

LFC Requester:	Emily Hilla
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AGENCY BILL ANALYSIS - 2025 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: 24 JAN 2025 *Check all that apply:*
Bill Number: HB 43 Original Correction
 Amendment Substitute

Sponsor: Cates **Agency Name and Code:** N/A
Short Title: Housing Income to Rent Screening Calculations **Number:** _____
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NA	NA	NA	NA

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NA	NA	NA	NA	NA

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	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:

SECTION III: NARRATIVE

BILL SUMMARY

This bill would require residential rental property owners who screen applicants for income to limit their calculation to the ratio of income to rent after the applicant's income from federal, state, local, or tribal housing assistance has been subtracted from the total amount of the rent payment. The bill also lists the sources of income that should be included in the calculation as income derived from a lawful profession, occupation, or job, pensions, annuities, alimony, child support, or other recurring, lawful and verifiable monetary consideration that are documentable and include information on the length of time which the applicant is qualified to receive the income.

FISCAL IMPLICATIONS

There are no fiscal implications for the State.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

The bill does not include provisions for oversight, publicizing the regulation, penalties or enforcement. Without these measures it is likely to have little to no impact on screening practices.

ADMINISTRATIVE IMPLICATIONS

NA

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

NA

TECHNICAL ISSUES

NA

OTHER SUBSTANTIVE ISSUES

While the legislation does note several sources of rental support and income, it does not create a statewide source of income protection which would prevent residential rental property owners from discriminating against people with alternative forms of rental support like housing vouchers. While this form of discrimination is prohibited in some jurisdictions by local ordinance, it remains prevalent due to a lack of information and effective enforcement.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

It is lawful for residential rental property owners to exclude rental support and non-employment forms of income from the screening process. This creates a legal pathway for source of income discrimination which excludes households from access to safe and stable housing.

AMENDMENTS