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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**56th Legislature, 1st Session, 2023**

<b>Bill Number</b>	<u>SB120/aSEC</u>	<b>Sponsor</b>	<u>Pope</u>
<b>Tracking Number</b>	<u>.223265.2</u>	<b>Committee Referrals</b>	<u>SEC/SHPAC</u>
<b>Short Title</b>	<u>Open Enrollment For Military Children</u>		
<b>Analyst</b>	<u>Condon</u>	<b>Original Date</b>	<u>1/30/2023</u>
		<b>Last Updated</b>	<u>2/23/2023</u>

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**BILL SUMMARY**

Synopsis of SEC Amendment

The Senate Education Committee (SEC) amendment to Senate Bill 120 (SB120/aSEC) seeks to clarify the provisions of SB120 to apply to any military family who anticipates moving to any attendance area and allows a student to enroll in schools in that attendance area prior to establishing a residence. The amendment also strikes original language in SB120 that required charter schools to give enrollment preference to children of active duty military service members stationed in or pending assignment to an installation in New Mexico.

Synopsis of Original Bill

SB120 amends the Public School Code to add flexibility for children of military families to enroll in public schools by allowing military children to enroll in school prior to the military member arriving on station at the military facility.

**FISCAL IMPACT**

The bill does not contain an appropriation.

**SUBSTANTIVE ISSUES**

***Military children change schools regularly.*** From the start of kindergarten to high school graduation, military children move and change schools six to nine times on average. As a result of frequent school transition, military children can experience academic challenges that are often coupled with procedural delays or complications such as slow transfer of records or differences in curriculum. Given the regularity of military children enrolling in new schools, school districts, particularly those in communities with large military populations, should streamline processes and ensure enrollment is easy for these students.

**2021 Legislative Session.** Laws 2021, Chapter 76, (Senate Bill 272) requires school districts and charter schools to allow military families to enroll school-age children prior to their physical presence in the state.

### **ADMINISTRATIVE IMPLICATIONS**

SB120/aSEC would require local school boards to adopt and promulgate rules governing enrollment and re-enrollment at public schools within the school district to prioritize enrollment for students who had resided in the attendance area prior to a custodial parent who is an active duty member of the armed forces of the United States moving or pending a move from temporary to permanent housing, or are pending a move from temporary to permanent housing into the attendance area of a public school.

### **SOURCES OF INFORMATION**

- LESC Files

**BEC/cf/msb/cf/mb**