

LFC Requester:	Felix Chavez
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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: 1/31/2025 *Check all that apply:*
Bill Number: HB 220 Original Correction
 Amendment Substitute

Sponsor: Tara Lujan & Joseph Sanchez **Agency Name** 992 – New Mexico Mortgage
Short Title: IGNITION-RESISTANT CONSTRUCTION **and Code** Finance Authority
Person Writing Robyn Powell **Number:** (Housing New Mexico | MFA)
Phone: 505-767-2271 **Email** rpowell@housingnm.org

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	\$0	\$0	\$0	\$0	\$0	\$0

(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

HB 220 amends the Homeowner Association Act by adding new material that restricts Homeowners Association (HOAs) from prohibiting or unreasonably restricting the use of ignition-resistant construction materials and landscaping methods designed to mitigate fire hazards. Key provisions include:

- Any covenant, contract, or deed restriction that prohibits or unreasonably limits ignition-resistant construction or landscaping is void and unenforceable. This does not apply to legitimate safety requirements under applicable building codes.
- HOA bylaws cannot prohibit or restrict ignition-resistant construction or require landscaping that poses a fire hazard.
- HOAs may develop reasonable design standards but must process applications for fire-resistant modifications within 60 days. If no response is given within this period, the application is automatically approved. Any denial must be provided in writing with a clear, reasonable explanation.
- "Fire hazard" – Any condition that increases the risk of fire ignition or spread.
- "Ignition-resistant construction" – Fire-resistant building and landscaping methods that meet standards set by the Insurance Institute for Business and Home Safety.

FISCAL IMPLICATIONS

House Bill 220 does not appropriate state funds or generate revenue for the state.

SIGNIFICANT ISSUES

HB 220 aims to enhance fire safety, reduce wildfire risks, prevent outdated HOA restrictions from endangering residents, and ensures a fair approval process for fire-resistant modifications. As a trade-off HOAs may lose some control over neighborhood aesthetics.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS