LFC Requester:	Emily Hilla
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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

Date Prepared: January 15, 2024

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

_ Correction **Bill Number:** *HB44* Original Amendment __ Substitute **Agency Name** and Code 790 – Department of Public Safety **Number:**

Check all that apply:

Sponsor: John Block Protection of Minors from Short Distribution of Harmful

Person Writing Kent Augustine Phone: 505-709-5264 Email Kent.Augustine@dps.

SECTION II: FISCAL IMPACT

Title:

APPROPRIATION (dollars in thousands)

Appropriation		Recurring	Fund	
FY25	FY26	or Nonrecurring	Affected	
NFI	NFI	NFI	NFI	

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

	Estimated Revenue			Fund
FY25	FY26	FY27	or Nonrecurring	Affected
NFI	NFI	NFI	NFI	NFI

(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	NFI	NFI	NFI	NFI	NFI	NFI

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None

Duplicates/Relates to Appropriation in the General Appropriation Act: None

SECTION III: NARRATIVE

BILL SUMMARY

Act may be cited as the "Protection of Minors from Distribution of Harmful Material Act." The Bill requires commercial entities to use reasonable age verification methods before allowing access to a website on which more than one-third of content is harmful to minors; imposes civil liability for damages and other costs for failing to perform age verification, for resulting damage, or for retaining identifying information on individuals after performing the verification. Creates a private right of action in district court for appropriate relief, including damages and attorney fees. Exempts news and other public-interest reporting and cloud service providers that are not responsible for the creation of harmful content. Includes definitions used in the Protection of Minors from Distribution of Harmful Material Act.

FISCAL IMPLICATIONS

None to DPS.

SIGNIFICANT ISSUES

None to DPS.

PERFORMANCE IMPLICATIONS

None to DPS.

ADMINISTRATIVE IMPLICATIONS

None to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None to DPS.

TECHNICAL ISSUES

None to DPS.

OTHER SUBSTANTIVE ISSUES

None to DPS.

ALTERNATIVES

None to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None to DPS.

AMENDMENTS

None to DPS.