

1 HOUSE BILL 161

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Elaine Sena Cortez

10 AN ACT

11 RELATING TO PUBLIC SCHOOL FINANCE; CHANGING THE PROGRAM UNIT  
12 CALCULATION FOR K-12 PLUS SCHOOLS BASED ON THE NUMBER OF  
13 ADDITIONAL INSTRUCTIONAL HOURS.

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 22-8-23.14 NMSA 1978 (being Laws 2023,  
17 Chapter 19, Section 3) is amended to read:

18 "22-8-23.14. K-12 PLUS PROGRAM UNITS--ADDITIONAL PROGRAM  
19 UNITS.--

20 A. A public school operating on a five-day calendar  
21 that provides more than one hundred eighty days of instruction  
22 and more than one thousand one hundred forty hours of  
23 instruction, and a public school operating on a four-day  
24 calendar that provides more than one hundred fifty-five days of  
25 instruction and more than one thousand one hundred forty hours

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1       of instruction, shall be considered a "K-12 plus school". Each  
2       school district or charter school with a K-12 plus school shall  
3       be eligible to receive program units for students in that  
4       public school.

5               B. The number of K-12 plus program units is  
6       determined [~~by multiplying~~] as follows:

7                       (1) for a K-12 plus school providing up to one  
8       thousand one hundred ninety-five instructional hours, by  
9       dividing the number of instructional hours provided between one  
10       thousand one hundred forty and one thousand one hundred ninety-  
11       five instructional hours by five and one-half, multiplying that  
12       number by the MEM in department-approved K-12 plus schools and  
13       multiplying that number by the cost differential factor of  
14       twelve thousandths and the number of instructional days;  
15       [provided between;

16                       (1) ~~one hundred eighty-one and one hundred~~  
17       ~~ninety instructional days for a public school with a five-day~~  
18       ~~school week; and~~

19                       (2) ~~one hundred fifty-six and one hundred~~  
20       ~~sixty-five instructional days for a public school with a four-~~  
21       ~~day school week.~~

22               C. The number of K-12 plus program units is  
23       determined ~~by multiplying~~] and

24                       (2) for a K-12 plus school that provides more  
25       than one thousand one hundred ninety-five instructional hours:

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(a) for a five-day K-12 plus school, by dividing the number of instructional hours provided between one thousand one hundred ninety-five and one thousand two hundred seventy-seven and one-half by five and one-half, multiplying that number by the MEM in department-approved K-12 plus schools and multiplying that number by the cost differential factor of sixteen thousandths; [and the number of instructional days provided between:

(1) one hundred ninety-one and two hundred  
five instructional days for a public school with a five-day  
school week; and

(2) one hundred sixty-six and one hundred  
seventy-five instructional days for a public school with a  
four-day school week] and

(b) for a four-day K-12 plus school, by dividing the number of instructional hours provided between one thousand one hundred ninety-five and one thousand two hundred fifty by five and one-half, multiplying that number by the MEM in department-approved K-12 plus schools and multiplying that number by the cost differential factor of sixteen thousandths.

[D.] C. A school district is eligible for the total number of program units calculated in this manner for every K-12 plus school in that school district.

[E.] D. No later than October 15 of each year, a school district or charter school that wishes to establish a

1 new K-12 plus school for the next fiscal year shall submit to  
2 the department the actual number of students participating in  
3 each of its K-12 plus schools in the current year and an  
4 estimate of the number of students that the school district or  
5 charter school expects will participate in each K-12 plus  
6 school in the next year.

7 [F.] E. No later than November 15 of each year, the  
8 department shall notify the legislature of the number of  
9 students participating in K-12 plus schools in the current  
10 school year and the number of students projected to participate  
11 in K-12 plus schools in the next school year."

12 **SECTION 2. APPLICABILITY.**--The provisions of this act  
13 apply to the 2026-2027 school year and subsequent school years.

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