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FISCAL IMPACT REPORT

ORIGINAL DATE 02/15/13

SPONSOR Jeff/Shendo LAST UPDATED _____ HB 197

SHORT TITLE School Security and Parent Identification SB _____

ANALYST Roberts

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY13	FY14		
	\$1,500.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	Indeterminate	Indeterminate	Indeterminate	Indeterminate	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

House Bill 197 (HB 197) enacts four new sections of the Public School code. The first section requires school districts and charter schools to establish and implement a system that allows ready visual identification of parents of children beginning with the 2013-2014 school year. The second section amends the Public School Finance to create the public school security infrastructure fund. The PED may not expend more than \$75 thousand in a fiscal year from the fund. Section three appropriates \$1.5 million dollars from the general fund to the public school security infrastructure fund for expenditure in fiscal year 2013 and subsequent fiscal years for the purposes of that fund. The bill has an emergency clause.

FISCAL IMPLICATIONS

The appropriation of \$1.5 million dollars, to the public school security infrastructure fund, contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2014 shall not revert to the general fund.

Continuing Appropriations language

This bill creates a new fund, the public school security infrastructure fund, and provides for continuing appropriations. The LFC has concerns with including continuing appropriation language in the statutory provisions for newly created funds, as earmarking reduces the ability of the legislature to establish spending priorities.

SIGNIFICANT ISSUES

The PED reports that recent events across the nation have resulted in a desire for schools to take a proactive approach to improving security on school campuses. According to the 2011 “New Mexico High School Youth Risk and Resiliency Survey,” 8.1 percent of students reported skipping school due to safety issues in the past 30 days. Further, according to the PED’s 2012 “Building State Capacity to Prevent Youth Substance Use and Violence in the Schools Assessment Report,” survey respondents representing the school sample reported landscape, (e.g., gated campuses) cameras, and security provide the best protection for abuse and violence prevention.

The PED notes that the language of the bill exclusively addresses the visual identification system of parents of children enrolled in the school district or charter school, and does not address the visual identification of other visitors. Further, if enacted money from the fund shall not be granted to operate programs or granted for routine maintenance of existing facilities. This bill appropriates funding to award grants to schools for construction or installation of security improvements to prevent intruders from entering schools or student transport vehicles.

PERFORMANCE IMPLICATIONS

HB 197 relates to the PED’s strategic lever to ensure students are ready for success: have a safe, inviting, and caring learning environment.

ADMINISTRATIVE IMPLICATIONS

The PED be required to create the parameters to issue a request for proposal (RFP) or request for application (RFA) with eligibility criteria, selection and issuance of awards, and monitoring of awards for school districts and charter schools to adhere to. The PED notes that this can be done with existing department resources.

OTHER SUBSTANTIVE ISSUES

The PED notes that while the appropriation is from the general fund, the legislature may wish to consider this as a funding option from the Public School Capital Outlay Fund with oversight from the Public School Facilities Authority. This would allow for a systematic approach to solving this problem rather than an ad hoc approach by individual districts.

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SB 827 (Capital Outlay Bill) in 2007 appropriated \$2 million dollars to the PED to distribute and install 4,000 security cameras in public schools statewide, starting with those schools with the highest level of need on their school safety reporting, and to purchase metal detectors that can be moved from school to school to address specific threats. Las Cruces and APS received the metal detectors

ALTERNATIVES

The PED notes that the Legislature may wish to consider funding this program from the Public School Capital Outlay Fund. This fund consists of revenues received from supplemental severance tax bonds dedicated to school construction projects.

TECHNICAL ISSUES

To make the fund require appropriation from the legislature, on Page 2, line 10, following the word “be” insert “appropriated by the legislature and”.

MIR/svb:blm