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FISCAL IMPACT REPORT

BILL NUMBER: House Bill 335

SHORT TITLE: Confidential Student Athlete NIL Info

SPONSOR: Hochman-Vigil

LAST ORIGINAL
UPDATE: _____ **DATE:** 2/18/26 **ANALYST:** Jorgensen

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact	No fiscal impact	No fiscal impact			

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Higher Education Department
New Mexico State University
University of New Mexico

SUMMARY

Synopsis of House Bill 335

House Bill 335 (HB335) prohibits a higher education institution from disclosing or making available for inspection, examination or reproduction any document or record related to student-athlete compensation for the use of a student athlete's or prospective student athlete's name, image, likeness (NIL) or athletic reputation except to the extent such disclosure is required by court order or for compliance with applicable athletic association or conference rules.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

FISCAL IMPLICATIONS

HB335 does not create any new administrative duties or processes relating to student athlete records. Therefore, there is no estimated additional cost associated with enactment as shown in the estimated additional operating budget impact table.

SIGNIFICANT ISSUES

UNM reports:

The adoption of the *House* Settlement on June 6, 2025, permitted higher-education institutions to directly share revenues with student-athletes beginning July 1, 2025.[...] These revenues are generated by athletic departments and can be correlated with a student-athlete’s promotional value. Where student-athletes previously negotiated NIL agreements with private third-party sports collectives, and still may do so, the *House* Settlement adds and allows for schools to enter into NIL agreements with student athletes directly.

At least 22 states around the country have enacted legislation specifically exempting information related to student-athlete NIL agreements from disclosure under their public records laws.

Both UNM and NMSU noted that HB335 will reduce compliance risk associated with disclosure of sensitive student athlete information. Additionally, UNM noted that public disclosure of student athlete compensation could have adverse consequences for the athlete.

OTHER SUBSTANTIVE ISSUES

New Mexico currently has no prohibition on the use of state or tuition funds for the payment of student athletes. Were public funds used to pay athletes, HB335 may exempt those payments of public funds from public examination.

CJ/dw/ct