

LFC Requester: _____

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: 1/27/2025 *Check all that apply:*
Bill Number: H 49 Original x Correction
 Amendment Substitute

Sponsor: Cynthia Borrego **Agency Name and Code:** Developmental Disabilities Council 647
Short Title: Closed Captioning Act **Number:** _____
Person Writing: Alice Liu McCoy
Phone: (505) 225-4973 **Email:** Aliceliu.mccoy@dde.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY25 | FY26 | | |
| 0 | 0 | | |
| | | | |

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY25 | FY26 | FY27 | | |
| 0 | 0 | 0 | | |
| | | | | |

(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 | No fiscal impact | No fiscal impact | No fiscal impact | | | |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: HB 49 (Closed Captioning Act) requires owners & managers of public accommodations to activate closed captioning on all television receivers that are turned on and operating during regular hours, with specific exceptions. The attorney general is responsible for enforcement and for establishing a complaint process. There are civil penalties for violations.

FISCAL IMPLICATIONS

The Closed Captioning Act should have no direct or indirect fiscal implications on the DDC. The DDC is not responsible for creating rules related to enforcement of the Act, or handling the anticipated complaint process. DDC would also not directly benefit from the civil penalties for violations of the Act.

SIGNIFICANT ISSUES

During periods of public emergency, particularly during the global pandemic, New Mexicans had access only to media outlets. Important public emergency announcements are typically televised. Without required captioning, New Mexicans who are deaf, hard of hearing, or have auditory processing disorders will likely miss critical life-saving news and information. The accommodation proposed in this bill will significantly benefit the constituents served by DDC.

PERFORMANCE IMPLICATIONS

No anticipated direct or indirect performance implications for DDC.

ADMINISTRATIVE IMPLICATIONS

Some administrative implications are anticipated if members of the public contact DDC regarding violations of the Closed Captioning Act. DDC staff will redirect people to the correct agency.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

The usage of the terms “television program” and “television receiver” may cause confusion among the public regarding whether the Closed Captioning Act applies to movies and films shown in movie theaters.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Enactment of HB 49 is forward action to increase accessibility in public accommodations throughout New Mexico. Currently, when closed captioning is not used in these areas, individuals who are deaf, hard of hearing, or have auditory processing disorders are prevented from fully participating in and enjoying public accommodations. Further, in times of public emergency, when access to critical and important information can save lives, those individuals may not receive the necessary information. These barriers will remain in place if the Closed Captioning Act is not enacted.

AMENDMENTS