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FISCAL IMPACT REPORT

BILL NUMBER: House Bill 189

SHORT TITLE: CYFD Support & Services to LGBTQ+ Families

SPONSOR: Anaya

LAST ORIGINAL
UPDATE: _____ **DATE:** 01/30/2026 **ANALYST:** Chilton

APPROPRIATION*
(dollars in thousands)

FY26	FY27	Recurring or Nonrecurring	Fund Affected
	\$200.0	Recurring	General Fund

*Amounts reflect most recent analysis of this legislation.

Related: House Bill 190

Sources of Information

LFC Files

Agency or Agencies Providing Analysis
Children, Youth and Families Department

Agency or Agencies That Were Asked for Analysis but did not Respond
Office of Family Representation and Advocacy

Because of the short timeframe between the introduction of this bill and its first hearing, LFC has yet to receive analysis from state, education, or judicial agencies. This analysis could be updated if that analysis is received.

SUMMARY

Synopsis of House Bill 189

House Bill 189 (HB189) appropriates \$200 thousand from the general fund to the Children, Youth and Families Department (CYFD) for the purpose of providing support and outreach services throughout New Mexico to individuals identifying as lesbian, gay, bisexual, transgender and queer individuals and their families, enabling them to consider fostering or adopting children.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

FISCAL IMPLICATIONS

The appropriation of \$200 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY27 shall revert to the general fund. CYFD does not identify any expenses beyond this appropriated amount.

SIGNIFICANT ISSUES

Families with one or more LGBTQ+ members may have internal conflicts that are in part responsible for bad outcomes including homelessness, drug abuse and suicide, especially if an LGBTQ+ child is rejected by their parent(s). Supporting the child and family through counselling and, if necessary, removing the child from an unsupportive environment, may be literally life-saving.

In the case that out of birth-family placement is the best option, CYFD comments that “LGBTQ+ children and youth who come into custody will greatly benefit from additional affirming placement options, especially members of the LGBTQ+ community, who have historically been underrepresented and underutilized. This bill supports specific outreach to this community which will help address this disparity, strengthen relationships, and create better placement options for the children of New Mexico.”

However, LGBTQ+ families may not prefer LGBTQ+ children over straight (or undetermined sexuality) children, and this bill would provide support for them to do either.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Related to HB 190, which would provide funds for the Workforce Solutions Department to support LGBTQ+ individuals with eviction prevention and housing assistance.

TECHNICAL ISSUES

The wording of the bill does not make it entirely clear whether the support and family affirmation would include one or the other or both of the following options:

1. The adoption or fostering of a child rejected by their parents because of the child being LGBTQ+, or
2. The ability of an LGBTQ+ family to itself be foster or adoptive parent(s).

According to Legislative Counsel Service, the second option above is the one intended by the bill.

LAC/ct/cf/ct