department shall promulgate rules for
23 implementing disclosure of records pursuant to this section and
24 in compliance with state and federal law and the Children's
25 Court Rules."

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1 SECTION 16. Section 32A-4-33 NMSA 1978 (being Laws 1993,
2 Chapter 77, Section 127, as amended) is amended to read:

3 "32A-4-33. CONFIDENTIALITY--RECORDS--PENALTY.--

4 A. All records or information concerning a party to
5 a neglect or abuse proceeding, including social records,
6 diagnostic evaluations, psychiatric or psychological reports,
7 videotapes, transcripts and audio recordings of a child's
8 statement of abuse or medical reports incident to or obtained
9 as a result of a neglect or abuse proceeding or that were
10 produced or obtained during an investigation in anticipation of
11 or incident to a neglect or abuse proceeding shall be
12 confidential and closed to the public.

13 B. The records described in Subsection A of this
14 section shall be disclosed only to the parties and:

15 (1) court personnel and persons or entities
16 authorized by contract with the court to review, inspect or
17 otherwise have access to records or information in the court's
18 possession;

19 (2) court-appointed special advocates
20 appointed to the neglect or abuse proceeding;

21 (3) the child's guardian ad litem;

22 (4) the attorney representing the child in an
23 abuse or neglect action, a delinquency action or any other
24 action under the Children's Code;

25 (5) department personnel and persons or

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1 entities authorized by contract with the department to review,
2 inspect or otherwise have access to records or information in
3 the department's possession;

4 (6) any local substitute care review board or
5 any agency contracted to implement local substitute care review
6 boards;

7 (7) law enforcement officials, except when use
8 immunity is granted pursuant to Section 32A-4-11 NMSA 1978;

9 (8) district attorneys, except when use
10 immunity is granted pursuant to Section 32A-4-11 NMSA 1978;

11 (9) any state government or tribal government
12 social services agency in any state or when, in the opinion of
13 the department, it is in the best interest of the child, a
14 governmental social services agency of another country;

15 (10) a foster parent, if the records are those
16 of a child currently placed with that foster parent or of a
17 child being considered for placement with that foster parent
18 and the records concern the social, medical, psychological or
19 educational needs of the child;

20 (11) school personnel involved with the child
21 if the records concern the child's social or educational needs;

22 (12) a grandparent, parent of a sibling,
23 relative or fictive kin, if the records or information pertain
24 to a child being considered for placement with that
25 grandparent, parent of a sibling, relative or fictive kin and

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1 the records or information concern the social, medical,
2 psychological or educational needs of the child;

3 (13) health care or mental health
4 professionals involved in the evaluation or treatment of the
5 child or of the child's parents, guardian, custodian or other
6 family members;

7 (14) protection and advocacy representatives
8 pursuant to the federal Developmental Disabilities Assistance
9 and Bill of Rights Act and the federal Protection and Advocacy
10 for Mentally Ill Individuals Amendments Act of 1991;

11 (15) children's safehouse organizations
12 conducting investigatory interviews of children on behalf of a
13 law enforcement agency or the department;

14 (16) representatives of the federal government
15 or their contractors authorized by federal statute or
16 regulation to review, inspect, audit or otherwise have access
17 to records and information pertaining to neglect or abuse
18 proceedings;

19 (17) any person or entity attending a meeting
20 arranged by the department to discuss the safety, well-being
21 and permanency of a child, when the parent or child, or parent
22 or legal custodian on behalf of a child younger than fourteen
23 years of age, has consented to the disclosure; ~~[and]~~

24 (18) any other person or entity, by order of
25 the court, having a legitimate interest in the case or the work

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1 of the court; and

2 (19) the office of child advocate and its
3 employees and contractors, pursuant to the requirements of the
4 Abuse and Neglect Act, if the records are needed for the
5 purpose of implementing the Office of Child Advocate Act.

6 C. A parent, guardian or legal custodian whose
7 child has been the subject of an investigation of abuse or
8 neglect where no petition has been filed shall have the right
9 to inspect any medical report, psychological evaluation, law
10 enforcement reports or other investigative or diagnostic
11 evaluation; provided that any identifying information related
12 to the reporting party or any other party providing information
13 shall be deleted. The parent, guardian or legal custodian
14 shall also have the right to the results of the investigation
15 and the right to petition the court for full access to all
16 department records and information except those records and
17 information the department finds would be likely to endanger
18 the life or safety of any person providing information to the
19 department.

20 D. Whoever intentionally and unlawfully releases
21 any information or records closed to the public pursuant to the
22 Abuse and Neglect Act or releases or makes other unlawful use
23 of records in violation of that act is guilty of a petty
24 misdemeanor and shall be sentenced pursuant to the provisions
25 of Section 31-19-1 NMSA 1978.

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E. The department shall promulgate rules for implementing disclosure of records pursuant to this section and in compliance with state and federal law and the Children's Court Rules."

SECTION 17. APPROPRIATION.--Five hundred thousand dollars (\$500,000) is appropriated from the general fund to the office of the attorney general for expenditure in fiscal year 2025 to create and staff the office of child advocate. Any unexpended or unencumbered balance remaining at the end of fiscal year 2025 shall revert to the general fund.

SECTION 18. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2024.