

1 HOUSE BILL 148
2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY
4 Derrick J. Lente
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10 AN ACT

11 RELATING TO EARLY CHILDHOOD; AUTHORIZING THE EARLY CHILDHOOD
12 EDUCATION AND CARE DEPARTMENT TO ENTER INTO INTERGOVERNMENTAL
13 AGREEMENTS WITH TRIBAL GOVERNMENTS.
14

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

16 SECTION 1. Section 9-29-8 NMSA 1978 (being Laws 2019,
17 Chapter 48, Section 8, as amended) is amended to read:

18 "9-29-8. DEPARTMENT--DUTIES.--The department shall:

19 A. develop priorities for department programs and
20 the use of department resources based on state policy, national
21 best-practice standards, evidence-based interventions and
22 practices and local considerations and priorities;

23 B. coordinate and align an early childhood
24 education and care system to:

25 (1) include the family, infant, toddler

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1 program, child care, pre-kindergarten, early pre-kindergarten,
2 home visitation, early head start, head start, early childhood
3 special education and early intervention and family support;
4 and

5 (2) provide New Mexico families with
6 consistent access to appropriate early childhood care and
7 education services;

8 C. administer the child care assistance, child care
9 facility licensing and registered child care home programs;

10 D. develop standards for the department-sponsored
11 delivery of early childhood programs;

12 E. cooperate with other state agencies that affect
13 children to develop common contracting procedures and service
14 definitions and a uniform system of access to early childhood
15 programs;

16 F. develop reimbursement criteria for child care
17 facilities and home providers licensed by the department;

18 G. conduct biennial assessments of child care or
19 early learning service gaps and needs and establish plans to
20 address those service gaps and needs;

21 H. conduct pre-employment fingerprint-based
22 national criminal background checks on all department
23 employees, including those whose employment by the department
24 arises as a result of the transfer provisions of Laws 2019,
25 Chapter 48, Section 34, and on staff members and volunteers of

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1 department-contracted providers whose jobs involve direct
2 contact with children participating in programs delivered by
3 the department or those providers;

4 I. provide a system of seamless transition from
5 prenatal to early childhood programs to kindergarten;

6 J. provide consumer education and accessibility to
7 early childhood care and education programs;

8 K. advance quality early childhood education and
9 care programs to support the development of children to prepare
10 them for success in school;

11 L. ensure effective collaboration with state and
12 local child welfare programs and early childhood health and
13 behavioral health programs;

14 M. develop and manage effective data systems to
15 support the necessary functions of a coordinated program;

16 N. develop an aligned system of workforce
17 development for early childhood professionals; ~~and~~

18 O. promote culturally and linguistically
19 appropriate programming and provide equal education and care
20 opportunities to non-English speaking families; and

21 P. upon a request from an Indian nation, tribe or
22 pueblo located in whole or in part in New Mexico, enter into an
23 intergovernmental agreement with the Indian nation, tribe or
24 pueblo, or a tribal organization authorized by the Indian
25 nation, tribe or pueblo by tribal resolution, to plan, conduct,

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1 disburse funding to and administer one or more early childhood
2 education and care programs, including the programs listed in
3 Paragraph (1) of Subsection B of this section, with the Indian
4 nation, tribe or pueblo, or authorized tribal organization,
5 using its own culturally and linguistically relevant standards,
6 assessments and evaluations."

7 SECTION 2. EFFECTIVE DATE.--The effective date of the
8 provisions of this act is July 1, 2023.

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