

LFC Requester:

Scott Sanchez

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 1/28/2026

Check all that apply:

Bill Number: HB 151

Original Correction
Amendment Substitute

Sponsor: Representative Marianna
Anaya & Senator Mimi
Stewart

**Agency Name and
Code Number:** 305 – New Mexico
Department of Justice

**Short
Title:** Childhood Sexual Abuse Time
Limitations

**Person Writing
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	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

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: House Bill 151 seeks to amend Section 37-1-30 NMSA 1978 which pertains to actions for damages related to childhood sexual abuse.

Section 37-1-30 currently provides in Subsection (A)(1) a person must bring an action for damages caused by childhood sexual abuse before “the first instant of a person’s 24th birthday.” HB 151 proposes amending the age limit, replacing age 24 with age 58.

HB 151 further proposes amending Subsection C of 37-1-30 by eliminating the language that the provisions of 37-1-8 and any statute of limitations contained in that statutory section will not apply to causes of action for child sexual abuse. The proposed language to replace Subsection C provides that the only limitations on an action for damages based on personal injury caused by childhood sexual abuse is provided in Subsection A of the 37-1-30, regardless of whether the action is against a private person or public entity.

HB 151 further proposes adding language to create new Subsection D that an action for damages for personal injury based on childhood sexual abuse that would have been barred on or before July 1, 2026 can be retroactively revived any time before June 30, 2029.

FISCAL IMPLICATIONS

None for the NMDOJ.

SIGNIFICANT ISSUES

HB 151’s effort to extend the filing period for personal injury claims arising from childhood sexual abuse reflects a broader national trend toward lengthening or eliminating such limitations. These efforts recognize that oftentimes, by the time the victim realizes past actions constitute sexual abuse, the ordinary time limitation may have expired. Delayed discovery might be due to emotional and psychological trauma and is often accompanied by repression of the memory of abuse. Some child victims might not discover the relationship between their psychological injuries and the abuse until well into adulthood. *See* National Conference of State Legislatures Summary: Child Sexual Abuse-Civil Statutes of Limitations. [State Civil Statutes of Limitations in Child Sexual Abuse Cases.](#)

Federal law has similarly pursued this approach. In 2022, Congress passed—and President Biden signed—the Eliminating Limits to Justice for Child Sex Abuse Victims Act. Codified at 18 U.S.C. § 2255, the law removes any statute of limitations for civil actions brought by minors who were victims of specified offenses.

Specific points about HB 151:

The deletion of the previous Subsection C and proposed new language makes it clear that no other statute of limitation applies to actions for damages based on personal injury for childhood sexual abuse besides those contained in 37-1-30. The current Subsection C only excludes Section 37-1-8 and could be interpreted as allowing for other potential statute of limitations to apply to childhood sexual abuse civil actions. The proposed amendment clarifies this issue. Proposed Subsection C is also clear that the proposed limitations on bringing actions apply both to private persons and public entities.

Subsection D essentially creates a three-year lookback window, from July 1, 2026, to June 30, 2029, where any action for damages based on childhood sexual abuse can be brought, even if the statute of limitation had previously expired. The proposed language specifically uses the word “retroactively revived,” which makes clear that it is intended to permit the reinstatement of claims that were previously time-barred.

Proposed Subsection D also allows for actions to be brought that were previously barred by “procedural limitations.” The meaning of the phrase “procedural limitations” used in both subsection C and D may need further elaboration, is unclear as to the types of procedural scenarios it contemplates. Procedural limitations could be interpreted to mean cases that were dismissed for failure to state a claim or any other civil procedure ground under NM Rule of Criminal Procedure Rule 1-012.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 151 duplicates HB 69.

SB 41 proposes to eliminate the statute of limitations for criminal sexual penetration and criminal sexual contact of a minor in the second, third, and fourth degrees.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A