

LFC Requester:	Rachel Mercer-Garcia
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**AGENCY BILL ANALYSIS
2024 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 1/16/24
Bill No: HB25

Sponsor: Rep. Kathleen Cates
Short Title: HOUSING DISCRIMINATION
BASED ON INCOME

Agency Name and Code HCA-630
Number: _____
Person Writing : Joseph Chavez
Phone: _____ **Email** Josephr.chavez2@hsd.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
\$0.00	\$0.00	none	none

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
\$0.00	\$0.00	\$0.00	none	none

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$0.00	\$0.00	\$0.00	\$0.00	None	none

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None
Duplicates/Relates to Appropriation in the General Appropriation Act None

SECTION III: NARRATIVE

BILL SUMMARY:

Synopsis: House Bill (HB) 25 makes it an unlawful discriminatory practice, under the state’s Human Rights Act, to discriminate against any person in the terms, conditions or privileges of the sale, rental, assignment, lease or sublease of any housing accommodation or real property based on a renter’s or buyer’s source of income. Includes the refusal to sell, rent, assign, lease, or sublease or offer for sale, rental, lease, assignment or sublease any housing accommodation or real property to any person or to refuse to negotiate for the housing accommodation. HB 25 defines what a source of income includes.

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

HB 25 extends the scope of the 1969 Human Rights Act to include protections for New Mexicans from housing discrimination based on their source of income.

HB 25 defines these populations as protected:

The Human Rights Bureau is responsible for enforcing the Human Rights Act under the New Mexico Department of Workforce Solutions. Expanding the list of protected classes to include a source of income will only affirm access to housing rights and ensure equity for the people who are served under HCA and other housing programs. It provides critical protection to those who have experienced discrimination.

For HCA/BHSD, expanding this protected class would disallow landlords to not accept BHSD’s housing vouchers for the linkages program, thus expanding the number of available units for consumers. This bill also has some overlap with that of the Housing Leadership Group.

The Housing Leadership Group (HLG) is an ad hoc subcommittee of the New Mexico Behavioral Health Collaborative. Led by the Health Care Authority’s Behavioral Health Services Division (BHSD),the HLG’s mission is to support the expansion of permanent supportive housing opportunities for people with behavioral health conditions and other disabilities, as well as transitional youth, and those reintegrating from jail or prison. The HLG is comprised of representatives from state agencies, service providers, housing providers, housing developers, managed care organizations, nonprofit organizations serving the behavioral health

and homeless population, and consumers. The Housing Leadership Group is charged with focusing on the NM Supportive Housing Strategic Plan. The NM SH Strategic Plan was recently updated and will be effective in January 2024.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

None.

HCA/BHSD manages supportive housing programs for individuals with disabilities who are experiencing or are in danger of homelessness. HCA/BHSD provides regular training on housing rights and obligations for housing support services providers. Changes to housing policies would be incorporated into those training courses. Contracts and service agreements would be modified to reflect the expectation.

No IT impact.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

It is noted that HB25 aligns with State Protected classes but there is no reference to behavioral health conditions. Should consider adding serious mental illness and or co-occurring disorder to the list of protected class categories.

OTHER SUBSTANTIVE ISSUES

Individuals experiencing homelessness often face discriminatory barriers to finding and retaining housing. HB25 provides additional protections to address some of those barriers.

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

None