

LFC Requester:	Allegra Hernandez
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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: 2/4/2026 *Check all that apply:*
Bill Number: HB 295 Original Correction
 Amendment Substitute

Sponsor: Kathleen Cates and Tara Lujan **Agency Name and Code** 604
Short Title: Accessibility Act **Number:** _____
Title: _____ **Person Writing** G. Nathan Gomme
Phone: 505.383.6530 **Email** Nathan.gomme@cdhh.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	N/A

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
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Conflicts with HB36 with state agency which will be the location of the Office of Accessibility

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 295 enacts the "Accessibility Act," requiring all state agency websites, mobile applications, and physical facilities to comply with specific accessibility standards (WCAG 2.1 AA and the ADA) by April 1, 2027.

The bill creates a new "Office of Accessibility" within the Governor's Commission on Disability (GCD) to oversee compliance, provide training, and submit biennial reports to the legislature. The bill has an effective date of July 1, 2026.

The bill in totality requires:

Digital compliance by April 1, 2027 for state agency websites and mobile applications, State agencies to comply with physical accessibility standards to align with the Americans with Disabilities Act (ADA).

Oversight on the outcomes and completion of the two previous objectives.

Transparency for agencies on accessibility statements on their websites and contact points for reporting.

FISCAL IMPLICATIONS

The bill creates a new statutory office under the GCD and mandates the hiring of a "Chief Accessibility Officer" but contains no appropriation to fund these activities.

- FY26 Impact: Because the effective date is July 1, 2026, there is no fiscal impact in FY26.
- FY27 Impact: Beginning in FY27, the Governor's Commission on Disability would be required to absorb the cost of this new office. Based on similar legislation HB 36, the estimated cost to staff as well as operation of such an office could be approximately \$350,000 annually. This covers one Full-Time Equivalent (FTE) for the Chief Officer, potential support staff, and administrative overhead. However, in HB 36 the location of this office and staffing is under the Department of Health

Without a corresponding appropriation, the GCD would likely need to divert funds from existing programs, whereas in HB 36 an appropriation has been added on Section 5, page 5.

SIGNIFICANT ISSUES

The bill empowers the Chief Accessibility Officer to "contract for services" and provide technical assistance to all state agencies. However, without dedicated funding, the Office may be unable to procure these contracts or hire qualified staff to evaluate the technical compliance of hundreds of state websites. This could result in the Office existing in name only, unable to meet the statutory reporting deadlines beginning July 1, 2027. This is unless the appropriation made in HB 36 is applied to GCD or there be a consideration to use HB 36 instead of HB 265. The lack of funding in HB 265 presents a significant barrier to implementation when compared to HB 36.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

The new Office of Accessibility must develop standard compliance forms for all agencies. These administrative tasks will require significant staff time in FY27 immediately upon the bill's effective date.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill relates to HB 36, which also enacts an "Accessibility Act." However, the bills conflict regarding the location of the office (GCD vs. DOH) and funding levels.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS