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FISCAL IMPACT REPORT

SPONSOR House Judiciary Committee **LAST UPDATED** _____
ORIGINAL DATE 3/12/2025
BILL CS/House Bill
SHORT TITLE Accessibility of State Agencies **NUMBER** 120/HJCS
ANALYST Hernandez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
GCD		\$200.0	\$200.0	\$200.0	Recurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency Analysis Received From

General Services Department (GSD)
Department of Information and Technology (DoIT)
Office of Broadband Access and Expansion
Commission on the Deaf and Hard of Hearing (CDHH)
Health Care Authority (HCA)
Higher Education Department (HED)
Governor's Commission on Disability (GDC)
Department of Public Safety (DPS)

SUMMARY

Synopsis of HJC Substitute for House Bill 120

The House Judiciary Committee (HJC) substitute for House Bill 120 (HB120) would mandate that all state agencies meet the requirements set by the U.S. Department of Justice in digital standards by April 1, 2026. HB120 requires that each state agency comply with physical accessibility standards. The Office of Accessibility would be responsible for monitoring compliance with the provisions of HB120 and would be required to write a report to the Governor on July 1, 2027, and every two years thereafter documenting compliance.

The effective date of this bill is July 1, 2025, except for the Office of Accessibility, which has an effective date of July 1, 2026.

FISCAL IMPLICATIONS

While several agencies listed additional operating expenses, totaling at least \$2.8 million, the agencies must comply with similar federal standards less than a month before HB120 would go into effect, which means they will incur those costs with or without HB120.

GCD notes that there is no appropriation and that the agency would likely need one full-time equivalency (FTE) to meet the requirements outlined in HB120, which is estimated to cost \$200 thousand per year.

SIGNIFICANT ISSUES

GSD notes:

On April 24, 2024, the Federal Register published the U.S. Department of Justice’s final rule updating its regulations for Title II of the Americans with Disabilities Act (ADA). The final rule has specific requirements about how to ensure that web content and mobile applications (apps) are accessible to people with disabilities. The Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA is the technical standard for state and local governments’ web content and mobile apps. State and local governments must make sure that their web content and mobile apps meet WCAG 2.1, Level AA within two or three years of when the rule was published on April 24, 2024, depending on their population. Because New Mexico state agencies serve a population of more than 500,000, the compliance deadline for WCAG will be April 24, 2026.

HB120 requires that each state agency comply with the physical accessibility standards. However, based on the U.S. Department of Justice’s final rule, it is unclear what, if any, new standards are required in terms of physical accessibility standards.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

New Mexico will still be subject to meeting standards outlined in the U.S. Department of Justice’s final rule regardless of whether HB120 is enacted. New Mexico must be in compliance with the final rule by April 24, 2026, to meet federal guidelines.

AEH/hj/hg/rl/SL2