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HOUSE BILL 141

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

INTRODUCED BY

Miguel P. Garcia

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. No state agency employee shall disclose  
sensitive personal information acquired by virtue of the  
employee's position with a state agency to anyone outside the  
state agency except when such disclosure is necessary to carry  
out a function of the state agency, to comply with an order of  
a court of this state or of the United States, in response to a  
subpoena, as permitted by 66-2-7.1 NMSA 1978 and as required by  
federal law.

.211433.2

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1           B. As used in this section, "sensitive personal  
2 information" means:

3                   (1) "genetic information" as defined in  
4 Subsection D of Section 24-21-2 NMSA 1978;

5                   (2) "protected personal identifier  
6 information" as defined in Subsection E of Section 14-2-6 NMSA  
7 1978;

8                   (3) "personal information" as defined in  
9 Subsection F of Section 66-1-4.14 NMSA 1978;

10                   (4) a person's status as a recipient of public  
11 assistance or as a crime victim; and

12                   (5) a person's sexual orientation, physical or  
13 mental disability, immigration status, national origin or  
14 religion."

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