

LFC Requester:	Allegra Hernandez
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.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}

Date Prepared: 3/7/2025 *Check all that apply:*
Bill Number: HB 120 Original Correction
 Amendment Substitute

Sponsor: Tara L. Lujan and Kathleen Cates **Agency Name and Code Number:** NM Commission for Deaf and Hard of Hearing 604
Short Title: Accessibility of State Agencies **Person Writing:** Nathan Gomme
Title: _____ **Phone:** (505) 796-5441 **Email:** Nathan.gomme@cdhh.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
		Recurring	General Fund

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	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: Relating to disabilities; enacting the Accessibility Act to require each state agency's website, mobile application and physical facilities to comply with digital and physical accessibility standards; requiring the Department of Information Technology to Adopt Digital Accessibility Standards; creating the Office of Accessibility to implement and administer the Accessibility Act; creating reporting requirements for the Office of Accessibility.

FISCAL IMPLICATIONS

The "office of accessibility" under the Governor's Commission on Disability shall appoint a chief accessibility officer who shall oversee the office and supervise its staff. While not explicitly stated in the substitute bill there appears to be an expectation that there will be a reoccurring funding need for the office moving forward. In Section 5 A, a report will be due on July 1, 2027, and every two years thereafter to the Office of Accessibility. The Office of Accessibility is in the Governor Commission, it can be assumed that there will be a fiscal impact on operations for the Commission, they may need an FTE position if there isn't already one available for the chief accessibility officer and possibly staff, this would then mean that perhaps additional FTE's would be needed which would also have an impact on operations. One point to note is that it would also be possible that the officer may be contracted for services and potentially use volunteers so there may not be a need for additional FTE positions. If contracts are needed this could result in a budget needed to address contracts by the commission but could also mean a collaboration between the Commission and DoIT since DoIT will be assisting with the promulgation of the standards. Being housed in the commission would at least indicate no need for additional costs for facilities or equipment, assuming the commission has space. This office would also interact with several state agencies after the standards are set for training as well as reporting, which would mean continued operational support for travel and development.

SIGNIFICANT ISSUES The need for an Office of Accessibility is critical to centralize the needed tools and procedures to ensure compliance with the recent rules added to the Americans with Disabilities Act that all websites and mobile apps by the April 2026 deadline set by the federal government. The published rules in the Federal Register are specific and come with very limited exceptions. Most state agencies are not aware of nor informed in the rules as they are established, and the timeline expects a website and or mobile apps provided by state or local governments to be compliant by April 24th, 2026. With DoIT to adopt Digital Accessibility Standards that meet the requirements this bill establishes a chain of events that will enable the commission to address and coordinate a previously large and complex potential effort in a more streamlined and effective manner to ensure compliance with these rules for the foreseeable future thus supporting the state offices across New Mexico in a more holistic manner while reducing the potential costs that may have otherwise been incurred without such an office. The information and training provided by this office will also ensure that every state agency trying to comply can comply.

In addition, this bill creates an office to assess and address physical space requirements in the same manner, the rules have already been in place, the most recent standards have been in place since 2010. The office in question will be able to find and address them in a more efficient manner instead of when complainants appear without a plan in place. Typically trying to resolve them without support and guidance would lead to unexpected and potentially increased costs to address due to the short turn around time. The office would be able to assess, evaluate and provide corrective actions that are comprehensive and come with technical support which will also be a more cost-effective way to transition the spaces into accessible spaces.

PERFORMANCE IMPLICATIONS Accountability for the goals of the office appear to be in the reporting systems and overall success of the state to move forward with the required steps as determined by the appropriate state parties. The office will be able identify possible barriers to establish plans as well as resources for accessibility initiatives which will then be provided to the legislature. The bill also requires a statement on agency websites will also indicate who and how to reach out to appropriate officials to ensure that any future barriers can be addressed.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The bill streamlines a process and provides both the technical support and expertise to address digital and physical access in the state. If this bill is not enacted there is a possibility of a haphazard approach, and applications of rules and regulations are already expected to be implemented by April 2026. The work that each state agency would need to do regardless of the lack of this office would still be present sans a comprehensive and continued level of support from subject matter experts and mean that there is a lack of cohesion in the resources request. This bill would actually reduce unneeded expenditures with its centralized approach and support collaboration. Not enacting it would mean potential missteps that would likely be more costly.

AMENDMENTS