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FISCAL IMPACT REPORT

SPONSOR: Beam DATE TYPED: 2-10-01 HB HB 360
 SHORT TITLE: Amend and Expand Human Rights Act SB _____
 ANALYST: Taylor

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	NFI		\$ 5.4	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in The General Appropriation Act _____

SOURCES OF INFORMATION

New Mexico Labor Department
 New Mexico Attorney General

SUMMARY

Synopsis of Bill

House Bill 360 amends and expands the Human Rights Act by making it unlawful to discriminate in the labor and housing markets based upon sexual orientation. The bill also prohibits employers, employment agencies and persons from adopting or implementing a quota on the basis of sexual orientation. Sexual orientation is defined to mean “heterosexuality, homosexuality, or bisexuality, whether actual or perceived.”

The bill also makes it unlawful for an employment agency to discriminate based on “serious medical condition.”

The bill provides an exemption for religious and denominational institutions and organizations operated in connection with them.

Significant Issues

The New Mexico Labor Department reports that federal law does not make sexual orientation a protected class, and the Equal Employment Opportunity commission does not accept discrimination charges based upon sexual orientation. Thus, enforcement activities would have to be absorbed by the state.

FISCAL IMPLICATIONS

The bill does not carry an appropriation. The New Mexico Labor Department estimates that it would cost \$5.4 to cover additional travel and supply costs to enforce the law. They also say that they may need additional personnel, but apparently the need would not be immediate as their report does not request any additional funds for these purposes.

BT/njw