

LFC Requester:	Carlie Malone
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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: 1/28/26 *Check all that apply:*
Bill Number: HB190 Original Correction
 Amendment Substitute

Sponsor: Mariana Anaya **Agency Name and Code** Dept. of Workforce Solutions-631
Short Homelessness Services for LGBTQ+ **Number:** _____
Person Writing Sarita Nair
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
1,000	0	Non-Recurring	General Fund

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
0	0	0		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0			

(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:

The bill authorizes issuance of \$1.0 million to fund eviction prevention and housing assistance for LGBTQ+ individuals impacted by recent federal funding cuts and rule changes.

FISCAL IMPLICATIONS

This bill would appropriate \$1 million to the Office of Housing within the Department of Workforce Solutions for its stated purpose.

SIGNIFICANT ISSUES

In November 2025, the U.S. Department of Housing and Urban Development released a Notice of Funding Opportunity representing a significant departure from prior funding practices that target individuals based on race, sex, gender, and gender identity. The Notice of Funding Opportunity states, among other things, that projects submitting applications may be evaluated based on: “(a) evidence that the project has previously or currently ... conduct[s] activities that rely on or otherwise use a definition of sex other than as binary in humans” and “(h) evidence that the project has previously or currently conducts activities that subsidize or facilitate racial preferences or other forms of illegal discrimination or conduct activities that rely on or otherwise use a definition of sex other than as binary in humans.” The Notice of Funding Opportunity further specifies: “Awards made under this NOFO will not be used to ... conduct activities that rely on or otherwise use a definition of sex as other than binary in humans.”

Existing capacity constraints in New Mexico’s youth homelessness system increase the fiscal sensitivity of any funding reductions tied to these evaluation criteria. The statewide inventory is approximately 212 beds dedicated to youth ages 14–24, representing an estimated 19% of the bed capacity needed to meet demand. Within this limited continuum, the Los Alamos National Laboratories Community Data Sprint Team (July 2025) found that youth identifying as transgender have a lower positive exit rate to housing than other youth experiencing homelessness. Nationally, prevalence indicators remain elevated for the affected population; the Trevor Project reports that 28% of LGBTQ+ youth have experienced homelessness or housing instability at some point in their lives.

In 2024, The Trevor Project conducted a state-by-state survey of LGBTQ+ youth and found that 73% of youth in New Mexico described their communities as accepting, trustworthy, and active in standing up for them. This bill sustains that positive trajectory by reinforcing housing stability and service access as equitable public commitments for all New Mexicans.

DWS is also concerned that if sustained, the funding conditions set forth above would create a conflict with the New Mexico Human Rights Act, NMSA 1978, § 28-1-1 et seq., which prohibits discrimination on the basis of sex, gender, and gender identity. This may put providers in the untenable situation of having to choose between accepting federal funding and potentially violating the HRA. Additional funding for LGBTQ+ housing will ensure that the state does not

lose service capacity as a result of this conflict.

PERFORMANCE IMPLICATIONS

DWS can administer these funds within existing programs and policies.

ADMINISTRATIVE IMPLICATIONS

This bill will not create additional administrative burdens.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If the bill is not enacted, the Department and the statewide homelessness response system should expect the following consequences for LGBTQ+ eviction prevention and homelessness assistance, because there will be no targeted state backfill to protect access and continuity if federal or local funding is reduced:

- **Reduced access to eviction prevention and homelessness assistance for LGBTQ+ individuals.** Without the \$1.0 million state investment, there is no dedicated backfill to stabilize housing and service access for LGBTQ+ individuals if other funding is reduced or disrupted.
- **Disproportionate harm to gender-diverse program participants.** Gender-diverse participants have lower positive exit rates from homelessness; service reductions would further undermine progress toward housing stability.
- **Provider capacity and participation risk.** If federal requirements reduce eligibility or create material risk for applicants, fewer organizations may be able to participate or sustain LGBTQ+-affirming eviction prevention and homelessness assistance, reducing access and increasing the likelihood of service gaps.
- **Instability for programs that braid funding.** Programs that rely on multiple funding sources are vulnerable when one source is reduced; without a state backfill, some projects may be unable to maintain operations or service levels.
- **Loss of shelter and service capacity.** Absent the \$1.0 million backfill, reductions in available funding may require programs to reduce units/bed capacity, service levels, or operating hours, resulting in measurable declines in system capacity.
- **Severe impacts to program participants.** LGBTQ+ individuals experiencing homelessness often face compounded barriers; interruptions in assistance directly threaten housing stability, safety, and continuity of care.

AMENDMENTS

None.