

LFC Requester: _____

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

Analysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original Amendment _____
Correction _____ Substitute _____

Date Jan 18

Bill No: HB132

Sponsor: Reps Terrazas, Townsend,
Mirabal Moya, Baca, Hembree
Short Title: SCHOOL ABSENTEEISM
ENFORCEMENT

Agency Name and Code: CYFD / 690
Number: _____
Person Writing: Julie Sakura
Phone: 5054698806 Email: Julie.sakura@cyfd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
	-0-		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: This bill enhances and expands enforcement provisions to reduce excessive absenteeism, making it a crime for a parent whose child continues to be excessively absent from school after documented intervention attempts. The bill establishes penalties to be imposed on the parent, and allows for the Children’s Court to impose driving restrictions on a juvenile who is excessively absent from school.

FISCAL IMPLICATIONS

There is no appropriation contained within this bill. There are no fiscal implications for CYFD.

SIGNIFICANT ISSUES

Although the bill references the Children’s Court imposing a suspension of driving privileges for excessively absent students, Absenteeism Referrals do not fall under the Children’s Court, as absenteeism is not a delinquent offense in the state of New Mexico. There is no existing avenue for these types of referrals to be referred to the Children’s Court, and this bill does not outline how to or who makes those referrals to the Children’s Court.

Regarding the criminal penalties outlined in the bill to be imposed on the parent or guardian, the bill does not identify who is responsible for enforcement. CYFD’s authority is limited to a delinquent act committed by a youth or child and a referral for educational neglect.

Finally, this bill re-enacts portions of the Compulsory School Attendance Act, which was replaced by the Attendance for Success Act.

PERFORMANCE IMPLICATIONS

None for CYFD.

ADMINISTRATIVE IMPLICATIONS

None for CYFD.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None identified.

TECHNICAL ISSUES

See Significant Issues.

OTHER SUBSTANTIVE ISSUES

None identified.

ALTERNATIVES

None proposed.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed.