

LFC Requester: _____

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

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: February 2, 2026 *Check all that apply:*
Bill Number: HB 218 Original Correction
 Amendment Substitute

Sponsor: Lewis Terrazas and Gabriel Ramos **Agency Name and Code Number:** Administrative Office of the District Attorneys 264
Short Title: Attendance for success act enforcement **Person Writing:** Troy Davis
Phone: 5053858461 **Email:** Davistr@msn.com

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	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:

House Bill 218 mandates stricter reporting protocols for students identified as excessively absent. If absences continue after a written notice, school boards or governing bodies must report the student to the local juvenile probation services office. Upon receiving a report, the juvenile probation services office must investigate whether the student is a "neglected child" or part of a "family in need of services". School administrators must provide the student's intervention records and parent responses to the probation office within ten school days of identifying the student as excessively absent.

If a student is found to be in a family in need of services. A caseworker from the Children, Youth and Families Department must meet with the family at the student's school to determine necessary intervention services. The children's court is authorized to suspend an excessively absent student's driving privileges.

The bill introduces criminal liability for parents who allow excessive absenteeism to continue. It is a violation of the Act for a parent to cause or allow a student to remain absent after being reported to juvenile probation services. School boards are directed to refer such parents to the local district attorney for prosecution. A parent in violation is guilty of a petty misdemeanor. First Conviction: A fine between \$50 and \$100, or community service. Second/Subsequent Conviction: A fine of up to \$500, imprisonment for up to six months, or both.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

"Excessively absent" is not defined in the statute.

The juvenile probation office should report the child's parents to the district attorney's since they already interaction with the district attorney's office. The school board will not how to properly provide the correct documentation to the district attorney's office.

The children's court should have jurisdiction over the parents for criminal prosecution. The children's court judge would have more information of the child and issue with the family.

TECHNICAL ISSUES