

LFC Requester: \_\_\_\_\_

**AGENCY BILL ANALYSIS - 2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO**  
[AgencyAnalysis.nmlegis.gov](http://AgencyAnalysis.nmlegis.gov) and email to [billanalysis@dfa.nm.gov](mailto: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:** \_\_\_\_\_ *Check all that apply:*  
**Bill Number:** HB120 Original  Correction   
 Amendment  Substitute

**Sponsor:** Gurrola, Torres-Velasquez, Figueroa **Agency Name and Code** CYFD - 690  
**Short Title:** LIMITING STUDENT RESTRAINT & SECLUSION **Number:** \_\_\_\_\_  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

**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
<b>Total</b>						

(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 amends existing statute to the use of seclusion without continuous line-of-sight supervision, chemical restraint, mechanical restraint, and prone restraint in public schools, unless the student's behavior presents an 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.

The bill amends NMSA 1978 §22-5-4.12 to remove the requirement that a child's guardian be notified of any incidents requiring physical restraint or seclusion, receive follow-up documentation, or participate in follow-up team meetings.

### **FISCAL IMPLICATIONS**

There is no appropriation contained within this bill. It is unknown if a failure to notify CYFD in their capacity as a child's legal guardian will have a fiscal implication for the agency.

### **SIGNIFICANT ISSUES**

While the bill removes an existing requirement in NMSA 1978 §22-5-4.12 that a child's guardian be notified of any incidents requiring physical restraint or seclusion, receive follow-up documentation, or participate in follow-up team meetings, the definition of parent in NMSA 1978 §22-1-2(J) includes a guardian or other person having custody and control of a school-age person. This amendment clarifies that notification of incidents requiring physical restraint or seclusion must be made to all appropriate persons, and that these persons must be included in all subsequent actions.

### **PERFORMANCE IMPLICATIONS**

CYFD has performance measures concerning the safety and stability of children.

### **ADMINISTRATIVE IMPLICATIONS**

None for CYFD.

### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

None identified.

### **TECHNICAL ISSUES**

None identified.

### **OTHER SUBSTANTIVE ISSUES**

None identified.

### **ALTERNATIVES**

None proposed.

### **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

### **AMENDMENTS**

None proposed.