

LFC Requester:	Helen Gaussoin
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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: January 29, 2025

Check all that apply:

Bill Number: SB77

Original x Correction
 Amendment Substitute

Sponsor: Sen. Harold Pope

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

Short Title: Purchase of Single Family Homes

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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)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(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: SB77 introduces legislation that would prohibit single-family residential property from being purchased by hedge funds, private equity firms, corporations, and other businesses.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

SB77 curbs hedge funds, private equity firms, corporations, and other businesses from buying single family residences. However, the bill does not provide any direction, guidance, or consequence. For example, the bill does not address who would or could be responsible for monitoring the purchasing of single-family residences; what cause of action, if any, may be brought for violation of the statute; if there is a private right of action or if this is intended to be enforced by a law enforcement agency; any limits as to liability, damages, or recovery; etc.

The bill also fails to define any terms, so disputes could arise in any attempted enforcement including as to what constitutes a corporation, another business, a single-family residence, etc. Similarly, there is no understanding from the bill as to whether such an entity could work in concert with a single-family and/or under what circumstances might benefit to a single-family might provide an exception.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.