

**LFC Requester:**

Joseph Simon

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

**Date** February 1, 2024

**Bill No:** SB272

**Agency Name  
and Code  
Number:**

Aging and Long-Term Services  
Department - 62400

**Sponsor:** Hamblen

**Person Writing  
Analysis:**

Jennifer Jones, Special Projects  
Coordinator

**Short  
Title:** Collection of Certain  
Demographic Data

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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

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

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(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	NFI	\$84,000	NFI	\$84,000	Nonrecurring	

(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: SB272 requires twelve named executive agencies and certain other types of public bodies, in the course of collecting demographic data, to collect voluntary self-identification information pertaining to sexual orientation and gender identity; requires reports to the Legislature; requires data be made available to the public as allowable by law; requires protection of personally identifying information and limits uses of data.

**FISCAL IMPLICATIONS**

SB272 will necessitate the Aging and Long-Term Services Department (ALTSD) to change all automated and manual intake forms, internal tracking mechanisms and stakeholder information. It is estimated that this will cost \$10,000 in contractor fees and a 1/2 of one FTE position for the first year of the requirement. A level of effort quote is needed to determine how many hours this project will require.

SB272 will further necessitate ALTSD to engage in internal and external training and to produce updated training materials. It is estimated that this will require ½ of one FTE position for the first year of the requirement. A full time FTE for updates and training is estimated at \$72,670.

There will be a fiscal impact for all providers engaged in contracts with ALTSD who collect information on behalf of ALTSD.

**SIGNIFICANT ISSUES**

Gathering voluntary sexual orientation and gender identity data will increase quality of services provided to individuals served by ALTSD by allowing ALTSD to measure and track outcomes.

With the signing of Executive Order 2021-048 (“*Directing Executive Departments to Collect*

*Voluntary Self-Identification Information Pertaining to Sexual Orientation and Gender Identity*”),<sup>1</sup> ALTSD has already begun to collect such data. ALTSD’s Aging & Disability Resource Center (ADRC) collects such data when older adults, persons with disabilities, and caregivers reach out to the ADRC to seek services and resources.

## **PERFORMANCE IMPLICATIONS**

None currently identified.

## **ADMINISTRATIVE IMPLICATIONS**

SB272 will require ALTSD to update many areas of internal and external operations.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None currently identified.

## **TECHNICAL ISSUES**

None currently identified.

## **OTHER SUBSTANTIVE ISSUES**

None currently identified.

## **ALTERNATIVES**

None currently identified.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Data to increase potential positive social and health outcomes will not be available through the collection of voluntary self-identification information pertaining to sexual orientation and gender identity.

## **AMENDMENTS**

None currently identified.

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<sup>1</sup> [Executive-Order-2021-048.pdf \(state.nm.us\)](#)