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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
57th Legislature, 1st Session, 2025

Bill Number	<u>HB517</u>	Sponsor	<u>Herndon/Hickey</u>
Tracking Number	<u>.231015.1</u>	Committee Referrals	<u>HHHC/HEC</u>
Short Title	<u>Free Condoms for Certain Students</u>		
Analyst	<u>Davalos</u>	Original Date	<u>3/4/2025</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

House Bill 517 (HB517) would create two new sections of law—both in Chapter 21 (State and Private Education Institutions that focuses on postsecondary institutions) and Chapter 22 (the Public School Code)—to require public high schools and public postsecondary educational institutions to provide free condoms to students. In postsecondary institutions, institution coordinators, in consultation with student health centers and other entities that provide services to students, would be required to determine how to make condoms available. In high schools, public school administrators, in collaboration with school nurses, would be required to determine how to make condoms available. In both public postsecondary institutions and public high schools, HB517 would require condoms to be placed in safe and easily accessible locations, including the nurse’s office (high schools), health centers (postsecondary institutions) and restrooms (both high schools and postsecondary institutions).

FISCAL IMPACT

HB517 does not contain an appropriation.

Educational institutions may need to allocate existing resources or seek additional funding for the procurement and distribution of condoms to comply with HB517.

SUBSTANTIVE ISSUES

According to the most recent New Mexico Youth Risk and Resiliency Survey ([NM-YRRS](#)), in 2021, about 22 percent of New Mexico high school students reported being sexually active, and about 14 percent of students did not use contraceptives during their last act of sexual intercourse.

The New Mexico Department of Health’s (DOH) Sexually Transmitted Diseases Prevention Program collected statewide health [data](#) in 2023 that revealed significant sexually transmitted infection (STI) rates among adolescents and young adults. Among all reported cases, approximately 21 percent of adolescents aged 15 to 19 were diagnosed with chlamydia, while

around 10 percent had gonorrhea. Young adults aged 20 to 24 accounted for nearly 33 percent of all chlamydia cases and about 20 percent of gonorrhea cases. Overall, DOH reported that 54 percent of chlamydia cases and 30 percent of gonorrhea cases occurred among individuals aged 15 to 24.

According to the Health Behaviour in School-Aged Children [Study](#) by the World Health Organization (WHO), a United Nations agency that focuses on global health and safety, socioeconomic disparities also influence condom use, with 33 percent of adolescents from lower-income families reporting not using a condom or contraceptive pill during their last sexual encounter, compared with 25 percent of those from higher-income families.

Condom Education. Research shows female (internal) and male (external) condoms play a critical role in sexual health by preventing unintended pregnancies and reducing the transmission of STIs. They are one of the most accessible and cost-effective forms of STI protection and pregnancy prevention available. According to the [Centers for Disease Control and Prevention \(CDC\)](#), a national public health agency, when condoms are used consistently and correctly, they are highly effective in preventing the human immunodeficiency virus (HIV) and other STIs, such as chlamydia, gonorrhea, and syphilis. According to [WHO](#), when used properly, external condoms are about 99 percent effective at preventing pregnancy and internal condoms are about 95 percent effective at preventing pregnancy.

Accessibility and Affordability. Condoms are widely available and can be purchased without age restrictions or prescriptions, making them one of the most accessible forms of contraception. On [average](#), condoms cost about \$1 each. Various organizations and public health agencies distribute condoms for free, ensuring that individuals, regardless of economic status, can access STI and pregnancy protection.

[A 2019 meta-analysis](#) of condom programs in secondary schools found that at schools that provide condoms, as many as 74 percent of sexually active students reported using condoms obtained from school. These programs appear to be particularly beneficial for students who initiate sex at a young age, have more frequent sexual encounters, and have more sexual partners. However, the same meta-analysis found mixed evidence of how condom programs in schools influence condom use among students, some showing increased use, some decreased use, and others no change in condom use. The analysis reported no evidence that the presence of condom programs in schools increases sexual behavior.

Encouraging Safer Sexual Practices. Educational programs promoting condom use have been shown to increase awareness and encourage responsible sexual behavior. [The American Sexual Health Association \(ASHA\)](#), a nonprofit organization for sexual health, emphasizes that comprehensive sex education, which includes condom use, helps reduce STI rates and promotes informed decision-making among sexually active individuals.

OTHER SIGNIFICANT ISSUES

California Governor Gavin Newsom Vetoed Condom Bill. Governor Newsom vetoed a bill in [2024](#) that would have required high schools to offer free condoms to students, citing concerns over the ongoing costs associated with the program.

The proposed legislation aimed to address rising STI rates among young people by requiring high schools to provide condoms in at least two accessible locations on campus, allowing students to

obtain them without interacting with staff. Additionally, the bill sought to prohibit stores from refusing to sell condoms to customers based on age.

Maine Bill Proposes Free Condoms for High Schoolers. A proposed [bill](#) in Maine seeks to provide free condoms to high school students in grades nine through 12. The bill would require public schools and certain private schools approved for public tuition funds to offer condoms at no cost to students. However, this bill does anticipate a financial impact for implementing this program. Distribution would be limited to the school nurse's office, ensuring that only the nurse administers them. Schools would also be required to plan for students with latex allergies.

RELATED BILLS

Relates to House Bill 558, No Sexuality Explicit Materials in Schools, which would prohibit the presence and use of sexually explicit material in public schools, outlines enforcement measures, including potential penalties for school employees, contractors, or volunteers who violate its provisions.

Relates to Senate Bill 258, Human Sexuality Education, which would require health education courses in middle and high schools to include comprehensive human sexuality education.

SOURCES OF INFORMATION

- LESC Files
- New Mexico Higher Education Department (NMHED)
- New Mexico Regional Cooperatives (NMRECA)
- New Mexico Department of Health (NMDOH)
- New Mexico Healthcare Authority (NMHCA)

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