

LFC Requester:	Felix Chavez
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**AGENCY BILL ANALYSIS
2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.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}

Check all that apply:
Original **Amendment** _____
Correction _____ **Substitute** _____

Date January 30, 2025
Bill No: HB 220

Sponsor: Reps. Lujan and Sanchez
Short Title: Ignition-Resistant Construction

Agency Name and Code Regulation and Licensing Department-420
Number: _____
Person Writing Lori Chavez
Phone: 505-469-2728 **Email** Lori.chavez1@rld.nm.

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	None	None

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: n/a

Duplicates/Relates to Appropriation in the General Appropriation Act: n/a

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 220 (HB220)

HB220 adds a new section to the Property Law Act, Conveyances and General Provisions, prohibiting the inclusion of a covenant, restriction or condition of unreasonable restrictions on the use of ignition-resistant construction or recommending or requiring construction or landscaping that is a fire hazard in documents affecting the transfer or sale of or any interest in real property. HB220 makes the inclusion of any unreasonable restrictions on the use of ignition-resistant construction or landscaping in any conveyance of real property documents void and unenforceable. The Act does not apply to safety requirements under applicable building codes for the protection of persons and property.

HB220 adds a new section to the Homeowner Association Act prohibiting a homeowner association (HOA) from including unreasonable restrictions for the installation, use or maintenance of ignition-resistant construction, or requires or recommends construction or landscaping that is a fire hazard in its declaration, bylaws or rules. HB220 makes the inclusion of unreasonable restrictions on construction or requires or recommends construction or landscaping that is a fire hazard on an owner’s property in its declaration, bylaws or rules void and unenforceable.

HB220 permits HOAs to develop standards that impose reasonable restrictions on the aesthetics of ignition-resistant construction so long as the standards do not require a period of review and approval exceeding sixty (60) days, and if the application is denied, a basis for the denial is provided in writing. If a denial is not issued within sixty (60) days, the application for use of ignition-resistant construction shall be deemed approved.

HB220 does not prohibit HOAs from adopting safety requirements that are consistent with applicable building codes or nationally recognized safety standards adopted by the Construction Industries Division or applicable local government jurisdictions.

HB220 does not directly affect the Regulation and Licensing Department (RLD).

FISCAL IMPLICATIONS

There is no direct fiscal impact anticipated for the RLD if HB 220 is enacted.

SIGNIFICANT ISSUES

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