

LFC Requester:

Sunny Liu

AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://www.legis.state.nm.us/AgencyAnalysis.nmlegis.gov) and email to billanalysis@dfa.nm.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}*

Date Prepared: 1/23/2026 *Check all that apply:*
Bill Number: HB 120 Original X Correction
 Amendment Substitute

Sponsor: Rep. Gurrola/Rep. Torres-Velasquez, Senator Figueroa **Agency Name and Code Number:** ECECD61100
Short Title: **Person Writing Analysis:** Elizabeth Groginsky
 Limiting Student 505-231- Elizabeth.groginsky@ec
 Restraint & Seclusion **Phone:** 2997 **Email:** ecd.nm.gov

SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	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

HB120 proposes to prohibit the use of seclusion without continuous line-of-sight supervision, chemical restraint, mechanical restraint, and prone restraint in public schools. HB120 amends exceptions that allow a school board or governing body to allow the use of physical restraint if a student is eloping and the student's behavior presents and imminent danger of serious physical harm to the student or others and less restrictive interventions are not sufficient to mitigate the imminent danger of serious physical harm..

HB120 proposes to require local school board or governing bodies to establish policies for training and use of positive behavior interventions and supports, deescalation, physical restraint, seclusion, or other behavior management techniques in a school safety plan, and proposes new requirements for the safety plan. HB120 also proposes new training requirements for certain school employees related to the use of less restrictive interventions and physical restraint and seclusion.

HB120 proposes new requirements in the case physical restraint or seclusion is used on a student and eliminates the use of "time-out" as a punishment.

HB120 proposes to amend reporting and documentation procedures after physical restraint of seclusion is used to require that additional specific written documentation be provided to a student's parent within three school days following an incident and proposes specific requirements that must be included in this documentation,

HB120 would also require public schools to review strategies that were used to address dangerous behavior with a person who is trained and certified in de-escalation techniques, physical restraint or seclusion, if restraint or seclusion was used more than one time during a school year. HB120 proposes additional requirements for this review if the student has an individualized education plan team, behavior intervention team, or student assistance team and adds that a parent has a right to request a meeting of such a team after an instance of physical restraint or seclusion.

FISCAL IMPLICATIONS

No fiscal implications noted.

SIGNIFICANT ISSUES

HB 120 provides a framework in clearly defining and limiting the use of restraint and seclusion in schools, while maintaining student and staff safety. The bill promotes a trauma-informed approach to addressing dangerous student behavior while also recognizing the potential long-term physical and emotional impact caused by physical restraint and seclusion. HB120 mandates that all school

employees undergo recurring training. This training will help educators understand how they are able to respond to a student's dangerous behavior in the least restrictive manner.

[Data](#) indicates that most students impacted by restraint and seclusion practices are students with disabilities. Restraint and seclusion practices have long-lasting impacts on a child's development and cause trauma. Having clear guidelines of when to use restraint and seclusion practices will help ensure that these tactics are used only when all other least restrictive interventions have been exhausted and it is necessary to protect the student or others from imminent danger of serious harm.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If HB 120 is not enacted, oversight will not be strengthened, staff preparedness will not improve, and the risk of harmful or inappropriate restraint practices will remain unchanged.

AMENDMENTS