

LFC Requester:

Felix Chavez

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.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: 1/21/2024

Check all that apply:

Bill Number: HB 98Original Correction Amendment Substitute

Sponsor: Janelle Anyanonu
 Short Title: AUTOMATIC EXPUNGEMENT OF EVICTION RECORDS

Agency Name and Code: 992 – New Mexico Mortgage Finance Authority

Number: (Housing New Mexico | MFA)

Person Writing: Robyn Powell

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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

House Bill 98 adds a new section to the Uniform Owner-Resident Relations Act that requires automatic expungement of an eviction, five years from the date of the eviction. The expungement would apply to all public records related to the eviction.

FISCAL IMPLICATIONS

House Bill 98 does not appropriate state funds or generate revenue for the state.

SIGNIFICANT ISSUES

Based on data from Eviction Lab (a research organization at Princeton University) an estimated 17,400 evictions are filed annually in New Mexico. A legal eviction comes with a court record, which can impede a family's ability to secure housing, because most landlords conduct eviction screenings before renting. As proposed in HB 98, eviction expungement could help families overcome this barrier in the long term, while allowing landlord to know whether a prospective tenant has had an eviction within the last five years. Further, HB 98 would not prevent a landlord from using a collections agency to collect on un-paid rent associated with an eviction. Resultingly, the bill does not prevent unpaid rent from showing up as an unpaid bill for seven years on a credit report.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

The bill tasks the Administrative Office of the Courts with implementing the expungement procedures.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS