

LFC Requester:

Emily Hilla

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov/AgencyAnalysis) 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: January 20, 2025 Check all that apply:

Bill Number: HB44 Original Correction Amendme Substitute

Sponsor: John Block Agency Name and Code: Office of Broadband Access and Expansion - 36100
 Protection of Minors from Harmful Material Act Number: Cass Brulotte
 Person Writing: cassandra.brulotte@connect.nm.gov

Short

Title:

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SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	N/A	N/A	N/A

(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: N/A
Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: This bill requires that private entities conduct age verification on their websites to ensure that minors do not access material the statute defines as harmful.

The bill further creates a private right of action, allowing any person to seek damages in District Court for violation of the act.

FISCAL IMPLICATIONS

This bill does not authorize enforcement by governmental entities, and so would not have any impact on an agency budget.

SIGNIFICANT ISSUES

This bill may conflict with the First Amendment.

PERFORMANCE IMPLICATIONS

This bill will not impact the mission or operations of Office of Broadband Access and Expansion.

ADMINISTRATIVE IMPLICATIONS

This bill will not impact the mission or operations of Office of Broadband Access and Expansion

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

There may be first amendment implications.

OTHER SUBSTANTIVE ISSUES

The bill grants standing to any person to bring suit, regardless of whether they were harmed by any alleged violation.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.