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FISCAL IMPACT REPORT

SPONSOR Sharer DATE TYPED 2/26/05 HB _____

SHORT TITLE Emergency Drills in Public and Private Schools SB 230

ANALYST Baca

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From
Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 230 amends Section 22-13-14 NMSA 1978 to change the term “fire drill” to “emergency drill. The bill requires that twelve emergency drills be held in each public and private school during the school year: at least once each week during the first four weeks of the school year and at least once each month thereafter. Two drills during the school year shall be shelter – in-place drills and one shall be an evacuation drill as directed by the PED. The PED shall determine penalties for any person failing to meet the provisions of the act. The bill also requires that in locations where a paid fire department is maintained, a member of the fire department shall be requested to be in attendance during the emergency drills for the purpose of giving instruction and constructive criticism.

The effective date of the bill is July 1, 2005.

Significant Issues

The PED reports that:

- SB230 supports the recommendation of the School Safety Task Force, appointed to study

three memorials passed in 2003 – SJM 66, SJM 59 and HJM 66. The task force recommended that the state’s fire drill requirement be amended to reflect the ability of schools to conduct “shelter in place” and evacuation drills. A “shelter in place” drill is a drill to ensure safety within the school building.

- Currently schools are required to conduct approximately 12 fire drills through the school year
- As of 1997, all schools are required to have comprehensive safe school plans. Emergency response is part of this requirement.
- Although “shelter in place” and evacuation are part of the required safe school plans for schools, schools are not required to practice drills for “shelter in place” or evacuations
- By substituting two other types of emergency drills and not adding to the number, instructional time will not be jeopardized

The substitution of emergency drills for fire drills cannot be accomplished through Public Education Department (PED) regulation and, consequently, this bill is supported by the PED.

PERFORMANCE IMPLICATIONS

Enactment of this bill would impact the amount of time PED staff spends on technical assistance, leadership and support for school safety.

FISCAL IMPLICATIONS

The bill contains no appropriation. No impact on the general fund is projected.

ADMINISTRATIVE IMPLICATIONS

PED staff will have to provide guidance for implementing the provisions of this bill through technical assistance and, if necessary, regulations consistent with the intent of the bill.

TECHNICAL ISSUES

PED will have to develop a system for assessing penalties for persons found in violation of the provisions of the act.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Schools would not be required to prepare to respond to emergency situations other than fire drills.

LB/lg