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LFC Requester:	Chilton

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: 26 February 2025 *Check all that apply:* Bill Number: HB 185 Original x Correction Amendment Substitute

Number:

Agency Name and Code

NM Independent Community

Colleges 994

Sponsor: Reeb, Jones, Dow

Short

Title:

Protection of Women's Sport

Act

Person Writing Vanessa K. Hawker

Email vhawker@hawkerhynson.com Phone:

SECTION II: FISCAL IMPACT

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)

Related to: HB185

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 459 (SB459) 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.

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.

SB459 establishes remedies for individuals, public educational institutions, teams, and athletic clubs.

FISCAL IMPLICATIONS

Costs associated with SB459 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.

RELATED TO

SB459 is similar to HB185.