

PROPOSED AMENDMENTS TO THE DRAFT CODE
OF ETHICS FOR STATE AGENCIES PUBLISHED BY
THE STATE ETHICS COMMISSION IN THE
NEW MEXICO REGISTER ON JUNE 23, 2020

1. In proposed new Section 1.8.4.7, insert the following additional definitions in alphabetical order, and renumber the other subsections accordingly:

“XX. ‘Confidential information’ has the same meaning as defined by Section 10-16-2(B) NMSA 1978, namely, information that by law or practice is not available to the public.”

“YY. ‘Sensitive personal information’ means information about an individual who has provided the information for use by this agency and who may suffer harm or adverse consequences from disclosure of the information to persons outside the agency.”

2. After Section 1.8.4.10, insert the following new Section 1.8.4.11, and renumber the succeeding sections accordingly:

"1.8.4.11 Non-Disclosure of Confidential and Sensitive Personal
Information

A. An officer or employee of this agency shall not use or disclose confidential information acquired by virtue of the officer’s or employee’s position with the agency for the officer’s or employee’s or another person’s private gain.

B. An officer or employee of this agency shall not disclose to anyone outside the agency sensitive personal information acquired by virtue of the officer’s or employee’s position with the agency unless disclosure is required by law, necessary to carry out the functions of the agency or expressly authorized by the person whose information would be disclosed.