

LFC Requester:	Marty Daly
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**AGENCY BILL ANALYSIS
2015 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 3/6/15

Bill No: SB 719s

Sponsor: Sen. Linda M. Lopez

Agency/Code: Attorney General's Office

Person Writing Analysis: Betsy Glenn

Short Title: Open Meetings and Hospitals

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY15	FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis:

The Senate Rules Committee Substitute for SB 719 enacts a new section of the Public Health Act that subjects meetings held by hospital boards to the Open Meetings Act (“OMA”). “Hospital,” for purposes of the bill, is broadly defined to include any hospital licensed by the Department of Health that receives or is supported by public funds.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

OMA currently applies to public hospitals, and includes an exception for certain meetings held by public hospital boards. See NMSA 1978, § 10-15-1(H)(9). SB 719s appears to expand the coverage of OMA to private hospitals that receive or are supported by public funds.

If SB 719s were enacted and private hospitals were covered by OMA, those private hospitals would not be covered by the exception for certain public hospital board meetings, absent a corresponding amendment to Section 10-15-1(H)(9).

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

Add an amendment to Section 10-15-1(H)(9) of OMA as discussed above under “Significant Issues.”