

LFC Requester:	Lance Chilton
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AGENCY BILL ANALYSIS – 2026 SESSION

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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}

Date Prepared: 2/5/2026 *Check all that apply:*
Bill Number: HB324 Original Correction
 Amendment Substitute

Sponsor: Mark Duncan **Agency Name and Code:** 790 – Department of Public Safety
Short Title: School District Firearm Safety Training **Person Writing:** Jessica Arballo
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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	NFI	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 324 (HB-324) requires all New Mexico school districts and charter schools to provide annual firearm safety training to students in grades six through twelve beginning in the 2027–2028 school year, with optional training for pre-kindergarten through fifth grade. The curriculum must be developed or approved jointly by the Public Education Department (PED) and the Department of Public Safety (DPS). The training must be age-appropriate, politically neutral, non-shooting in nature, and may be delivered through classroom instruction, video, or educational materials. DPS and PED are also responsible for approving any private training programs used by schools and ensuring compliance with statutory requirements.

FISCAL IMPLICATIONS

HB-324 will result in increased recurring operational costs for the Department of Public Safety (DPS), likely implemented through the New Mexico Law Enforcement Academy (NMLEA), to support statewide curriculum review, approval, compliance monitoring, and ongoing program oversight.

To meet the scope of the new statutory duties, DPS anticipates the need for:

One additional Compliance Officer position to manage expanded regulatory responsibilities associated with firearm safety training mandates, including ongoing curriculum review and updates specific to this program, implementation of new training requirements, statewide tracking of approved materials and participating entities, compliance audits, periodic revisions as needed to maintain statutory alignment, and coordination of curriculum updates and disbursement to ensure consistent statewide implementation.

Major assumptions underlying fiscal impact include:

- Establishment of new compliance components to support curriculum review and approval processes jointly with the Public Education Department
- Ongoing monitoring of school districts, charter schools, and any third-party training providers for statutory compliance
- Tracking and documentation of approved curricula, updates, and annual revisions
- Ensuring training materials remain developmentally appropriate, politically neutral, and compliant with non-live-fire requirements
- Periodic curriculum updates and re-approvals to reflect statutory changes and best practices

Absent a dedicated appropriation or funding source, these new responsibilities would constitute an unfunded mandate on DPS/NMLEA and require reallocation of existing staff and resources.

SIGNIFICANT ISSUES

HB-324 expands DPS's role beyond traditional law enforcement training into statewide K-12 firearm safety education oversight. While schools will deliver instruction locally, the state assumes responsibility for:

- Curriculum creation and approval
- Ongoing compliance monitoring
- Legal neutrality enforcement
- Program quality assurance

This represents a substantial new operational program area for DPS/NMLEA without an identified funding source.

Additionally, the bill’s joint approval requirement that training “be developed or otherwise approved by the department and the department of public safety” creates shared authority between PED and DPS but provides no dispute resolution mechanism if the two agencies disagree on curriculum content, viewpoint neutrality, or provider approval. This ambiguity could delay implementation or result in deadlocked approval processes.

DPS has no existing statutory authority or institutional infrastructure for K–12 curriculum development. NMLEA’s current mandate under the Law Enforcement Training Act, NMSA 1978, Section 29-7-1 et seq., is limited to law enforcement officer training, certification, and compliance. Extending DPS’s role into public school curriculum oversight represents a significant departure from its core statutory mission.

PERFORMANCE IMPLICATIONS

Implementation will require diversion of staff time from existing law enforcement training, certification, accreditation, and compliance functions unless additional positions are funded. Increased workload may affect turnaround times for current DPS/NMLEA training programs and regulatory oversight activities.

ADMINISTRATIVE IMPLICATIONS

DPS/NMLEA would be responsible for establishing and maintaining:

- Statewide firearm safety curriculum frameworks
- Approval processes for third-party training providers
- Compliance review protocols and documentation systems
- Ongoing monitoring and periodic program updates

This would necessitate new internal policies, workflows, reporting mechanisms, and coordination with PED and local school entities.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The bill creates a companion regulatory role between PED and DPS. While PED oversees educational implementation, DPS provides public safety subject-matter expertise and compliance oversight. No direct statutory conflict is identified; however, overlapping in curriculum governance responsibilities may require formal interagency coordination agreements.

TECHNICAL ISSUES

The bill does not specify:

- Funding sources for curriculum development and compliance oversight
- Timelines for PED/DPS curriculum approval prior to the 2027–2028 school year
- Enforcement mechanisms for noncompliant districts or providers

Additional rulemaking may be necessary to implement programming standards and approval processes.

The bill does not explicitly grant DPS rulemaking authority for this program. While the Department of Public Safety Act, NMSA 1978, Section 9-19-7, provides general rulemaking authority, the absence of a specific grant in HB-324 may create questions about the scope of DPS’s regulatory power over school-based training programs.

The bill also lacks a parental opt-out or consent provision for firearm safety training. Absent such a provision, complaints regarding training content or the mandate itself may be directed at DPS as a co-approving agency, potentially exposing DPS to public controversy unrelated to its law enforcement mission.

OTHER SUBSTANTIVE ISSUES

The prohibition on branded or sponsored content may limit the availability of existing firearm safety programs, increasing the need for state-developed materials. Ongoing neutrality and compliance review will require continuous monitoring rather than one-time approval. Expansion into youth firearm education may increase public expectations for DPS instructional support beyond current capacity.

ALTERNATIVES

Appropriate dedicated funding to DPS/NMLEA for curriculum development and compliance staffing. Assign curriculum development solely to PED, with DPS serving in a consultative capacity. Permit the use of pre-approved national safety programs that meet neutrality and safety standards to reduce state development workload.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo will remain.

AMENDMENTS

Potential amendments include:

- Inclusion of a specific appropriation for DPS/NMLEA staffing and program development
- Clarification of interagency roles between PED and DPS
- Establishment of phased implementation timelines
- Authorization of grant funding or federal safety education resources