

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 January 17, 2024
Bill No: HB 25

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

Agency Name and Code Number: New Mexico Mortgage Finance Authority (MFA) 992
Person Writing Robyn Powell
Phone: 505.767.2271 **Email** rpowell@housingnm.org

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
NFI	NFI	NFI	NA	NA

(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	NFI	NFI	NFI	NA	NA	NA

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

BILL SUMMARY

HB 25 adds “source of income” to the definitions listed in the New Mexico Human Rights Act. The bill defines sources of income as the lawful and verifiable money used to pay for housing including income from a job; social security; any form of public assistance or housing assistance; and a pension, an annuity, alimony, child support or any other recurring, monetary consideration. The passage of HB 25 would make discrimination against source of income in the housing market unlawful.

FISCAL IMPLICATIONS

No fiscal impact to MFA.

SIGNIFICANT ISSUES

Research shows that among the many challenges housing voucher holders face in leasing up is outright denial of vouchers.¹ Studies also find that source of income protection laws have a positive impact on helping families with housing vouchers access residency in low poverty neighborhoods and increase voucher utilization.²³ Critics of source of income protections argue the rules impose burdensome program requirements on landlords and can cause delayed rent payments.⁴

In June of 2022 the City of Albuquerque enacted a source of income protection ordinance and remains the only locality in New Mexico to have such a law. It is too early to determine the impact or any unintended consequences of the ordinance.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

¹ U.S. Department of Housing and Urban Development Office of Policy Development and Research. “A Pilot Study of Landlord Acceptance of Housing Choice Vouchers.” August 2018.

² Urban Institute. “Source of Income Protections and Access to Low-Poverty Neighborhoods.” October 2022.

³ Housing Policy Debate. “The impact of source of income laws on voucher utilization” March 2012.

⁴ Housing Law Bulletin. “Courts Consider Landlord Defense to Source of Income Laws.”

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS