

| | |
|----------------|----------------|
| LFC Requester: | Antonio Ortega |
|----------------|----------------|

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: 1/27/2026 *Check all that apply:*
Bill Number: SB 138 Original Correction
 Amendment Substitute

Sponsor: Linda M. Lopez **Agency Name** 992 – New Mexico Mortgage
Harold Pope **and Code** Finance Authority
Shannon D. Pinto **Number:** (Housing New Mexico | MFA)
Angel M. Charley **Person Writing** Robyn Powell
Short Title: REPEAL RENT CONTROL **Phone:** 505-757-2271 **Email** rpowell@housingnm.org
PROHIBITION

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY26 | FY27 | | |
| NA | NA | NA | NA |
| | | | |

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY26 | FY27 | FY28 | | |
| NA | NA | NA | NA | NA |
| | | | | |

(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 | NA | NA | NA | NA | NA | NA |
|--------------|----|----|----|----|----|----|

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: NA

Duplicates/Relates to Appropriation in the General Appropriation Act: NA

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 138 repeals the state ban on locally enacted rent control for privately owned real property.

FISCAL IMPLICATIONS

NFI

SIGNIFICANT ISSUES

The primary solution to improving housing affordability is to address the root cause, the supply shortage of affordable units, through development. Affordable housing creates income restricted units that are guaranteed to remain affordable for decades through Land Use Restriction Agreements and long-term oversight to ensure affordable units are provided based on income qualifications. Increasing the number of affordable housing units has a cooling effect on the overall rental market by easing the demand for unsubsidized units.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS