

LFC Requester:

Allegra Hernandez

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 2/4/26 *Check all that apply:*  
**Bill Number:** HB295 Original  Correction   
 Amendment  Substitute

**Sponsor:** Kathleen Cates and Tara Lujan **Agency Name and Code Number:** Office of Broadband Access and Expansion - 36100  
Accessibility Act **Person Writing:** Cass Brulotte  
**Short Title:** \_\_\_\_\_ **Phone:** 505-699-5260 : **Email:** cassandra.brulotte@connect.nm.gov

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

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
0	0		

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
0	0	0		

(Parenthesis ( ) indicate revenue decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	0	0	0			

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: This bill creates an Office of Accessibility within the Governor's Commission on Disability. The Office of Accessibility is ordered to assist state agencies in meeting both physical and digital accessibility standards, and provide reporting to the Governor and Legislature regarding compliance.

The bill further requires that all state agencies meet Web Content Accessibility Guidelines 2.1, Level AA by April 1, 2027.

#### **FISCAL IMPLICATIONS**

The final rule for Title II of the Americans with Disabilities Act (ADA) requires that state agencies ensure their web content and mobile apps meet Web Content Accessibility Guidelines 2.1, Level AA, no later than April 24, 2026. Additional details regarding the ADA's digital accessibility requirements can be found online at: <https://www.ada.gov/resources/2024-03-08-web-rule/>.

This Accessibility Act will have no fiscal impact on OBAE, because it creates no additional obligations beyond those found in the ADA.

#### **SIGNIFICANT ISSUES**

None. The bill duplicates federal accessibility requirements.

#### **PERFORMANCE IMPLICATIONS**

The ADA requires that state agencies comply with the web content accessibility standards by April 24, 2026, while the Accessibility Act pushes the deadline for compliance to April 1, 2027.

The federal deadline preempts the proposed state deadline.

#### **ADMINISTRATIVE IMPLICATIONS**

None. The digital accessibility requirements mirror those in the ADA. There will be no additional administrative burden on OBAE.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

28 C.F.R. Part 35.

#### **TECHNICAL ISSUES**

State agencies are required to be accessible in accordance with the ADA prior to the deadlines prescribed in the Accessibility Act.

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None. The bill restates existing accessibility requirements for state agencies that are found in the ADA and accompanying regulations.

## **AMENDMENTS**