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**AGENCY BILL ANALYSIS  
2026 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

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*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Click all that apply:*

**Original**  **Amendment**   
**Correction**  **Substitute**

**Date Prepared:** 2026-02-02  
**Bill No:** HB253

**Sponsor:** Garratt, Joy  
PUBLIC EDUCATION  
**Short Title:** CHANGES

**Agency Name and Code** NMHED  
**Number:** \_\_\_\_\_  
**Person Writing:** Gallegos, Brittany  
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**Phone:** 5056706478 **Email:** gallegos@hed.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue	Recurring	Fund Affected

<b>FY26</b>	<b>FY27</b>	<b>FY28</b>	<b>or Nonrecurring</b>	
N/A	N/A	N/A	N/A	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY26</b>	<b>FY27</b>	<b>FY28</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	N/A	N/A	N/A	N/A	N/A	N/A

(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**

House Bill 253 (HB253) represents a comprehensive restructuring of how full-time virtual education is defined, regulated, and funded within New Mexico’s K-12 public school system. The bill would require districts to collect and report information on distance learning enrollment to the New Mexico Public Education Department (NMPED) and would provide NMPED with regulatory authority of full-time virtual instructional programs. These changes affect enrollment practices, funding calculations, and program operations for school districts and charter schools across the state.

The New Mexico Higher Education Department's (NMHED) analysis of this bill focuses on the higher education implications of the proposed legislation, such as the state's Dual Credit Program. Additional insight may be obtained from other agencies’ analyses.

**FISCAL IMPLICATIONS**

HB253 does not contain an appropriation.

**SIGNIFICANT ISSUES**

Since there is no administrative burden to the New Mexico Higher Education Department, and the agency's primary interest is in how dual credit programs are affected by HB253. A shared interest across NMPED and NMHED, who co-lead the New Mexico Dual Credit Council, is HB253’s potential impact on dual credit participation. Therefore, additional clarification may be helpful to ensure consistent interpretation and to avoid unintended impacts on access to virtual dual credit opportunities, particularly for students in rural or geographically isolated areas. NMHED will work with NMPED if the legislation is passed.

HB253 may limit full-time virtual programs for flexible, off-site dual credit models. Shifts from virtual to in-person instruction in some districts may change how high school students access advanced coursework that leads to postsecondary pathways and may result in increased reliance on Advanced Placement (AP) coursework in place of dual credit opportunities.

#### PERFORMANCE IMPLICATIONS

HB253 does not create direct performance responsibilities, but NMHED may monitor longer-term trends in student preparation and postsecondary readiness as virtual learning participation patterns change.

#### ADMINISTRATIVE IMPLICATIONS

HB253 assigns administrative responsibilities to NMPED for approving, overseeing, and monitoring full-time distance learning programs. For NMHED, the bill does not establish direct regulatory authority or new program administration.

#### CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

#### TECHNICAL ISSUES

N/A

#### OTHER SUBSTANTIVE ISSUES

N/A

#### ALTERNATIVES

N/A

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

If HB253 is not enacted, existing statutes governing virtual and distance learning in public schools would remain in place.

#### AMENDMENTS

N/A