AGENCY BILL ANALYSIS - 2026 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: *January 28, 2026*   *Check all that apply:*
Bill Number: *HB 151*   Original ___ *x* Correction ___
    Amendment ___ Substitute ___

Sponsor:	Marianna Anaya & Mimi Stewart	**Agency Name and Code Number**:	RMD/GSD
Short Title:	Childhood Sexual Abuse Time Limitations	**Person Writing**	Andrew Magida
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	**FY27**		
N/A	N/A	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	**FY27**	**FY28**		
N/A	N/A	N/A	N/A	N/A

(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	$0	Indeterminate	Indeterminate	Indeterminate	Recurring	PLF

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/**Relates to**: NMSA § 37-1-30
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

The bill would extend the time to file suit for sexual assault and related unlawful conduct.

This bill would give a survivor of childhood sexual assault/exploitation until their 58th birthday to bring a claim, or until three years from the date the claimant first disclosed the abuse, whichever date is later. Current law gives a survivor of childhood sexual assault/exploitation until their 24th birthday to file suit, or until three years from the date the claimant first disclosed the abuse, whichever date is later. See NMSA 37-1-30(A).

The bill clarifies that this time limit prevails over the much shorter time limits contained in the NM Tort Claims Act and the NM Civil Rights Act. In other words, this extended time limit explicitly applies to public bodies (i.e., Risk Management Division (RMD) covered entities).

The bill also contains a provision allowing for retroactive application. Any lawsuit for childhood sexual abuse that would have been time-barred on/before July 1, 2026, will have until June 30, 2029, to file suit.

FISCAL IMPLICATIONS

Expanding the timeframe in which a sexual assault survivor has to bring action against a public body may increase the number of sexual assault claims filed against state entities. However, RMD is unable to forecast how many more claims will be brought as a result of this proposed expansion.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

There is some ambiguity about whether the current version of NMSA 37-1-30(A) applies to claims against public entities, but we generally assume they do for notice purposes. It does not appear that RMD has litigated this question specifically, but there are a few federal cases suggesting that NMSA 37-1-30 (current version) applies to public entities. This proposed bill would remove any ambiguity.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS