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## FISCAL IMPACT REPORT

**BILL NUMBER:** House Bill 151

**SHORT TITLE:** Childhood Sexual Abuse Statute Of Limitations

**SPONSOR:** Rep. Anaya and Sen. Stewart

**LAST UPDATE:** \_\_\_\_\_ **ORIGINAL DATE:** 01/29/2026 **ANALYST:** Sanchez

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT\* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Courts	No fiscal impact	\$100.0 to \$900.0	\$100.0 to \$900.0	\$200.0 to \$1,800.0	Recurring	General Fund
<b>Total</b>	<b>No fiscal impact</b>	<b>\$100.0 to \$900.0</b>	<b>\$100.0 to \$900.0</b>	<b>\$200.0 to \$1,800.0</b>	<b>Recurring</b>	<b>General Fund</b>

Parentheses ( ) indicate expenditure decreases.

\*Amounts reflect most recent analysis of this legislation.

### Sources of Information

LFC Files

#### Agency or Agencies Providing Analysis

Administrative Office of the Courts

#### Agency or Agencies That Were Asked for Analysis but did not Respond

Office of the Attorney General

Children, Youth and Families Department

#### Agency or Agencies That Declined to Respond

General Services Department

## SUMMARY

### Synopsis of House Bill 151

House Bill 151 (HB151) proposes amendments to Section 37-1-30 NMSA 1978, which governs the statute of limitations for civil actions to recover damages for injuries resulting from childhood sexual abuse. The bill seeks to extend the time period during which such actions may be initiated by modifying Subsection A to allow a person to file a claim for personal injury resulting from childhood sexual abuse up to the latest of the first instant of their 58th birthday or within three years of disclosing the abuse to a licensed medical or mental health provider in the context of receiving care. This expands the current statutory timeframe, which limits such actions to the claimant's 24th birthday or within three years of disclosure to a healthcare

provider, whichever is later.

The bill enacts a new Subsection C to designate the limitation period provided in Subsection A as the sole statutory time or procedural limitation applicable to these claims, including actions against both private individuals and public entities. This language supersedes any other time limitations, including those found in Section 37-1-8 NMSA 1978, which applies more broadly to tort claims and official bond actions, ensuring that such statutes do not bar claims for childhood sexual abuse.

Additionally, HB151 introduces a new Subsection D that retroactively revives any claims previously barred by a statute of limitations or procedural rule as of July 1, 2026. These revived claims may be filed until June 30, 2029, establishing a three-year statutory window for litigation of otherwise time-barred cases.

The effective date of this bill is July 1, 2026.

## **FISCAL IMPLICATIONS**

The fiscal implications of HB151 are primarily associated with the potential increase in civil litigation related to childhood sexual abuse, particularly due to the bill's extension of the limitations period and the retroactive revival of previously time-barred claims. The Administrative Office of the Courts (AOC) indicates that while administrative costs to implement the statutory update are expected to be minimal, any increase in the volume and complexity of civil actions filed under Section 37-1-30 NMSA 1978 could result in additional resource demands on the judiciary. These demands may include judge and courtroom staff time, jury fees, and increased case processing workloads, particularly when cases involve evidentiary challenges or protracted proceedings due to the age of the underlying events. The AOC notes that reviving previously barred claims could also result in longer trials and more involved pretrial motions and appeals, requiring greater fiscal and administrative commitment from the courts over multiple fiscal years.

While the number of such cases that may be filed under the bill cannot be reliably projected, there is potential for both one-time and ongoing costs associated with increased caseloads, depending on claimant responses and the extent to which claims involve public institutions. Any litigation involving public entities may also incur costs for legal defense, settlements, or judgments, depending on the circumstances of each case. However, the magnitude and distribution of these impacts are currently unknown.

Although the Administrative Office of the Courts (AOC) did not provide specific cost estimates, Legislative Finance Committee staff estimate that recurring costs to the judiciary could range from approximately \$100 thousand to \$900 thousand per year during the three-year revival period established by HB151. This estimate is based on AOC-reported costs for processing complex civil cases in New Mexico, which typically range from \$1,000 to \$3,000 per case, and assumes between 100 and 300 new filings annually. These projections also draw on data from other states that have enacted similar revival statutes, including California and New York, where a surge in case filings was observed after comparable laws were passed.

No direct appropriation is included in the bill, and the fiscal impact would ultimately depend on the number, duration, and complexity of cases filed during and after the three-year revival period

ending June 30, 2029.

## **SIGNIFICANT ISSUES**

HB151 raises several legal and procedural considerations for both public and private entities that may be subject to civil claims. By making Section 37-1-30 NMSA 1978 the exclusive statute governing time limitations for actions related to childhood sexual abuse, the bill removes other statutory time bars that might otherwise apply, including those related to tort claims against public entities or fiduciaries. This change could result in shifts in how courts evaluate procedural defenses, particularly in cases involving public institutions.

The bill also changes the point at which a claim becomes timely. Under current law, a person has until their 24th birthday, or three years after disclosing the abuse to a licensed healthcare provider, to file a civil claim. HB151 extends that timeline significantly, allowing claims to be filed until the person's 58th birthday or three years after disclosure, whichever is later. This may affect how courts assess when an injury was "discovered" and how they apply standards on delayed reporting and memory recall, which are common in these cases.

In addition, the bill allows the revival of claims currently barred under existing law, creating a three-year window during which older claims may be brought. This could lead to new filings involving events that occurred decades ago and may raise legal questions about retroactivity, particularly in cases that were previously dismissed or settled due to existing time limitations. While the bill does not change evidentiary standards or burdens of proof, it may require courts to revisit prior legal conclusions in light of the new filing window and could prompt further clarification through litigation.

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