

LFC Requester:

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

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

Date Prepared: 1/30/2025 *Check all that apply:*
Bill Number: HB 185 Original Correction
 Amendment Substitute

Sponsor:	Andrea Reeb, Jenifer Jones,	Agency Name and Code Number:	New Mexico Highlands University
	<u>Rebecca Dow</u>		956
Short Title:	Protection of Women's Sports Act	Person Writing	<u>Stephanie Gonzales/RobertaOrtiz</u>
		Phone: 505-454-3272	Email <u>VPFA@nmhu.edu</u>

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(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	Indeterminate	Indeterminate	Indeterminate			

(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

Synopsis: The bill mandates that public educational institutions offering interscholastic or intercollegiate athletics provide equal athletic opportunities for both sexes. It allows these institutions and private athletic clubs to operate or sponsor single-sex teams based on competitive skill or if the activity is a contact sport.

All athletic teams, sports, competitions, or events must be designated as:

1. For males, men, or boys;
2. For females, women, or girls; or
3. Coeducational or mixed.

The bill specifies that individuals participating in sports designated for females, women, or girls must be biologically female, as indicated on their birth certificate if it was designated at or near the time of birth and prohibits males from competing for, against, or with teams designated for females. The bill also provides individuals who are deprived of athletic opportunities or suffer harm due to violations of the act with a private cause of action for injunctive relief, compensatory damages, and legal fees against the violating entity.

FISCAL IMPLICATIONS

There are several fiscal implications that are more than likely to arise from this bill that include possible legal challenges and administrative and financial burdens. Universities could face increased legal exposure if students or other stakeholders sue over alleged violations of their athletic opportunities. The university will need to implement a system for verifying the biological sex of athletes, which may create logistical and privacy concerns that may require changes or updates to internal record-keeping systems. The university may incur additional costs in restructuring athletic programs, creating separate teams or events, and updating training for athletic staff, coaches and employees.

SIGNIFICANT ISSUES

This bill increases the risk of lawsuits and loss of funding by violating federal guidance in order to comply with the bill.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

There will be an increase in administrative burden to handle complaints and allegations of retaliation. Additional staff may need to be hired. Administration will have to monitor if or how this effects Title IX compliance, NCAA/RMAC compliance and other federal compliance.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS