

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: *SB 331a

50th Legislature, 1st Session, 2011

Tracking Number: .184489.1

Short Title: Amend Definitions in Ed. Tech Equipment Act

Sponsor(s): Senator Cynthia Nava

Analyst: Peter B. van Moorsel

Date: February 28, 2011

AS AMENDED

The Senate Public Affairs Committee amendment adds an emergency clause.

Original Bill Summary:

SB 331 amends two definitions in the *Educational Technology Equipment Act*:

- “educational technology equipment” is amended to:
 - include network connection devices, digital communications equipment (voice, video, and data), servers, switches, portable media such as discs and drives to contain data for electronic storage and playback, software licenses or other services; and
 - exclude video and audio laser and CD ROM discs, video and audio tapes; and
- “lease-purchase arrangement” is amended to include a general obligation lease among the types of debt that a school district may incur for the purpose of acquiring education technology equipment pursuant to the act.

Fiscal Impact:

SB 331 does not contain an appropriation.

Substantive Issues:

The amendments to the *Educational Technology Equipment Act* appear to be necessary to reflect advances in educational technology that have occurred since the act was created in law in 1997:

- the use of laser and CD ROM discs, video, and audio tapes has decreased, while
- network connection devices, digital communications equipment (voice, video, and data), servers, switches, portable media such as discs and drives to contain data for electronic storage and playback, software licenses or other services have become an integral part of effective education technology.

As the analysis by the Public Education Department notes, “In order to create a seamless learning environment it is necessary to have the network infrastructure inclusive of network

devices, digital communications, equipment, servers, switches, and portable media. Without the proper infrastructure and device the educational side becomes fragmented.”

In addition, the enactment of SB 331 could permit school districts to enter into a general obligation lease to acquire modern education technology that would not have been included in the original definition of “educational technology equipment.”

Background:

The purpose of the *Education Technology Equipment Act* is to implement the provision of Article 9, Section 11 of the Constitution of New Mexico, which declares that a school district may create a debt by entering into a lease-purchase arrangement to acquire education technology equipment without submitting the proposition to a vote of the qualified electors of the school district.

Related Bills:

*SB 341a *Timely Payment Provisions Inclusions*