



DISABILITY RIGHTS NEW MEXICO

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Promoting and Protecting the Rights of Persons with Disabilities

DISABILITY ISSUES IN THE 2019 LEGISLATURE STATUS REPORT #5

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(See page 11 for a list of abbreviations, including legislative committees, used in this report.)

Coming Events:

- **Feb. 21:** Multiple Sclerosis Day at the Capitol

Committee Hearings this week:

- *Monday morning:* HB 414 (nursing home closure notice), HB 422 (DDPC membership) in HHHC; SB 467 (students in need of accommodation) in SEC.; SM 25 (medically fragile waiver changes) in SRC
- *Monday afternoon:* HB 213 (family/medical leave) in HCEDC; SB 213 (family/medical leave) in SJC
- *Tuesday morning:* HB 532 (student friendships) in HEC
- *Thursday afternoon:* SB 42 (missing persons alerts) in HCPAC; **tentative:** SB 395 (guardianship reform), SB 398 (students with dyslexia) in SPAC

Over the hump. Last Thursday was Valentine's Day, but it was also the half-way point in this year's 60-day session and the deadline for introducing most bills. As usual, there was a mad dash to the finish line, with over 200 bills filed on the final day for introductions. That includes a number of "dummy bills" – blank bills allocated to committee chairs and legislative leadership that can be converted into "real" bills as the need arises. This brings the total number of bills introduced this year to 1,370; there are also numerous memorials and resolutions in play. This is comparable to recent 60-day sessions and not as much of a flood as had been expected.

State budget taking shape. The House Appropriations and Finance Committee (HAFC) met on Saturday to review final subcommittee and staff proposals for state agency budgets for the coming year. The committee is expected to vote on HB 2 today (Monday), with final action in the House on Tuesday or Wednesday. If passed by the House, the bill will go over to the Senate, where it will be reviewed and revised by the Senate Finance Committee. Overall state spending is expected to rise to a level of over \$7 billion, up from about \$6.3 billion in the current year. Most of that increase is going to public education in an attempt to comply with the court's ruling in the *Yazzie/Martinez* case that found the state is insufficiently funding our school system.

At this point, the HAFC budget includes \$7 million to move an estimated 308 people off the DD waiver waiting list and into services, as well as \$4 million in new funding to meet the increased costs of serving those already in the program and another \$1.6 million for provider rate increases. There is also \$1.5 million in new money to assess the needs of individuals on the

waiting list and to plan and develop a new “supports” waiver. The Family Infant Toddler program is slated to receive over \$5 million in new money; about half of that is for enrollment growth, and the other half is for provider rate increases.

Although the budget recommends over \$400 million in new money for public education, none of that increase is specifically earmarked for special education. Legislative Finance Committee staff claim that deficiencies in special education outcomes can be remedied by better accountability – requiring districts to report specifically on how they spent their special education funding - and through general increases in all teacher salaries, rather than additional earmarked funding. It remains to be seen whether such salary increases will address the severe shortage of special education teachers, therapists, and related personnel. These unfilled positions account for about 1/3 of all vacancies in schools today even though special education students only account for about 15% of the student population.

Special education reform bill introduced. Senator Linda Lopez has introduced SB 612, which addresses numerous concerns of families of children in special education and disability advocacy groups. The bill would:

- Establish the special education program as a major division within the Public Education Department (not a lower-level bureau as it is now), to be headed by a deputy secretary.
- Increase the value of special education units within the school funding formula. This would significantly increase the funding provided to schools for students with disabilities.
- Make it clearer that charter schools are required to meet the needs of special education students who enroll in those schools.
- Strengthen the monitoring and technical assistance roles of the PED related to special education
- Provide salary enhancements for special education teachers who meet certification requirements

Some of the other new bills introduced this past week:

- **HB 532** Promoting friendships in schools between students with and without disabilities
- **HB 591** Calling for mental, emotional and social health education in schools
- **HB 615** Requiring mental health training for school personnel
- **HB 642** Providing funding for supports for individuals with ALS and their caregivers
- **SB 630** Authorizing student loans to encourage individuals to pursue a career in special education.

Bills and Memorials Introduced in the 2019 Session

This list is grouped by disability or subject matter and shows the bill number, sponsor, a description of the bill and the current committee assignments and action taken on the bill or memorial. Although the deadline to introduce bills has now passed, memorials can be introduced at any time.

Behavioral Health/Mental Health

HB 43 *Behavioral health interventions for non-violent offenders.* Rep. Sheryl Williams Stapleton. Charges the Human Services Department with responsibility to develop a method for meeting the needs of non-violent offenders with behavioral health diagnoses when they are in jail

or prison and to connect them with supports and services when they are released, to reduce recidivism. HSD would be required to set up a grant program for counties seeking funds to implement the program. Appropriates \$1.5 million to HSD for this purpose. Passed HHHS, pending in HAFC.

HB 59 *Non-discrimination against art therapists.* Rep. Christine Trujillo. Requires insurance companies to pay licensed art therapists for the services they provide if those services are covered by a policy and they pay other behavioral health providers for the same services. *Tabled indefinitely* in HHHC and very unlikely to move forward.

HB 83 *Extreme risk protection orders.* Rep. Daymon Ely. Allows for court orders for police to seize guns from those determined to pose a high risk of violence to themselves or others. The bill does not include any reference to mental illness, and is written so that it would apply to cases of domestic violence or other threatening situations, but the sponsor of the bill has made it clear that the primary intent of the bill is to allow for the confiscation of guns from people with mental illness who are suicidal or who pose a threat of gun violence to family members or other individuals. Passed the House 39-30; SPAC/SJC.

HB 153 *Suicide awareness training.* Rep. Patricio Ruiloba. Requires virtually all licensed health care providers to receive a one-hour training annually on suicide awareness and prevention. Passed HHHC and HJC, but now further referred to and pending in HSEIC.

HB 267 *Info sharing and local councils.* Rep. Daymon Ely. Allows for information sharing without individual consent for research purposes or for continuity of care for persons with mental illness or developmental disabilities who are entering or being discharged from criminal justice facilities. Establishes local criminal justice coordinating councils and provides grants for reform initiatives. The bill includes an appropriation of \$35.5 million. Passed HSEIC and HJC, pending in HAFC.

HB 342 *Criminal justice reforms.* Rep. Antonio Maestas. One part of this omnibus bill is nearly the same as HB 43, above, directing HSD to develop a method for meeting the needs of persons with behavioral health diagnoses when they are in jail or prison and to connect them with supports and services when they are released. HSD would be required to set up a grant program for counties seeking funds to implement the program. This bill is not limited to non-violent offenders, and because there is no appropriation in the bill, these provisions would not go into effect until funding is provided. HJC.

HB 348 *Emergency MH evaluations and restrictions on release of information.* Rep. James Strickler. Current state law allows a mental health professional to ask law enforcement officers to detain and transport an individual for emergency evaluation and treatment if the person poses an immediate danger to self or others due to mental illness. This bill would allow the law enforcement officer to enter a building where the person is believed to be present, in order to carry out the detention and transport, without the consent of the person or the owner of the building. The bill confirms that a law enforcement officer may enter a building without consent when there is an emergency and an immediate need to assist a person or protect property. In addition, the bill extensively amends the state MH/DD Code to separate a police report containing information about a person's mental health condition from any other police report related to that person. The record containing mental health information, and any police officer dash camera or belt camera recordings, would generally be confidential and not subject to release to the public except by court order. A judge considering a request for an order to release such information would be required to balance the public interest, the individual's right to privacy, and the individual's best interest. Passed without recommendation in HHHC, pending in HJC.

HB 364 *Limiting solitary confinement.* Rep. Antonio Maestas. Prohibits jails and prisons from placing persons with serious mental illness in solitary confinement ("restricted housing"). This prohibition would not apply during the first five days of detention, and would cover persons

whose diagnosis is known to the facility and those who are exhibiting obvious signs of mental illness. The bill also covers juveniles and pregnant women. Passed HHHC, pending in HJC.

HB 563 *BH services in Albuquerque's international district.* Rep. Sheryl Williams Stapleton. Appropriates \$200,000 to the Office of African American Affairs to provide behavioral health services in the "international district" in Albuquerque. HHHC/HAFC.

SB 128 *Behavioral health clinic funding.* Sen. Mary Kay Papen. Would allow behavioral health clinics in rural or other underserved areas, if owned by a county or municipality, to access funding from the Behavioral Health Capital Fund to assist with construction, repair or remodeling. Passed SPAC, pending in SFC.

SB 141 *Interstate psychology compact.* Sen. Jerry Ortiz y Pino. Adopts an interstate agreement regulating the temporary practice of psychology across state lines through tele-psychology. Passed SPAC, but tabled in SJC; probably dead for the session.

SB 152 *MH-DD Code grievance procedure.* Sen. Liz Stefanics. Requires the Department of Health to establish a grievance procedure to address disputes related to a client's consent to mental health treatment or a determination that the client lacks the capacity to consent. Held over in SPAC while sponsor works on potential amendments.

SB 250 *Rural wrap-around services.* Sen. Mary Kay Papen. Appropriates \$7 million to the Human Services Department as the initial funding for a new program of supports and services to adolescents and adults with severe mental illness. The grant program would be focused on rural and underserved areas and would support case management, housing, employment, and other services intended to reduce relapse and promote and support independence. SPAC/SFC.

SB 334 *AOT Funding.* Sen. Mary Kay Papen. Provides \$1 million to DOH to pass through to cities or counties that have implemented an Assisted Outpatient Treatment program for involuntary treatment of individuals with mental illness. Passed SPAC, pending in SFC.

SB 495 *Add members to BH Collaborative.* Sen. Jerry Ortiz y Pino. Adds three members to the Behavioral Health Purchasing Collaborative: one representative each from the Behavioral Health Providers Association, the Municipal League, and New Mexico Counties. SRC/SPAC.

Brain Injury

SB 134 *Brain injury fund appropriation.* Sen. Jerry Ortiz y Pino. Appropriates \$500,000 for the Brain Injury Services fund. Passed SPAC, pending in SFC.

SB 171 *Brain injury fee increase.* Sen. Bill Tallman. Increases from \$5.00 to \$6.40 the portion of traffic violation fines that goes to support the Brain Injury Services Fund. *Tabled indefinitely* in SJC and very unlikely to move forward.

SB 327 *Non-waiver of fine supporting BI fund.* Sen. Cliff Pirtle. Requires that if an individual is cited for a traffic violation, the portion of the fine that is earmarked to support the Brain Injury Service Fund (currently \$5 dollars) cannot be waived, deferred or suspended by a court. Passed SCORC, pending in SFC.

Deafness/Blindness

HB 96 *Blind parents' rights.* Rep. Tomas Salazar. Prohibits blindness from being used as a basis for denial of parental rights. Passed HHHC, pending in HJC.

HB 243 *Instructional opportunities for children with hearing impairment.* Rep. Dayan Hochman-Vigil. Requires all school districts and charter schools to provide individualized instruction for children who are deaf or have moderate to severe hearing loss. The bill is intended to promote easier access to programs based solely on oral communication skills for children with hearing aids or cochlear implants. Public schools could provide such services directly or pay for placements at private schools such as the Presbyterian Ear Institute. Amendments to the bill are expected that would align language in the bill with the provisions of

the federal Individuals with Disabilities Education Act (IDEA). Passed HHHC, pending in HEC. An initial hearing in HEC was held on Saturday; the bill has been held over in that committee while amendments are drafted.

Developmental Disabilities

HB 68 *Reduce the DD Waiver waiting list.* Rep. Liz Thomson. Directs the Department of Health to move 600 individuals on the waiting list into waiver services each year over the next five years, and appropriates \$25 million to the Department of Health for this purpose. Passed HHHC, pending in HAFC.

HB 69 *Early detection of cerebral palsy.* Rep. Liz Thomson. Appropriates \$200,000 to the Department of Health to provide training to health care professionals on new methods for early detection of cerebral palsy. Passed HHHC, pending in HAFC.

HB 354 *Autism diagnosis and services.* Rep. Liz Thomson. Appropriates \$3.6 million to the Department of Health to fund diagnostic and support services and a regional office on autism at both NMSU and UNM, to provide DD waiver services to youth who are now in residential treatment facilities, and to fund an intensive residential supports program at UNM. It also appropriates \$400,000 to CYFD for wrap-around services for high-needs youth. Passed HHHC, pending in HAFC.

HB 422 *DDPC membership and duties.* Rep. Joanne Ferrary. Updates the provisions of state law establishing the DD Planning Council to align with the provisions of federal law that govern the Council. HHHC/HSEIC/HJC.

SB 355 *DD provider rate increases.* Sen. Nancy Rodriguez. Appropriates \$5 million for rate increases for agencies providing direct care services to individuals in the DD waiver program. Passed SPAC, pending in SFC.

SM 25 *Medically fragile waiver task force.* Sen. Liz Stefanics. Calls on the Center on Development and Disability at UNM to convene a task force to develop recommendations for amendments to the Medically Fragile waiver program. SRC/SPAC. *SRC hearing scheduled Monday, Feb. 18.*

Education Issues

HB 5 *Education changes.* Rep. Sheryl Williams Stapleton. Proposes a variety of changes to education policy and funding processes, including higher teacher salaries, funding for extended school time, more professional development time, and requirements that school districts report on how they spend the funding they generate based on special education enrollment. Same as SB 1, below. Passed HEC, pending in HAFC.

HB 510 *School bus attendants.* Rep. Natalie Figueroa. Requires that there be at least one adult attendant on every school bus transporting one or more students with disabilities. The attendant would have to be trained in first aid and CPR, and in how to administer medications in an emergency situation. HHHC/HEC.

HB 532 *Friendships and inclusion.* Rep. Joanne Ferrary. Appropriates \$150,000 to the PED to support programs that promote friendships between students with and without intellectual and developmental disabilities and promote inclusion in school environments. HEC/HAFC.

HB 567 *Students in need of accommodations.* Rep. Javier Martinez. Same as SB 467, below. HCPAC/HJC.

HB 591 *Mental, emotional and social health education.* Rep. Joy Garratt. Requires mental, social and emotional health education to be integrated into school curricula for grades K through 12. HEC/HHHC.

HB 615 *Mental health training for school personnel.* Rep. Raymundo Lara. Requires all school personnel to undergo annual training on student mental health needs. HEC/HSEIC.

SB 1 *Education changes.* Sen. Mimi Stewart. Same as HB 5, above. Passed SEC, pending in SFC.

SB 48 *Diabetes management in schools.* Sen. Mimi Stewart. Requires training of public school staff in diabetes management, requires school personnel to provide diabetes management services in conjunction with an approved plan for individual students, and allows students to self-manage their diabetes in school settings. **Passed the Senate and House, signed into law by the governor.**

SB 179 *Lottery scholarship eligibility.* Sen. Liz Stefanics. Extends lottery scholarship eligibility to students with disabilities who had to attend an out-of-state high school in order to receive a free, appropriate education (as required by the Individuals with Disabilities Education Act), if they graduated from an accredited school. **Passed the Senate and House, signed into law by the governor.**

SB 204 *Medical marijuana in schools.* Sen. Candace Gould. Directs public schools to allow parents/guardians or designated school personnel to store and administer medical marijuana in the school if the child is certified to receive it under state law because of the child's medical condition, but allows schools to opt out of this requirement in certain circumstances. Passed SPAC and SJC, awaiting Senate vote.

SB 229 *School support and accountability.* Sen. Mimi Stewart. Repeals the A-B-C-D-F school rating system and replaces it with a new set of criteria for rating schools. Reports on school performance would have to include data specific to students with disabilities. Passed SEC with amendments, pending in SPAC.

SB 398 *Screening and services to children with dyslexia.* Sen. Mimi Stewart. Requires all school districts to screen first-grade children for possible dyslexia, and to develop and implement a literacy training program for all elementary school teachers. The original version of the bill would repeal a provision in existing law requiring notice to parents that they may request a special education evaluation at any time while the child is receiving services recommended by a Student Assistance Team, but the sponsor plans to amend the bill to remove that provision. SPAC/SEC. *SPAC hearing tentatively scheduled for Thursday, Feb. 21*

SB 467 *Students in need of accommodations.* Sen. Linda Lopez. "Michael's Law" would establish extensive new requirements on public schools designed to provide individually appropriate supports and services to students with behavioral challenges and reduce referrals of students to the juvenile justice system. Most of the requirements in the bill would be triggered after a student's first violation of any provision of a school's code of conduct. The bill would require schools to adopt policies providing for the limited use of seclusion and restraint, in conflict with current provisions of law that prohibit seclusion and restraint except in cases of emergency. Same as HB 567, above. SEC/SJC. *SEC hearing scheduled for Monday morning, Feb. 18.*

SB 612 *Special education reform.* Sen. Linda Lopez. Increases the unit values for special education, which would substantially increase the amount of funding flowing to public schools to serve special education students. The bill would also increase the visibility and role of the special education program at PED. SEC/SFC.

SB 630 *Special education loans for service.* Sen. Linda Lopez. Authorizes the Higher Education Department to provide loans to students pursuing careers in special education, including teachers, therapists, diagnosticians, etc. The loans would be forgiven if the students complete the applicable educational and license requirements and work in areas designated as shortage areas. The bill authorizes a fund that would supply the loans, but there is no appropriation in the bill for such loans. SEC/SJC/SFC.

Health Care

HB 48 *Training on assisted listening technology.* Rep. Patricia Roybal Caballero. Requires audiologists and other hearing aid dispensers to provide information about assisted listening systems. Passed HHHC, pending in HSEIC.

HB 70 *Health insurance coverage of prosthetics and orthotics.* Rep. Liz Thomson. Requires insurance policies to cover prosthetics and orthotics to at least the same extent as Medicare and on terms equivalent to other covered services. Passed HHHC and HCEDC, awaiting vote in the House.

HB 72 *Occupational therapy practice act.* Rep. Liz Thomson. Updates the OT practice act to reflect current standards and practices. **Passed the House and Senate, signed into law by the governor.**

HB 81 *Limiting co-pays for therapy services.* Rep. Eliseo Alcon. Limits the co-pays that insurance companies charge for occupational therapy, physical therapy, or speech/language therapy to the amounts they charge for primary care visits. Passed HHHC and HCEDC, awaiting House vote.

HB 88 *Health care value & access commission.* Rep. Debbie Armstrong. Establishes a state commission to gather data about health care services and costs and to make recommendations to improve and better coordinate the provision of health care services in NM. Same as SB 101, below. Passed HHHC, pending in HAFC.

HB 90 *Aid in Dying.* Rep. Debbie Armstrong. Authorizes prescriptions that an individual with a terminal illness could self-administer that would bring about the person's death. Amended to apply to individuals expected to die due to the illness within six months, and to eliminate use of tele-health as a mechanism for a consulting health care professional to confirm the person's capacity and voluntariness. Similar to SB 153, below. Passed HHHC and HJC, awaiting House vote.

HB 142 *Pre-existing condition exclusions.* Rep. Patricia Roybal Caballero. Prohibits health insurers from denying coverage to persons with pre-existing conditions, but does not prohibit higher premiums for coverage or annual or lifetime coverage limits. HHHC/HJC.

HB 143 *PCS rate and wage increase.* Rep. Christine Trujillo. Provides \$6 million to HSD to increase provider reimbursement rates for Medicaid personal care services, with a requirement that at least half of the money be used to increase wages for the workers who provide personal care services. Passed HHHC, pending in HAFC.

HB 213 *Family and medical leave program.* Rep. Patricia Roybal Caballero. Creates a new benefit program allowing employees to take paid leave to take care of themselves or other family members experiencing a serious medical condition. The benefit would be paid for through employee contributions and administered by the Department of Workforce Solutions. HCEDC/HJC/HEC. *HCEDC hearing scheduled for Monday, Feb. 18.*

HB 264 *Family and medical leave program.* Rep. Christine Chandler. This bill also creates a new benefit program providing paid leave for employees who need to take care of themselves or a family member due to a serious medical condition. The program would be funded by both employer and employee contributions. HCEDC/HJC/HEC.

HB 285 *Short-term and limited-benefit insurance plans.* Rep. Micaela Cadena. Establishes state standards for these plans and authorizes the Superintendent of Insurance to regulate them. Passed HHHC, pending in HCEDC.

HB 295 *Health Security Act.* Rep. Debbie Armstrong. Establishes a state Health Care Commission, beginning in 2021, with the authority to design a single-payer health care system for the state of New Mexico. The bill calls for development of a plan for adding long-term services and supports to the program after the first year of implementation. Same as SB 279, below. Passed HHHC, pending in HSEIC, then HAFC.

HB 322 Autism coverage. Rep. Liz Thomson. Prohibits health insurance companies and the Medicaid program from imposing age limits or expense limits on covered services for persons with autism. Such limits are prohibited under the federal Affordable Care Act, which has been challenged in court, but are not currently included in state law. HCPAC/HHHC. Passed HCPAC, pending in HHHC.

HB 414 Nursing home closures. Rep. Susan Herrera. Requires nursing homes to provide at least 90 days notice to residents, the Long-Term Care Ombudsman and others before a facility can be closed, and requires transition planning for the residents. HHHC/HJC. *HHHC hearing scheduled for Monday, Feb. 18.*

HB 416 Medicaid buy-in. Creates a Medicaid buy-in program to offer a new health coverage option that will increase affordability and access to care by leveraging the Medicaid program. Same as SB 405, below. Passed HHHC, pending in HAFc.

HB 436 Incorporate ACA protections into state law. Rep. Liz Thomson. Amends New Mexico law to include many of the provisions of the ACA, such as prohibiting denial of coverage based on pre-existing conditions, barring higher premiums based on a person's disability, requiring coverage of essential health benefits, eliminating co-pays for preventive services, etc. Passed HHHC, pending in HSEIC and then HJC.

HB 642 ALS support. Rep. Antonio Maestas. Appropriates \$100,000 to the Department of Health to contract with the state chapter of the ALS Association to provide supports and services to individuals with ALS and their caretakers. HHHC/HAFc.

SB 41 Medicaid providers due process. Sen. Mary Kay Papen. Provides procedural protections for Medicaid providers accused of fraud. Passed Senate 38-0; HHHC/HJC.

SB 85 Domestic worker minimum wage. Sen. Liz Stefanics. Repeals a provision of state law that exempts "domestic workers" from minimum wage protections. This would assure that personal care workers, among others, would be paid at least the state minimum wage, and that the Department of Workforce Solutions would enforce their rights to such wages. Passed SPAC and SCORC, awaiting Senate vote.

SB 101 Health care value & access commission. Sen. Jeff Steinborn. Same as HB 88, above. Passed SPAC, pending in SJC, then to SFC.

SB 112 Limiting insurance policy changes. Sen. Liz Stefanics. The substitute version of the bill passed by SPAC prohibits health insurers from changing coverage or co-pays for prescription drugs during a plan year, and requires notice of any proposed changes at least 90 days before a new plan year. Passed SPAC; pending in SJC.

SB 123 Using sick leave for caregiving. Sen. Liz Stefanics. Allows employees of private businesses as well as state and public school employees who have accumulated sick leave provided by their employer to use such leave for the purpose of caring for an ailing family member. Passed SPAC, *SJC hearing scheduled for Monday, Feb. 18.*

SB 153 Aid in dying. Sen. Liz Stefanics. Same as original version of HB 90, above. SPAC/SJC.

SB 185 Monitoring neurological disorders. Sen. Jeff Steinborn. Appropriates \$100,000 to DOH to establish a program to monitor the incidence of neurological disorders and to identify, prevent and treat such disorders. Passed SPAC, pending in SFC.

SB 279 Health Security Act. Sen. Carlos Cisneros. Same as HB 295, above. Passed SPAC, pending in SJC and then SFC.

SB 405 Medicaid buy-in. Sen. Jerry Ortiz y Pino. Same as HB 416, above. Passed SPAC with amendments; pending in SFC.

Housing/Home Modifications

HB 82 Home rehab for veterans. Rep. Eliseo Alcon. Appropriates \$2 million to the Mortgage Finance Authority to rehabilitate homes owned and occupied by low-income veterans; includes

home modifications for accessibility. Same as SB 46, below. Passed HLVMC, pending in HAFC.

HB 483 *Zoning accommodations*. Rep. Gregg Schmedes. Requires local zoning authorities to permit a second small home on a residential lot, even in an area zoned for only one home per lot, if the second home is for the residence and care of a family member with disabilities. Passed HLLC, pending in HJC.

SB 46 *Home rehab for veterans*. Sen. Richard Martinez. Same as HB 82, above. Passed SPAC, pending in SFC.

SB 139 *Funding for GCD programs*. Sen. Jerry Ortiz y Pino. Appropriates \$300,000 to the Governor's Commission on Disability for its assistive technology and home modifications programs. Passed SPAC, pending in SFC.

Motor Vehicles/Accessible Parking

HB 136 *Voluntary driver registry*. Rep. Liz Thomson. Allows but does not require persons with disabilities to note, in conjunction with their car registration, that they have a disability that might affect their ability to communicate. Law enforcement officers would be required to consult the registry prior to interacting with a motorist and to take appropriate steps when attempting to communicate with a driver or regular passenger who is on the registry. Passed HTPWC, pending in HJC.

HB 209 *Car registration fee waiver*. Rep. Miguel Garcia. Allows a low-income person with a severe, permanent disability to register one vehicle owned by the person without having to pay the usual registration fee. HTPWC/HTRC.

HB 245 *Accessibility icon on specialty plates*. Rep. Dayan Hochman-Vigil. Directs the Motor Vehicle Division to develop an accessibility emblem or decal that could be affixed to any other specialty license plate. Same as SB 206, below, but not part of the "rocket docket". HTPWC/HTRC.

HB 248 *Blocking accessible parking spaces*. Rep. Martin Zamora. Makes it unlawful to park a motor vehicle in such a way that it blocks access to an accessible parking space, and establishes a fine of \$250 to \$500 for violations (the same as illegally parking in an accessible space). Passed HTPWC, pending in HJC.

SB 189 *Parking placards for disability agencies*. Sen. Sander Rue. Allows agencies that own or lease vehicles used to transport individuals with disabilities to obtain parking placards for those vehicles, allowing them to be parked in accessible parking spaces. **Passed the Senate and House, signed into law by the governor.**

SB 206 *Accessibility icon on specialty plates*. Sen. Mark Moores. Same as HB 245, above. *This bill was originally part of the "rocket docket", but is no longer receiving expedited handling.* SCORC.

SB 236 *2nd free license plate for disabled veterans*. Sen. Ron Griggs. Allows disabled veterans to obtain two free specialty license plates rather than one as allowed under current law. **Passed the Senate and House, signed into law by the governor.**

Protective Arrangements and Services / Investigations

HB 61 *Sexual assault study*. Rep. Christine Trujillo. Appropriates \$450,000 to the Crime Victims Reparation Commission to conduct a study of sexual assaults against persons with disabilities and to identify needed improvements in data collection to support future steps to address this problem. Passed HHC, pending in HAFC.

SB 42 *Expanding the use of "silver alerts"*. Sen. Richard Martinez. Expands these alerts to include endangered missing persons of any age who have dementia, and to all endangered

missing persons over 50 years old. It also expands the dissemination of such alerts. Passed the Senate 38-0; HCPAC/HJC. *HCPAC hearing scheduled for Thursday, Feb. 21.*

SB 395 *Guardianship reforms.* Sen. James White. Clarifies the right of allegedly incapacitated persons to participate, present evidence, and cross-examine witnesses during court hearings. Strengthens the requirement for a court review of existing guardianships at least every ten years by requiring the appointment of an investigator to assess the person's capacity and to report to the court on the need for continuing guardianship. Requires professional guardians and conservators to be certified and in good standing with a national or state certifying organization. Deletes an existing provision giving guardians of adults all the same rights as a parent of a minor child. SPAC/SJC. *SPAC hearing tentatively scheduled for Thursday, Feb. 21.*

SM 22 *Sexual assault task force.* Sen. Linda Lopez. Calls for a task force, appointed by the Legislature, to make recommendations on how to improve and coordinate reporting of sexual assaults against individuals with disabilities. Passed SRC, pending in SPAC.

Tax Exemptions/Limitations

HJR 3 *Low-income property tax exemption.* Rep. Miguel Garcia. Would amend the state constitution to exempt very low-income persons with severe disabilities from property taxes on a home they own and occupy. HLLC/HTRC.

HB 429 *Increasing income limits for property tax limitation.* Rep. Bill Rehm. Same as SB 220, below. HLLC/HTRC. *HLLC hearing scheduled for Tuesday, Feb. 19.*

SB 220 *Increasing income limits for property tax limitation.* Sen. Peter Wirth. Current law sets limits on increases of property taxes for low- to moderate-income homeowners who are elderly or have severe disabilities. This bill increases the income cap to qualify for the limitation from \$32,000 to \$35,000. Passed SPAC, pending in SCORC.

Other

SB 53 *State park accessibility.* Sen. Jeff Steinborn. Requires the adoption of state rules intended to make state parks as affordable for and accessible to all state residents as possible. Passed SCONC, pending in SPAC.

Contacting your Legislators

You can find out who your senator and representative are and get their contact information on the Legislature's web page: https://www.nmlegis.gov/Members/Find_My_Legislator.

From this page, choose "Search by Your Address" for either the House of Representatives or the Senate. Then ...

- Enter your full home address in the box provided under "Your Address" and click on "Search".
- You should now see a picture of your Representative or Senator.
- Click on his or her name to get contact information.

Each legislator has an office in the Capitol during the session. You can find the office phone number in the contact information provided through the Find My Legislator function, or you can call the Capitol switchboard at 986-4300 and ask to be put through to the office of any legislator. We encourage you to bring the voice of the disability community to the Legislature!

Policy and Legislative Action Network (PLAN): Join your friends and colleagues in working to promote favorable action on issues of concern to people with disabilities and their families. Become part of the PLAN! We'll let you know when there are opportunities to speak out on bills in the Legislature and other key issues, and give you background info and talking points; you show the power of the disability community by following up with calls or emails to public officials. Sign up by sending an email to info@drnm.org and put PLAN in the subject line.

ABBREVIATIONS USED IN THIS REPORT

Legislative Committees

HAFC	House Appropriations and Finance Committee
HCEDC	House Commerce and Economic Development Committee
HCPAC	House Consumer and Public Affairs Committee
HEC	House Education Committee
HHHC	House Health and Human Services Committee
HJC	House Judiciary Committee
HLVM	House Labor, Veterans, and Military Affairs
HLLC	House Local Government, Land Grants and Cultural Affairs Committee
HSEIC	House State Government, Elections and Indian Affairs Committee
HTPWC	House Transportation and Public Works Committee
HTRC	House Taxation and Revenue Committee
SCC	Senate Committees Committee
SCORC	Senate Corporations Committee
SEC	Senate Education Committee
SFC	Senate Finance Committee
SJC	Senate Judiciary Committee
SPAC	Senate Public Affairs Committee
LFC	Legislative Finance Committee (joint House-Senate committee that meets during the interim between legislative sessions)

State Agencies

ALTSD	Aging and Long Term Services Department
DDPC	Developmental Disabilities Planning Council
DOH	Department of Health
GCD	Governor's Commission on Disability
HSD	Human Services Department
PED	Public Education Department
WFS	Workforce Solutions Department