

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: 1/29/2026 *Check all that apply:*
Bill Number: HB202 Original X Correction
 Amendment Substitute

Sponsor: Rep. Dow/Rep. Armstrong **Agency Name and Code Number:** ECECD 61100
Short Title: Child Advocate Office Data Sharing **Person Writing Analysis:** Elizabeth Groginsky
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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

BILL SUMMARY

Synopsis:

HB 202 proposes the requirement of the Children, Youth and Families Department, the Health Care Authority, the Early Childhood Education and Care Department, the Department of Health, the Public Education Department, the Administrative Office of the Courts, and the Department of Public Safety to enter into a single multi-agency memorandum of understanding (MOU) with the Office of Child Advocate for the purpose of sharing agency data and access to agency systems. The bill mandates collaboration with the Department of Information Technology and the Attorney General to develop this agreement. It also directs the formation of a working group, chaired by the Office of Child Advocate, to develop the MOU’s terms, including what data will be shared, methods and platforms for sharing, security protocols, audit logging, breach response plans, and compliance with relevant privacy laws such as HIPAA and FERPA. The bill establishes oversight and reporting requirements and specifies deadlines for the working group’s meetings and execution of the agreement. It appropriates \$75,000 from the state general fund to the Office of Child Advocate in fiscal years 2026 and 2027 to obtain technical services as necessary, with unspent funds reverting to the state general fund at the end of fiscal year 2027.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

Requiring state agencies to enter into MOUs to share data restricts agencies’ discretion to manage interagency coordination. State agencies already have the authority to execute data-sharing MOUs and do so regularly. A statutory mandate is not necessary to accomplish the bill’s stated goals. However, the timeline proposed to execute the MOU with the Office of the Child Advocate is unrealistic given the number of agencies involved. Furthermore, the Office of the Child Advocate is a non-executive agency, so coordinating a data sharing MOU with them will require greater coordination of appropriate privileges.

While HB202 provides funding to the Office of the Child Advocate for technical services for implementation, it does not provide funding to the other state agencies, who may also incur legal, administrative, and IT related costs.

PERFORMANCE IMPLICATIONS

The working groups required by SB202 will require a significant investment of time from a great number of employees of the agencies required to participate. The requirement of the formal working groups mandated by SB202 will impede the quick and effective data sharing between agencies that is already effectuated by existing data sharing MOUs between these agencies.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

SB202 mandates that the listed agencies enter into an MOU to share data but does not specify what data should be shared. SB202 additionally fails to state a purpose for the sharing of the data.

OTHER SUBSTANTIVE ISSUES

Though SB202 mandates that certain state agencies enter into an MOU for the purposes of data sharing, the agencies listed already possess the authority to enter into MOUs with one another.

ECECD is already party to several data sharing MOU with other state agencies.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB202 is not enacted, \$75,000.00 will not be appropriated from the general fund to the office of child advocate to support the MOU mandated by SB202.

However, not enacting SB202 will not have any impact on any of the agencies' abilities to enter into an MOU with other state agencies for the purposes of data sharing.

AMENDMENTS