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**AGENCY BILL ANALYSIS  
2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)

*and*

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*{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}*

*Click all that apply:*

Original        Amendment      
Correction        Substitute   

Date 2025-01-28

Bill No: HB151

Sponsor: Anaya, Marianna  
Short    MENSTRUAL PRODUCTS  
Title:    IN ED. INSTITUTIONS

Agency Name  
and Code    NMHED  
Number: \_\_\_\_\_  
Person Writing    Weber, Jody  
Phone: 6179089730    Email jody.weber@hed.nm.g

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	\$1,000.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	N/A	N/A	N/A	N/A	N/A	N/A

(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**

House Bill 151 (HB151) states that menstrual products shall be provided free of charge to students in each women's bathroom, gender-neutral bathroom, and at least one men's bathroom in every state educational institution named in the Constitution. HB151 appropriates one million dollars (\$1,000,000) from the General Fund to the New Mexico Higher Education Department (NMHED) for Fiscal Year (FY) 2026. A new section of Chapter 21, article 1, NMSA 1978 is added to read, "Free menstrual products in state educational institutions."

**FISCAL IMPLICATIONS**

Menstrual products shall be provided free of charge to students in each women's bathroom, gender-neutral bathroom, and at least one men's bathroom in every state educational institution named in the Constitution. HB151 appropriates one million (\$1,000,000) from the General Fund to NMHED for FY26. Any unexpended or unencumbered balance remaining at the end of FY26 shall revert to the General Fund.

Disbursement to each state educational institution enumerated in Article 12, Section 11 of the Constitution, based on the proportion of female students, for the purchase of menstrual product dispensers and purchase and distribution of menstrual products to the institutions.

Article 12, Section 11 of the Constitution does not include New Mexico Junior College, Central New Mexico Community College; Clovis Community College; Luna Community College; Mesalands Community College; San Juan College; Santa Fe Community College; and Southeast New Mexico College. It does include the New Mexico School for the Blind and Visually Impaired and the New Mexico School for the Deaf.

#### SIGNIFICANT ISSUES

HB151 is not clear regarding the inclusion or exclusion of branch campuses. Interpretation of HB151 could either include or exclude these campuses causing confusion.

The cost of installation of dispensers, stocking, & restocking across the designated HEIs is not clear. The financial burden to higher education institutions (HEI) to provide free product beyond the allocation is also unclear.

#### PERFORMANCE IMPLICATIONS

N/A

#### ADMINISTRATIVE IMPLICATIONS

HB151 assigns new functions and duties to NMHED. These additional functions and duties may increase NMHED administrative costs, but further review is still needed to ascertain the full financial impact of HB151.

#### CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB151 adds a new section of Chapter 21, article 1, NMSA 1978 to read, "Free menstrual products in state educational institutions."

Very Similar to HB134 (2023) signed by Governor 03/30/2023 that requires menstrual products to be provided for free in each women's and gender-neutral bathroom and in at least one men's bathroom in every public school at the middle school level and above, and in one women's, one men's and one gender-neutral bathroom in every public elementary school.

#### TECHNICAL ISSUES

N/A

#### OTHER SUBSTANTIVE ISSUES

N/A

#### ALTERNATIVES

N/A

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

State educational institution enumerated in Article 12, Section 11 of the Constitution will not receive funding to provide free menstrual products.

## AMENDMENTS

N/A