

LFC Requester: _____

**AGENCY BILL ANALYSIS
2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

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{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 2/5/2026

Bill No: HB 219-280

Sponsor: Rep. Terrazas, Sen. Ramos
Short Attendance for Success Act
Title: Changes

Agency Name
and Code LOPD 280
Number: _____
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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 Expenditure 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:

- HB 218 (“Attendance for Success Act Enforcement”)
- HB 219 (“Attendance for Success Act Changes”)
- HB 282 (“School & Juvenile Probation Cooperation”)
- SB 105 (“Attendance for Success & Excused Absences”)
- SB 165 (“Delinquency Act Changes”)

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

If enacted, HB 219 would amend provisions of the Attendance for Success Act, the Delinquency Act, and the Family in Need of Court-Ordered Services Act to expand coordination between schools, juvenile probation services, and the children’s court regarding student attendance.

Section 2 of the bill would amend Section 22-12A-6 NMSA 1978 to require public schools to provide a student’s attendance records to juvenile probation and parole services immediately upon request.

Section 3 would amend Section 22-12A-12 NMSA 1978. Subsection (A) would require juvenile probation and parole services to initiate enforcement of the Attendance for Success Act for chronically absent students who are subject to a delinquency complaint. Subsection (B) would extend referral provisions to include excessive excused absences in addition to unexcused absences. Subsection (C) would authorize juvenile probation services to convene meetings to review attendance interventions for excessively absent students and would require such meetings for students subject to delinquency complaints or other juvenile sanctions. Subsection (D) would require juvenile probation services to schedule a meeting to determine interventions for chronically absent students who are subject to a delinquency complaint.

Section 4 would amend Section 32A-2-7 NMSA 1978 to require that a preliminary inquiry into a delinquency complaint include review of the child’s school attendance. The bill would require juvenile probation services to notify the children’s court attorney when a chronically or excessively absent child is subject to a delinquency complaint, and it would require the children’s court attorney to determine whether the family meets the criteria for a Family in Need of Court-Ordered Services (FINS) petition and to file such a petition if appropriate.

Sections 5 and 6 would amend provisions of the Family in Need of Court-Ordered Services Act to

allow a juvenile probation officer, in addition to a school official, to submit an affidavit initiating a FINS petition based on chronic absenteeism.

Overall, HB 219 would increase information sharing between schools and juvenile probation services, require attendance review in delinquency proceedings, and expand the circumstances under which school attendance concerns may result in court-supervised services.

FISCAL IMPLICATIONS

At this time, LOPD does not anticipate a significant direct fiscal impact from HB 219, though implementation patterns may affect time and resource allocation in juvenile matters. HB 219 does not create new criminal offenses and therefore does not directly increase indigent defense appointments.

To the extent the bill results in additional FINS petitions or expands attendance-related litigation within existing delinquency proceedings, there may be some indirect impact on juvenile court workload. In delinquency cases, required review of school attendance and increased probation involvement may expand the scope of issues addressed during preliminary inquiries, disposition, and review hearings, potentially increasing attorney time per case.

SIGNIFICANT ISSUES

HB 219 does not create new criminal offenses for parents or youth. However, it expands the role of juvenile probation services and the children's court in matters related to school attendance.

The bill requires attendance review during preliminary inquiries in delinquency cases and mandates notification to the children's court attorney when a child subject to a delinquency complaint is chronically or excessively absent. It further directs the children's court attorney to determine whether a FINS petition should be filed. As a result, attendance issues may trigger additional court proceedings or supervision even when the underlying delinquency allegation is unrelated to school attendance.

HB 219 also expands information sharing between schools and juvenile probation services by requiring schools to provide attendance records immediately upon request. The bill extends referral provisions to include excessive excused absences in addition to unexcused absences. Because "chronic absenteeism" may include excused absences for illness, disability-related needs, or other excused reasons, the bill could result in increased probation and court involvement for families whose absences are not attributable to misconduct.

The overall effect of HB 219 is to more closely integrate school attendance monitoring into delinquency and FINS processes. While the bill emphasizes coordination and intervention rather than criminal prosecution, it increases system involvement and probation oversight in educational matters. The extent to which this improves attendance outcomes is uncertain, as attendance challenges are often associated with broader socioeconomic or health-related barriers.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Four other bills in this session would amend the Attendance for Success Act, several in overlapping or conflicting ways: HB 218 (“Attendance for Success Act Enforcement”), HB 219 (“Attendance for Success Act Changes”), HB 282 (“School & Juvenile Probation Cooperation”), and SB 105 (“Attendance for Success & Excused Absences”). HB 218 would impose criminal penalties on parents whose children were absent after a referral to juvenile probation services. HB 282 mandates juvenile probation involvement in absenteeism. HB 218, HB 219, and HB 282 are all co-sponsored by Rep. Terrazas and Sen. Ramos.

HB 125 (“Delinquency Act Changes”), HB 339 (“Juvenile Justice Changes”), and SB 165 (“Delinquency Act Changes”) would also amend Section 32A-2-7.

TECHNICAL ISSUES

Analyst is unaware whether this legislation is germane under Art. IV, Section 5. It is not a budget bill and analyst is unaware that it has been drawn pursuant to a special message of the Governor.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS