

LFC Requester:

Sunny Liu

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: 2/2/2026

Check all that apply:

Bill Number: HB 240Original Correction Amendment Substitute

Sponsor:	Montoya, Armstrong, Cortex,	Agency Name and Code Number:	NM Education Trust Board
	Block, Jones		94900
Short	EDUCATION	Person Writing	Natalie Cordova
Title:	OPPORTUNITY ACCOUNT	Phone: 505-412-5009	Email Natalie.cordova@etb.nm.gov

SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
	580.0	Non	Gen Fund
	100,000.0	Non	Gen Fun

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: The bill introduces education opportunity accounts for eligible students in New Mexico. The bill sets forth oversight, allowable uses, procedures and application requirements, describes the review commission, and includes funding appropriations.

FISCAL IMPLICATIONS

Any fiscal implication to the New Mexico Education Trust Board Education Saving Program (529) is estimated as low to insignificant impact. If passed, this legislation may reduce the number of NM account owners opening or funding a 529 account for the purpose of utilizing funds for K-12 tuition and expenses. Depending on use, if enacted, the legislation could also have a positive impact on 529 account funding if general funds are made available for private K-12 tuition and expenses, which may allow families to save more of their personal funds in 529 accounts for future education expenses, including college.

SIGNIFICANT ISSUES – None identified.

PERFORMANCE IMPLICATIONS – None identified.

ADMINISTRATIVE IMPLICATIONS - None identified.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES - None identified.

OTHER SUBSTANTIVE ISSUES - None identified.

ALTERNATIVES – 529 plans in the State of New Mexico, overseen by the New Mexico Education Trust Board, allow for the majority of qualified uses set forth in this proposed legislation. This existing and fully operational program may be aligned with the intent of this legislation.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL - None identified.

AMENDMENTS