

LFC Requester:

Allegra Hernandez

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: _____ *Check all that apply:*
Bill Number: HB364 Original Correction
Amendment Substitute

Sponsor: Rep. Marianna Anaya **Agency Name and Code** HCA 630
Short Title: Federal Benefits for CYFD Custody **Number:** _____
Person Writing Felice Trujillo
Phone: 505-396- **Email** (505)396-0315

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 revenue 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:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

House Bill 364 (HB 364) is an act relating to children. HB 364 requires Children, Youth, and Families Department (CYFD) to determine eligibility for federal benefits for children in its custody, apply for the benefits and either act as the child's representative payee or determine an appropriate alternative for the child. HB 364 outlines the responsibilities and restrictions of CYFD when they are acting as the child's representative payee. It outlines that CYFD will assist the child with financial literacy and planning tools.

FISCAL IMPLICATIONS

HB 364 lacks clarity on how CYFD will assess whether children in state custody are receiving, or are eligible to receive, federal benefits. While the Health Care Authority administers federally funded safety net programs such as SNAP, Medicaid, TANF, and LIHEAP, HB 364 does not specify which federal programs will be used to determine eligibility for children in state custody.

Furthermore, ISD does not anticipate any fiscal impact on system enhancements or daily operations unless HB 364 provides clear guidelines on how CYFD will assess eligibility for federal benefits.

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

None

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

No HCA IT impact.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB 364 duplicates SB 283 and has a relationship to SB 333.

While SB 283 and HB 364 outline CYFD's responsibilities, they lack the detailed definitions found in SB 333. SB 333 offers more comprehensive definitions, providing greater clarity for implementation, but does not delve as deeply into the Department's specific duties.

All three bills aim to address similar issues, but they approach the matter with different language

and focus. If HB 364 and SB 283 are intended to complement SB 333, they would benefit from clearer definitions and a more detailed explanation regarding federal benefits to minimize confusion and ensure more effective implementation.

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS