LFC Requester:	Liu
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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

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

Date Prepared:30 January 2025Check all that apply:Bill Number:HB 185Original _x Correction _Amendment _ Substitute _

Agency Name and Code NM Independent Community

Sponsor: Reeb, Jones, Dow Colleges 994

Number:

Short Protection of Women's Sport Person Writing Vanessa K. Hawker

Title: Act Phone: Email vhawker@hawkerhynson.com

SECTION II: FISCAL IMPACT

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	Recurring or Nonrecurring	Fund Affected
Total	Indeterminate	Indeterminate	Indeterminate		

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

<u>Synopsis:</u> House Bill 185 (HB185) creates the Protection of Women's Sports Act, establishing definitions to be used in the Act. Any public institution that offers, operates, or sponsors interscholastic or intercollegiate athletics shall provide equal athletic opportunities for both sexes. Sex is defined as a person's biological sex (male or female) as designated at birth.

All public educational institutions and athletic clubs must designate each athletic team, sport, athletic competition or athletic event as being for:

- Males, men, or boys
- Females, women, or girls
- Coeducation or mixed team

Any individual who competes in an athletic competition or event designated for females, women, or girls must be biologically female. An individual's birth certificate may be utilized to establish

eligibility.

A public education institution, athletic club, or athletic association that conducts athletic events, shall not allow a male to compete for, against or with a team designated for females, women, or girls or to compete in an event designed for females, women, or girls.

A male athlete may participate as practice players on teams designated for females, women, or girls, so long as the male athlete does not take a roster spot, opportunity to compete, scholarship, or spot at the school from a female.

Complaints may not be considered by the appropriate government entity, licensing or accrediting organization, nor may adverse action be taken against a public education institution for complying with the Protection of Women's Sports Act.

HB185 establishes remedies for individuals, public educational institutions, teams, and athletic clubs.

FISCAL IMPLICATIONS

Costs associated with HB185 are indeterminate. To comply with public education institutions would need to establish processes for collecting and examining an individual's birth certificate if the individual's sex at birth were questioned.

TECHNICAL ISSUES

It is unclear if the "athletic clubs" are any athletic clubs in the state or if it refers to athletic clubs at a public educational institution. Similarly, it is unclear if an "athletic association" refers to public athletic associations or all athletic associations in New Mexico.