

The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 141

SENATE BILL 537, as amended

Introduced by

SENATOR SANDER RUE AND REPRESENTATIVE STEPHANIE GARCIA RICHARD



CHAPTER 141

AN ACT

RELATING TO STATE GOVERNMENT; AMENDING THE SUNSHINE PORTAL
TRANSPARENCY ACT; PROVIDING ACCESS TO ADDITIONAL INFORMATION
ABOUT STATE CONTRACTS.

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

SECTION 1. Section 10-16D-3 NMSA 1978 (being Laws 2010,
Chapter 34, Section 3, as amended) is amended to read:

"10-16D-3. SUNSHINE PORTAL--DEPARTMENT DUTIES.--

A. The department, with the department of finance
and administration, shall develop, operate and maintain a
single internet web site that is free, user-friendly,
searchable and accessible to the public, known as the
"sunshine portal", to host the state's financial information
for the purpose of governmental transparency and
accountability to taxpayers.

B. No later than October 1, 2010, the department
shall create the architecture and the information exchange
process for the collection and electronic publication of the
state's financial information.

C. No later than July 1, 2011, the sunshine portal
shall be available for public access and include updated
information as required by Subsection D of this section.

D. The sunshine portal shall provide, at a
minimum, access to the following information:

1 (1) the state's cash balances by account or
2 fund;

3 (2) a monthly summary of the state's
4 investment accounts;

5 (3) annual operating budgets for each state
6 agency with monthly expenditures by category;

7 (4) contracts that a state agency enters
8 into for the lease, sale or development of state land and
9 state contracts that have a total contract price of more than
10 twenty thousand dollars (\$20,000), naming the recipient of
11 the contract, the purpose of the contract and the amounts
12 expended. No later than January 1, 2017, the information
13 provided shall also include:

14 (a) the name of the recipient of the
15 contract;

16 (b) the purpose of the contract;

17 (c) the amounts expended on the
18 contract;

19 (d) a copy of or an internet web site
20 link to a copy of the contract document, including
21 amendments; and

22 (e) a copy of or an internet web site
23 link to a copy of a resident certificate issued pursuant to
24 Section 13-1-22 NMSA 1978 and used in the award of a
25 contract;

1 (5) the revenue that the state received in
2 the preceding month by source, such as type of tax, fee,
3 fine, administrative fee or other collection category;

4 (6) special appropriations received outside
5 the general appropriation act by each state agency and the
6 purpose of those appropriations;

7 (7) approved budget adjustment requests by
8 state agency and affected budget category;

9 (8) quarterly consensus revenue estimates;

10 (9) reversions and cash balances by state
11 agency and fund;

12 (10) appropriations for capital projects,
13 identified by project location, type of project and funding
14 source;

15 (11) a directory of all employee positions,
16 other than exempt employee positions, identified only by
17 state agency, position title and salary;

18 (12) a directory of all exempt employee
19 positions, identified by state agency, position title, salary
20 and the name of the individual that holds the position;

21 (13) information relating to local education
22 providers compiled and published by the public education
23 department pursuant to Section 10-16D-6 NMSA 1978;

24 (14) a link to an open meeting tracker web
25 site upon which each state agency shall post open meetings

1 scheduled for the current month and the next month, including
2 the time and place of the meeting, the subject of the meeting
3 and an agenda;

4 (15) a link to the web site maintained by
5 the regulation and licensing department for the purpose of
6 accessing information relating to occupational licenses;

7 (16) a link to the state auditor's web site
8 for the purpose of accessing financial audits;

9 (17) a link to New Mexico's statutes;

10 (18) a link to the New Mexico Administrative
11 Code;

12 (19) a link to the secretary of state's web
13 sites for lobbyist regulation;

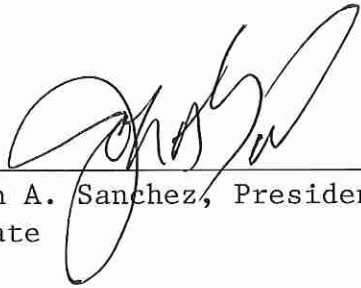
14 (20) an annual summary within three months
15 after the end of the fiscal year, or as soon thereafter as
16 the information becomes available, of the state's fiscal
17 health, including the state budget, revenues and expenditures
18 for the previous fiscal year and projected revenues and
19 operating budgets for the current fiscal year; and

20 (21) additional information, as required by
21 rule of the department of finance and administration, that
22 will assist the public in understanding state government
23 operations and the use of taxpayer dollars.

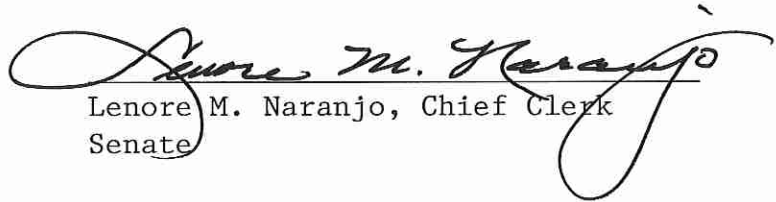
24 E. State agencies shall provide updated financial
25 information as frequently as possible but at least monthly.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

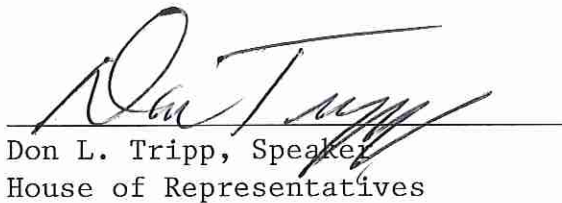
F. The department shall update the web site as new information is received but at least monthly, include information from the previous month or year, where relevant, for comparison purposes and maintain the web site as the primary source of public information about the activity of the state government."



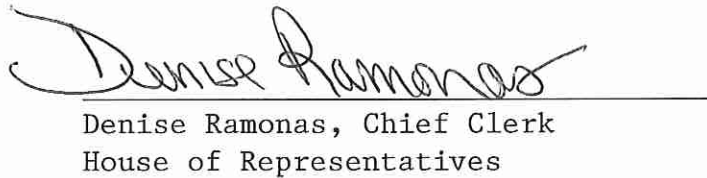
John A. Sanchez, President
Senate



Lenore M. Naranjo, Chief Clerk
Senate

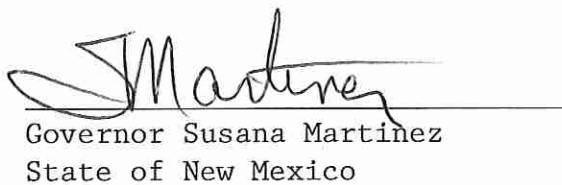


Don L. Tripp, Speaker
House of Representatives



Denise Ramonas, Chief Clerk
House of Representatives

Approved by me this 10th day of April, 2015



Governor Susana Martinez
State of New Mexico