

<b>LFC Requester:</b>	<b>Julisa Rodriguez</b>
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**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**

**[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** 1-23-2025 *Check all that apply:*  
**Bill Number:** HB 123 Original  Correction   
 Amendment  Substitute

**Sponsor:** Charlotte Little **Agency Name** 992 – New Mexico Mortgage  
**Short** UNIFORM COHABITANTS' **and Code** Finance Authority  
**Title:** ECONOMIC REMEDIES **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
<b>Total</b>	NA	NA	NA	NA	NA	NA

(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 123 (HB0123) proposes regulation to address the economic contributions and rights of individuals who cohabit as a couple without being married. Below is a summary of its key provisions:

- Defines "cohabitants" as two individuals living together as a couple who are not married to each other and meet the age of majority or emancipation.
- Includes terms like "cohabitants' agreement" (a contract between cohabitants) and "contributions to the relationship" (efforts or services benefiting the relationship).
- The act governs contractual and equitable claims between cohabitants relating to their contributions to the relationship.
- Allows cohabitants (or their estates) to bring claims based on contributions, even after the relationship ends.
- Specifies that claims cannot be dismissed due to the existence of a sexual relationship or marriage between the cohabitants.
- Such agreements may be oral, written, or implied.
- Contributions to the relationship are sufficient consideration to establish an agreement.
- Certain terms, such as those affecting a child's right to support, are unenforceable.
- Provides for equitable claims related to property contributions during the relationship.
- Courts must consider factors like the value of contributions, reliance on representations, and the intention to share property.
- Supplements existing law unless inconsistent with the act.

#### **FISCAL IMPLICATIONS**

House Bill 123 does not appropriate state funds, generate revenue for the state, or impact the state government operating budget.

#### **SIGNIFICANT ISSUES**

No impact to Housing New Mexico | MFA.

#### **PERFORMANCE IMPLICATIONS**

#### **ADMINISTRATIVE IMPLICATIONS**

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

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

**AMENDMENTS**