

LFC Requestor: KLUNDT, Kelly

2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS

Section I: General

Chamber: House

Category: Bill

Number: 517

Type: Introduced

Date (of THIS analysis): 2/24/2025

Sponsor(s): Pamela Herndon

Short Title: FREE CONDOMS FOR CERTAIN STUDENTS

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0		

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0		

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

House Bill 517 (HB517) proposes to require condoms to be available at no cost to all students in public post-secondary and public secondary educational institutions.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Condom availability programs (CAPs) in schools can play a role in preventing pregnancy and sexually transmitted infections. Research suggests that CAPs are most effective when they incorporate a three-pronged approach: providing condoms, offering education, and integrating these efforts with broader sexual health promotion strategies (National Library of Medicine, <https://pubmed.ncbi.nlm.nih.gov/articles/PMC6540114/>). Studies indicate that CAPs do not typically increase sexual activity among teens but can contribute to increased condom use (<https://www.essentialaccess.org/about/press-room/youth-health-bill-introduced-address-rising-sti-rates-and-require-free-condoms-all>).

The teen birth rate in New Mexico has been on a steady decline since 1991, when it was recorded at 78.5 per 1,000 females aged 15-19. Despite this progress, New Mexico has consistently ranked among the top 10 states with the highest teen birth rates, ranging from 1st to 3rd between 2005 and 2015, and between 6th and 10th from 2016 to 2022 (National Center for Health Statistics and the federal Centers for Disease Control and Prevention, <https://www.cdc.gov/reproductive-health/teen-pregnancy/>). Additionally, sexually transmitted infections remain a concern for school-aged children. In 2023, New Mexico reported 1,600 cases of chlamydia and 262 cases of gonorrhea among high school-aged individuals (NMDOH STD Program Data). Infection rates for these diseases primarily affect individuals aged 14-25 and have steadily increased since the early 2000s.

Condoms serve as a preventive measure against both pregnancy and sexually transmitted infections. Current data has shown that condom use among high schoolers who engage in sexual intercourse has remained relatively flat since 2013, with 53% of high schoolers reporting condom use during the last time they had intercourse (2023 YRRS, NMDOH).

Other contraceptive methods, such as intrauterine devices, contraceptive implants, and oral contraceptive pills, require a prescription and medical screening for suitability. Only a limited number of contraceptive methods, including the Opill (a progestin-only pill), external condoms, internal condoms, spermicide, and vaginal sponge, are available over the counter.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?

Yes No

If yes, describe how.

- Is this proposal related to the NMDOH Strategic Plan? Yes No

Goal 1: We expand equitable access to services for all New Mexicans

Goal 2: We ensure safety in New Mexico healthcare environments

Goal 3: We improve health status for all New Mexicans

Goal 4: We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?

Yes No N/A

- If there is an appropriation, is it included in the LFC Budget Request?

Yes No N/A

- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No

- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

None

9. HEALTH IMPACT(S)

Condom availability in schools could reduce the amount of both unintended pregnancy and result in lower STD rates among New Mexico youth.

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If HB517 is not enacted, condoms will not be available at no cost to all students in public post-secondary and public secondary educational institutions.

12. AMENDMENTS

None