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FISCAL IMPACT REPORT

BILL NUMBER: House Bill 295

SHORT TITLE: Accessibility Act

SPONSOR: Cates/Lujan

LAST ORIGINAL
UPDATE: _____ **DATE:** 2/6/2025 **ANALYST:** Hernandez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
GCD	No fiscal impact	\$120.0	\$120.0	\$240.0	Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Conflicts with House Bill 36

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Commission for Deaf and Hard of Hearing

Commission for the Blind

Department of Information and Technology

Department of Health

Office of Broadband Access and Expansion

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

Governors Commission on Disability

General Services Department

Developmental Disabilities Council

SUMMARY

Synopsis of House Bill 295

House Bill 295 (HB295) enacts the Accessibility Act, which requires all state agencies to meet federal standards on digital accessibility, including websites. The bill creates the Office of Accessibility at the Governor's Commission on Disability (GCD) to oversee compliance, provide technical assistance, and submit biennial reports to the Governor, Legislative Finance Committee, and Legislative Health and Human Services Committee.

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

FISCAL IMPLICATIONS

While several agencies listed additional operating expenses, the agencies must comply with similar federal standards prior to HB295 going into effect, which means they will incur those costs with or without HB295.

In analysis of a similar bill last year, GCD noted that there is no appropriation, and that the agency would likely need one full-time equivalency (FTE) to meet the requirements outlined. LFC staff estimate this cost would be around \$120 annually.

SIGNIFICANT ISSUES

As the General Services Department noted last year in analysis for a similar bill:

On April 24, 2024, the Federal Register published the U.S. Department of Justice’s final rule updating its regulations for Title II of the Americans with Disabilities Act (ADA). The final rule has specific requirements about how to ensure that web content and mobile applications (apps) are accessible to people with disabilities. The Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA is the technical standard for state and local governments’ web content and mobile apps. State and local governments must make sure that their web content and mobile apps meet WCAG 2.1, Level AA within two or three years of when the rule was published on April 24, 2024, depending on their population. Because New Mexico state agencies serve a population of more than 500,000, the compliance deadline for WCAG will be April 24, 2026.

DOH reports that as of 2023, 16.7 percent of New Mexicans reported living with a disability.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 36 also creates an office of Accessibility. However, the office is located at the Department of Health and, therefore, conflicts with HB295.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

New Mexico will still be subject to meeting standards outlined in the U.S. Department of Justice’s final rule regardless of whether HB295 is enacted. New Mexico must be in compliance with the final rule by April 24, 2026, to meet federal guidelines.

AEH/ct/dw/ct