

LFC Requester:

Chilton

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

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 x **Amendment**
Correction **Substitute**

Date January 23, 2024

Bill No: HB202

Sponsor: Gallegos
Short Zoning of Childcare Homes
Title: _____

**Agency Name
and Code** ML
Number: _____
Person Writing Alison Nichols
Phone: 505-470-3931 **Email** anichols@nmml.org

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(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						

(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

Synopsis:

FISCAL IMPLICATIONS

The fiscal impact to municipalities would likely be minimal. Municipalities may incur some limited additional costs to administer the provisions of HB202.

SIGNIFICANT ISSUES

HB202 infringes on local zoning decisions. Permitting and zoning decisions should remain at the local level, given the significant differences in residential and commercial markets, needs, and local approaches across the state. Municipalities currently enact ordinances and have local planning and zoning boards to manage local housing needs. These decisions are most appropriately left to individual local governments.

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Further, it is unclear why childcare homes would be treated the same as private residence, as childcare homes are still businesses that likely require additional health and safety regulations, or have other implications (e.g. parking) for other nearby residences. Cities have the ability to impose reasonable restrictions on short-term rentals, so it seems logical that they should also be able to do so for other home-based businesses.