

LFC Requester:

Felix Chavez

### AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

#### SECTION I: GENERAL INFORMATION

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Date Prepared: 1/16/2025

Check all that apply:

Bill Number: HB73

Original  Correction   
Amendment  Substitute

Sponsor: Elizabeth "Liz" Thomson

Agency Name and Code Number: 305 – New Mexico Department of Justice

Short Title: CHILDHOOD SEXUAL ABUSE STATUTE OF LIMITATIONS

Person Writing Analysis: AAG Jennifyr Vickery  
Phone: 505-537-7676  
Email: legisfir@nmag.gov

#### SECTION II: FISCAL IMPACT

##### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) indicate expenditure decreases)

##### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) indicate revenue decreases)

##### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	<b>FY25</b>	<b>FY26</b>	<b>FY27</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

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

**SECTION III: NARRATIVE**

*This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.*

**BILL SUMMARY**

Synopsis:

House Bill 73 (“HB 73”) seeks to amend NMSA 1978, Section 37-1-30, governing the statute of limitations for civil actions based on childhood sexual abuse. Currently, such claims must be initiated before the later of two dates: the claimant’s 24th birthday; or three years after the claimant first disclosed the childhood sexual abuse to a licensed medical or mental health care provider in the context of receiving health care from the provider.

HB 73 removes the requirement that an action commence “before the latest” of a 24th birthday or three years after disclosure to medical or mental health care provider. The bill replaces these alternatives with “may be commenced at any time.” HB 73 also establishes that this is retroactive and may be applied to all actions not currently pending.

**FISCAL IMPLICATIONS**

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

N/A

**SIGNIFICANT ISSUES**

N/A

**PERFORMANCE IMPLICATIONS**

N/A

**ADMINISTRATIVE IMPLICATIONS**

N/A

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None at this time.

**TECHNICAL ISSUES**

None at this time.

**OTHER SUBSTANTIVE ISSUES**

The only potential issue with performance is given that there is no statute of limitations and it is fully retroactive without any limitations, there may be cases coming out where the cases are rather old or where significant time has passed. Evidentiarily, these may be difficult to pursue.

**ALTERNATIVES**

N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status Quo.

**AMENDMENTS**