

**2024 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS**

Section I: General

Chamber: Senate
Number: 231

Category: Bill
Type: Introduced

Date (of THIS analysis): January 29, 2024
Sponsor(s): Leo Jaramillo
Short Title: School Drug Education

Reviewing Agency: Agency 665 – Department of Health
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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

| Appropriation Contained | | Recurring or Nonrecurring | Fund Affected |
|-------------------------|-------|---------------------------|---------------|
| FY 24 | FY 25 | | |
| \$0 | \$0 | NA | NA |
| | | | |

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|-------|-------|---------------------------|---------------|
| FY 24 | FY 25 | FY 26 | | |
| \$0 | \$0 | \$0 | NA | NA |
| | | | | |

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY 24 | FY 25 | FY 26 | 3 Year Total Cost | Recurring or Non-recurring | Fund Affected |
|--------------|-------|-------|-------|-------------------|----------------------------|---------------|
| Total | \$0 | \$0 | \$0 | \$0 | NA | NA |
| | | | | | | |

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

Senate Bill 231 (SB 231) would amend the Public School Code to require health education for grades six through twelve to include age-appropriate instruction addressing youth substance use and abuse and the dangers of opioids, including synthetic opioids such as fentanyl. It would also require instruction to address drug poisoning awareness, methods of administering an opioid antagonist and student access to substance abuse and prevention resources.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Adolescent substance misuse/abuse is a challenging issue in New Mexico. Teenagers in New Mexico are 37% more likely to have used drugs in the last month than the average American teenager. Additionally, 19,000 or 11.42% of 12- to 17-year-olds report using drugs in the last month; 8.41% of all 12- to 17-year-olds used alcohol in the last month; 4.21% of all 12- to 17-year-olds met the criteria for an illicit drug use disorder (IDUD) in the last year; and 1.80% of all 12- to 17-year-olds met the criteria for alcohol use disorder (AUD) in the last year. [Teenage Drug Use Statistics \[2023\]: Data & Trends on Abuse \(drugabusestatistics.org\)](https://www.drugabusestatistics.org/)

Drug education in the classroom can be a very important protective factor when it comes to helping youth make healthy decisions when it comes to substance related decisions. School leaders, teachers, and staff can create safe environments and positive cultures for students. Schools can educate students and families about the dangers of drug use and about how to prevent misuse and addiction. Many evidence-based prevention programs can be delivered in a school setting. Schools can help to mitigate risk factors that can make students vulnerable to engaging in dangerous behavior and also boost protective factors that increase student engagement. Schools can be prepared if a drug poisoning or overdose occurs on school grounds. Schools and school districts can support students in recovery and students whose family members are suffering from addiction. [Preventing and Reducing Youth and Young Adult Substance Misuse: Schools, Students, Families | U.S. Department of Education](https://www.azed.gov/newsroom/2023/05/16/preventing-and-reducing-youth-and-young-adult-substance-misuse-schools-students-families)

It is important to note the challenges associated with SB 231. It is highly unlikely that the Public Education Department (PED) would be able to promulgate the rules necessary to implement this requirement by the 2024-2025 school year. Additionally, if the requirements of SB 231 mean the education content standards must be updated, it is highly unlikely that can be accomplished prior to the 2024-2025 school year. Finally, if a school/school district is to implement these new requirements but is unable to train the requisite staff in house, additional funding will be needed to secure other entities to provide the instruction.

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No

- Is this proposal related to the NMDOH Strategic Plan? Yes No
 - Goal 1:** We expand equitable access to services for all New Mexicans
 - Goal 2:** We ensure safety in New Mexico healthcare environments
 - Goal 3:** We improve health status for all New Mexicans
 - Goal 4:** We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

None

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
 - Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

None

9. HEALTH IMPACT(S)

None

10. ALTERNATIVES

None.

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If SB 231 is not enacted, the Public School Code to require health education for grades six through twelve to include age-appropriate instruction addressing youth substance use and abuse and the dangers of opioids, including synthetic opioids such as fentanyl, would not be amended. Required instruction to address drug poisoning awareness, methods of administering an opioid antagonist and student access to substance abuse and prevention resources, would not take place.

12. AMENDMENTS

None