

New Mexico – State Public Record Laws

Citations	<p>Inspection of Public Records Act, 14-2-4 NMSA 1978</p> <ul style="list-style-type: none"> ▪ (http://public.nmcompcomm.us/nmpublic/gateway.dll/?f=templates&fn=default.htm)
Exemptions to Disclosure	<p>There are no exemptions to the law of environmental concerns, but the statute does allow for the exemption of:</p> <ul style="list-style-type: none"> • Trade secrets • Privileged information
Access Rights	<ul style="list-style-type: none"> • A citizen has a fundamental right to have access to public records. The citizen's right to know is the rule, and secrecy is the exception. Where there is no contrary statute or countervailing public policy, the right to inspect public records must be freely allowed. • "Person" means any individual, corporation, partnership, firm, association or entity • A custodian receiving a written request shall permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a written request. If the inspection is not permitted within three business days, the custodian shall explain in writing when the records will be available for inspection or when the public body will respond to the request. The three-day period shall not begin until the written request is delivered to the office of the custodian. • May charge reasonable fees for copying the public records, but no fee can be charged for determining whether a record is subject to disclosure; may require advance payment • If a custodian determines that a written request is excessively burdensome or broad, an additional reasonable period of time shall be allowed to comply with the request. The custodian shall provide written notification to the requester within fifteen days of receipt of the request that additional time will be needed to respond to the written request.
Destruction of Public Records	<p>“Destruction” means the disposal of records of no further value by shredding, burial, pulping, electronic overwrite or some other process, resulting in the obliteration of information contained on the record.</p> <p>All public records must be held for their required retention. Destruction of these records is the responsibility of the Records Custodian and the State Records Administrator. Destruction of these records must be approved and accomplished through an approved method of destruction. The procedures for destroying public records are found in 1.13.30 NMAC, Destruction of Public Records.</p>