



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT  
BILL ANALYSIS  
2025 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

Check all that apply:

Original  Amendment   
Correction  Substitute

Date Prepared: 01/22 /25

Bill No: HB49

**Agency Name and Code:** PED - 924

**Sponsor:** Borrego

**PED Lead Analyst:** David Vincent

**Phone:** (505) 695-6574 **Email:** David.vincent@ped.nm.gov

**Short Title:** CLOSED CAPTIONING ACT

**PED Policy Director:** Denise Terrazas

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**SECTION II: FISCAL IMPACT**

(Parenthesis ( ) Indicate Expenditure Decreases)

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
N/A	N/A	N/A	NFA

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
N/A	N/A	N/A	N/A	NFA

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	N/A	N/A	N/A	N/A	N/A	NFA

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

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Synopsis: House Bill 49 (HB49) proposes the Closed Captioning Act, which would require places of public accommodation, including a nursery, elementary, secondary, undergraduate, postgraduate, or private school, to activate closed captioning on all television receivers in public areas during regular business hours.

Exceptions are provided for situations where the television program or receiver cannot display closed captioning, the program is exempt under federal law, or multiple televisions are showing the same program, in which case only one needs to have closed captioning activated.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them, unless a later date is specified. If enacted, this bill would become effective June 20, 2025.

### **FISCAL IMPLICATIONS**

The bill does not contain an appropriation.

### **SIGNIFICANT ISSUES**

According to a [2015 study from the Policy Insights from the Behavioral and Brain Sciences](#), video captions, also known as same-language subtitles, benefit everyone who watches videos . Captions are particularly beneficial for persons watching videos in their non-native language, for children and adults learning to read, and for persons who are deaf or hard of hearing.

The bill would require the Attorney General to enforce the provisions of the Closed Captioning Act and adopt rules in accordance with the Act to provide for the protection of people with hearing disabilities, and to establish a process by which aggrieved members of the public may file a complaint against a noncompliant public accommodation. Penalties for non-compliance include a civil fine of up to \$250 for an initial violation and up to \$500 for subsequent violations.

In 2019, the City of Albuquerque passed an ordinance mandating that closed captioning be activated on televisions in public accommodations, such as restaurants, bars, hotels, and gyms, during business hours.

In September 2021, the City of Santa Fe passed an ordinance requiring places of public accommodation to have closed captions enabled on any television available to the public and capable of displaying them.

### **PERFORMANCE IMPLICATIONS**

None.

### **ADMINISTRATIVE IMPLICATIONS**

None.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None.

**TECHNICAL ISSUES**

None.

**OTHER SUBSTANTIVE ISSUES**

None.

**ALTERNATIVES**

None.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

None.

**AMENDMENTS**

None.