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FISCAL IMPACT REPORT

BILL NUMBER: Senate Bill 95

SHORT TITLE: Prohibit Antisemitic Discrimination

SPONSOR: Brandt

LAST ORIGINAL
UPDATE: _____ **DATE:** 2/2/2026 **ANALYST:** Hanika-Ortiz

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		Choose an item.	Choose an item.

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Department of Workforce Solutions

Administrative Office of the Courts

SUMMARY

Synopsis of Senate Bill 95

Senate Bill 95 (SB95) adds a new section to the Human Rights Act (Act) to make it unlawful for a person, employer, labor organization, employment agency, public accommodation, public body or any officer, employee or contractor of a public body to engage in antisemitic discrimination.

As used in the bill, antisemitic means expressed hatred toward Jewish people or people who are perceived to be Jewish, and their property, or toward Jewish communities or religious facilities.

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

There is no fiscal impact because the bill duplicates existing prohibitions on discrimination.

Claims under the New Mexico Human Rights Act are received and investigated by the

Department of Workforce Solutions (DWS) that can, if not resolved through mediation, bring cases to an administrative hearing or allow them to proceed in court. The Administrative Office of the Courts noted that it does not believe the bill would have a fiscal or administrative impact on the courts.

SIGNIFICANT ISSUES

The bill reduces any ambiguity about whether antisemitic bias is covered under the Act.

According to the DWS:

The New Mexico Human Rights Act already prohibits discrimination based on race, religion, national origin, and ancestry - any or all of which may cover antisemitic discrimination. This bill does not create a new cause of action. Furthermore, by specifying the prohibition on discriminating against one specific religion/ethnicity, the bill may have the unintended consequence of excluding discrimination against other religions or ethnicities, under the statutory construction principle that the expression of one thing implies the exclusion of others, see e.g., *Fernandez v. Espanola Public Schools*, 2005-NMSC-026 P. 6.

AHO/SEC/dw/ct