

1 HOUSE BILL 339

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Patricia Roybal Caballero

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10 AN ACT

11 RELATING TO SEXUAL ASSAULT; REQUIRING PUBLIC AND PRIVATE POST-
12 SECONDARY EDUCATIONAL INSTITUTIONS TO PROVIDE TRAINING,
13 POLICIES AND INFORMATION RELATED TO SEXUAL ASSAULT TO STUDENTS
14 AND CERTAIN PERSONNEL.

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

17 SECTION 1. A new section of Chapter 21 NMSA 1978 is
18 enacted to read:

19 "[NEW MATERIAL] SEXUAL ASSAULT PREVENTION AND RESPONSE--
20 PUBLIC AND PRIVATE POST-SECONDARY EDUCATIONAL INSTITUTIONS.--
21 Every public and private post-secondary educational institution
22 shall:

23 A. provide evidence-based training to every student
24 enrolled at the institution on ways to prevent, recognize and
25 report sexual assault;

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B. require campus police, students and personnel who respond to incidents of sexual assault and personnel who investigate issues related to Title 9 of the federal Education Amendments of 1972, codified at 20 U.S.C. Section 1681, to be trained in:

- (1) trauma-informed response to sexual assault, stalking, relationship violence and domestic violence;
- (2) mitigation of harm to a victim; and
- (3) accommodations and safety measures to assist victims;

C. provide easy access on the institution's website to the name of and contact information for the institution's sexual assault victim advocate;

D. provide easy access on the institution's website to a list of on- and off-campus victims' service providers and update the list annually; and

E. ensure that the institution's sexual harassment policies comply with Title 9 of the federal Education Amendments of 1972, codified at U.S.C. Section 1681, and with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 U.S.C. Section 1092(f), that the policies are easily accessed on the institution's website and that a copy of the policies is provided to every student upon enrollment at the institution."