



LFC Requester: Sanchez

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2026 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: February 3 2026

Bill No: HB273

Committee Referrals: Not Printed

Sponsor: Montoya / Reeb / Block /
Hall II / Chavez

Agency Name and Code: PED - 924

PED Lead Analyst: Duncan Christensen

Phone: (505) 500-9940 Email: Duncan.christensen@ped.nm.gov

Short Title: WOMEN'S SAFETY &
PROTECTION ACT

PED Policy Senior Manager: denise terrazas

Phone: (505) 470-5303 Email: denise.terrazas@ped.nm.gov

SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: None as of 2/7/26.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 273 (HB233) would create the Women's Safety and Protection Act. The act would ban all state agencies from prohibiting distinctions between the sexes in athletics, correctional facilities, juvenile detention facilities, domestic violence shelters, or any other accommodations where biology, safety, or privacy are implicated that result in separate accommodations.

The bill further clarifies requirements for domestic violence shelters, public schools, and juvenile detention facilities. It would mandate that each shall designate sleeping quarters, multiple occupancy restrooms, or changing rooms for the exclusive use of females or males with reasonable accommodation provided to individuals unwilling or unable to do so. The bill makes further exceptions for medical personnel, janitorial staff, emergency response, and accommodations necessary for persons pursuant to the [Americans with Disabilities Act of 1990](#).

HB273 would apply similar requirements for when a public school sponsors or supervises an overnight trip involving public school students.

This bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective May 20, 2026.

FISCAL IMPLICATIONS

The bill does not contain an appropriation.

SIGNIFICANT ISSUES

HB273 requires the designation of sex-segregated spaces in juvenile detention facilities, domestic violence shelters, and public schools. The bill does not provide definitions for male and female.

As the bill does not contain provisions regarding gender identity, it may permit the enforcement of policies that leave transgender and gender non-confirming people vulnerable to discrimination. Research from the [University of California, Los Angeles](#) shows no evidence of safety risks for cisgender people when transgender and gender non-confirming people used bathrooms aligning with their identified gender. On the contrary, research from the [National Institute of Health](#) concluded that a lack of knowledge about transgender health and wellness has excluded these individuals from many public health programs and policies.

Ongoing legislation regulating access to public spaces have resulted in [heightened levels of anxiety, depression, and suicide risk](#) among transgender and gender non-confirming youth and adults. The New Mexico Human Rights Act, [28-1 NMSA 1978](#), protects people from discrimination by governmental entities, including public schools, on the basis of race, age, religion, national origin, ancestry, sex, sexual orientation, gender identity, childbirth, physical and mental handicap, and spousal affiliation in the areas of employment, public accommodation, housing, and credit.

PERFORMANCE IMPLICATIONS

Anti-transgender rhetoric and policies are linked to an increased risk of sexual assault of transgender youth. One study from the [Harvard T.H. Chan School of Public Health](#) shows that transgender students who were forced to use a bathroom or locker room that did not match their affirmed identity were more likely to report sexual assault. The [2024 National Survey on the Mental Health of LGBTQ+ Young People](#) indicates more than half (54 percent) of transgender and nonbinary youth considered school a safe place, compared with only 38 percent who felt that way about their homes. Similarly, the same survey reports that the overwhelming majority (90 percent) of LGBTQ+ youth said their well-being was negatively impacted due to recent politics, with 53 percent reporting their well-being was heavily negatively impacted by politics.

Findings from the [GLSEN 2021 National School Climate Survey](#) show that the majority (58 percent) of LGBTQ+ students in New Mexico experienced at least one form of discriminatory practices at their school. Like in other states, transgender and nonbinary students in particular experienced gender-based discrimination at high rates. The 2023 New Mexico Youth Risk and Resiliency Survey indicates, for example, that transgender and nonbinary students are twice as likely to have been bullied on school property (30 percent) or electronically bullied (23 percent) in the last year than their cisgender peers. Higher levels of discrimination equate to more missed school days, lower grade point averages, less post-secondary attendance, and lower self-esteem among impacted students.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

- Relates to [House Bill 191](#) which would appropriate \$530 thousand to the PED to contract with an organization to develop inclusive curricula, educator training, and rural school outreach and support that uplifts lesbian, gay, bisexual, transgender, and queer students.
- Relates to [House Bill 233](#) which would create the Protection of Women's Sports Act, requiring that participation in single-sex school sports be restricted to those of the same biological sex assigned at birth.

TECHNICAL ISSUES

The sponsor may wish to define some of the bill's terms, such as male and female, as well as provide a mechanism by which to determine sex or gender relative to the restrictions on accommodations.

OTHER SUBSTANTIVE ISSUES

As noted above, the bill does not include gender- or sex-related definitions, nor does it offer any method, such as birth certificate, for determining sex or gender relative to the restrictions on accommodations required by the bill. The bill also includes no enforcement or monitoring mechanisms, rendering enforcement of its provisions problematic.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

The sponsors may wish to consider amending the bill to define certain terms, such as “male,” and “female,” or offer a method of determination of gender to conform to the provisions of the bill.