

LFC Requester:

Sunny Liu

AGENCY BILL ANALYSIS - 2026 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: 2/18/2026 *Check all that apply:*
Bill Number: SB23 Original Correction
Amendment Substitute

Sponsor: Crystal Brantley and Antonio Maestas **Agency Name and Code Number:** NM Public School Facilities Authority - 940
Short Title: EXCEPTIONS TO STUDENT USE OF PHONES **Person Writing:** Marcos Trujillo
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SECTION II: FISCAL IMPACT

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	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

Amended Synopsis: This amendment removes Section 2-C-1 and creates new section 2-E and adds a timeline for use of the funds toward policy implementation. Section 4 is removed in its entirety.

Original Synopsis: In general, SB23 (22-1-17 NMSA 1978 (Laws 2025, Chapter 155, Section 1)), creates a policy for student use of wireless communication and creates eligibility requirements for grant assistance, providing amendments to add definition and clarity to the language. Key changes Section 1-B is changed to prohibit use of wireless communication devices at a public schools during the school day and provide consequences and procedures for confiscation and storage for said devices. Also allowing for few exceptions. Section 2 adds new language to allow the use of the “Education technology infrastructure fund” toward implementation of these policies to enforce this bill with expense limitation of \$1,000,000. Section 3-I adds a requirement the school district must have a policy in place to be allowed to submit applications for grant assistance.

FISCAL IMPLICATIONS

Due to the absence of standardized requirements for cell phone storage devices, the fiscal impact remains uncertain. Costs will vary based on each district's needs, the size and type of devices selected, and whether these units become part of statewide adequacy standards. Additional expenses may arise from associated furniture, fixtures, and equipment (FF&E), as well as from any future capital outlay standards-based awards if such storage becomes a mandated component. As FF&E is based on a percentage of the total project cost, the available funding could be reduced.

SIGNIFICANT ISSUES

Amendment:

The SB23 amendment does not alter PSFA's original analysis.

Original:

SB23 directs collaboration with PSFA to establish adequacy standards and reviewing infrastructure sufficiency. This moves PSFA to take more of a role in establishing criteria in design and construction approaches, types of materials needed, and financial consideration. Also making technology infrastructure planning a requirement in district's five year facilities master planning (FMP) requires PSFA to consider items such as classroom size and space requirements needed for long-term needs.

PERFORMANCE IMPLICATIONS

Additional staff will be needed to dedicate time to ensure PSFA is continuously updating, maintaining and interpreting adequacy standards, project prioritization, and how these policies interact with capital planning and grant eligibility.

ADMINISTRATIVE IMPLICATIONS

While PSFA is not the main administrator for the bill, there are significant impacts on how PSFA conducts business. In its advisory role outlined in the bill, considering spaces for secure device storage, or centralized storage systems, and developing adequacy standards would generate more questions on how to fit these into PSCOC funded projects with facility design and whether these are considered capital projects. Additionally, it forces PSFA to take on continuous oversight of technology infrastructure, something that is outside the scope of PSFA, and allocate time and staff to support these initiatives.

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 N/A

AMENDMENTS N/A