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## FISCAL IMPACT REPORT

ORIGINAL DATE 01/26/09  
 LAST UPDATED 02/06/09    HB 242/aHLC

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SHORT TITLE Discrimination Against Armed Service Spouses    SB \_\_\_\_\_

ANALYST Hoffmann

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
		NFI	

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Workforce Solutions (DWS)

#### No Response

Veterans Services Department (VSD)  
 Department of Military Affairs (DMA)

### SUMMARY

#### Synopsis of HLC Amendment

House Bill 242 as amended by the House Labor and Human Resources Committee changes the reference for uniformed services from “uniformed service of the United States” to “uniformed service of the United States or the New Mexico National Guard.”

#### Synopsis of Original Bill

House Bill 242 would amend the Human Rights Act (Section 28-1-2 NMSA 1978) to make it illegal to discriminate against someone based on a spousal affiliation with a member of the uniformed services. It defines uniformed services as “the army, navy, air force, marine corps, or coast guard or the commissioned corps of the public health service or the national oceanic and atmospheric administration.” The amendment would provide a protected status to these individuals in the areas of employment, credit, housing and public accommodation.

**FISCAL IMPLICATIONS**

The Department of Workforce Solutions notes that no new programs need to be created, although the workload on the staff of the Human Rights Bureau might increase if this bill becomes law.

**SIGNIFICANT ISSUES**

The Department of Workforce Solutions states that it is likely that the Human Rights Act as written would currently allow the Bureau to accept complaints based on spousal affiliation with someone in the armed forces. However, they also note that this amendment would ensure that this provision be statutorily recognized and not subject to interpretation.

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

Individuals whose spouses are of members of the uniformed services who wish to file complaints for discrimination based on their spouse would file these complaints based on the current statute.

CH/mt