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| LFC Requester: | Sunny Liu |
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AGENCY BILL ANALYSIS – 2026 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: 03FEB26 *Check all that apply:*
Bill Number: HB282 Original Correction
 Amendment Substitute

| | | | |
|---------------------|---|-----------------------------|---|
| | | Agency Name and Code | |
| Sponsor: | Rep. Luis M. Terrazas, Sen. <u>Gabriel Ramos</u> | Number: | <u>790 – Department of Public Safety</u> |
| Short Title: | <u>School and Juvenile Probation Cooperation</u> | Person Writing | <u>Matthew Broom, Deputy Chief</u> |
| | | Phone: | <u>5757601485</u> Email: <u>Matthew.broom@dps.nm.gov</u> |

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY26 | FY27 | | |
| NFI | NFI | N/A | N/A |
| | | | |

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY26 | FY27 | FY28 | | |
| NFI | NFI | NFI | N/A | N/A |
| | | | | |

(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 | NFI | NFI | NFI | N/A | N/A | N/A |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Similar to 2026 HB219 and HB218
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

House Bill 282 (HB-282) amends the Attendance for Success Act in the Public-School Code and the Delinquency Act in the Children's Code to provide for greater coordination between schools and Juvenile Probation Services (JPS) to link chronic absenteeism more closely with procedures and dispositions pursuant to the Children's Code. Makes it a crime for a parent of an excessively absent student to cause or allow the student to continue to be absent after a report to JPS. The bill makes corresponding and conforming changes to both acts to reinforce coordination

FISCAL IMPLICATIONS

No fiscal impact to DPS.

SIGNIFICANT ISSUES

DPS supports HB282 and its efforts to deal with juvenile attendance, as this can be a preventative strategy to prevent criminal justice issues in the future. This bill helps address some of the behaviors that can turn into a root cause of crime. This is the type of preventative efforts law enforcement believes can make a positive impact on overall outcomes for not only the students but the community. HB282 strengthens the enforcement mechanisms of the Attendance for Success Act (Laws 2019, Ch. 223, codified at Sections 22-12A-1 through 22-12A-15 NMSA 1978) through closer integration with the juvenile justice system. The new criminal penalty for parents is modeled on the existing Compulsory School Attendance Law framework at Section 22-12-7 NMSA 1978 but operates within the Attendance for Success Act.

The driver's license suspension provision (new Section 22-12A-12(E)) authorizes the children's court to suspend an excessively absent student's driving privileges for up to 90 days on a first finding or up to one year on a second or subsequent finding. This mirrors the existing provision in the Compulsory School Attendance Law at Section 22-12-7(C) NMSA 1978. License suspension for truancy has been upheld in other jurisdictions.

PERFORMANCE IMPLICATIONS

No performance implications to DPS. Although HB 282 does not directly impact DPS performance metrics, the bill's operational success depends on the performance of CYFD's Juvenile Probation Services and the Public Education Department, both of which interface with the juvenile justice system in which DPS has an institutional interest.

ADMINISTRATIVE IMPLICATIONS

No administrative implications to DPS.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

No conflict, duplication, companionship or relationship to DPS.

TECHNICAL ISSUES

No technical issues to DPS.

OTHER SUBSTANTIVE ISSUES

No other substantive issues to DPS.

ALTERNATIVES

Not applicable as no impact to DPS.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

DPS recommends the following amendments for consideration: (1) Add a "knowingly" mens rea element to Section 22-12A-12(F) to align with the existing standard in the Compulsory School Attendance Law at Section 22-12-7(E) and reduce due process vulnerability; (2) Replace "immediately upon request" in new Section 22-12A-6(G) with a defined timeframe such as "within two business days of a request" to provide clear and practicable guidance to schools; (3) Add a tribal sovereignty provision consistent with NMAC 6.10.8.9 requiring that JPS respect tribal laws and traditions when initiating attendance enforcement for Native American students; and (4) Clarify the relationship between HB 282's enforcement provisions and the existing Compulsory School Attendance Law at Section 22-12-7 to avoid duplicative or conflicting enforcement tracks.