

SENATE FLOOR SUBSTITUTE FOR
SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 241

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026



AN ACT

RELATING TO CHILDREN; ENACTING THE FAMILY ECONOMIC SECURITY AND
WELFARE ACT; ESTABLISHING THE FAMILY ECONOMIC SECURITY
ASSISTANCE PROGRAM; PROVIDING FOR PAYMENTS TO FAMILIES THAT
PARTICIPATE IN THE FAMILY ECONOMIC SECURITY ASSISTANCE PROGRAM;
PROVIDING ELIGIBILITY AND REGULATORY REQUIREMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] SHORT TITLE.--This act may be cited as the
"Family Economic Security and Welfare Act"."

SECTION 2. A new section of the Children's Code is
enacted to read:

"[NEW MATERIAL] DEFINITIONS.--As used in the Family
Economic Security and Welfare Act:

.233997.2

underscoring material = new
[bracketed material] = delete

1 A. "department" means the early childhood education
2 and care department;

3 B. "earned income" means income received as gross
4 wages from employment or as profit from self-employment;

5 C. "legal guardian" includes both a temporary and
6 permanent legal guardian or custodian and includes a kinship
7 caregiver, foster parent or grandparent raising a grandchild;

8 D. "resident" means a person who is lawfully
9 domiciled in New Mexico, including a person who is homeless or
10 who is temporarily residing in a domestic violence or homeless
11 shelter; provided that for the purposes of the Family Economic
12 Security and Welfare Act, a person may have only one domicile;
13 and

14 E. "unearned income" means income in the form of
15 benefits, such as benefits received pursuant to state and
16 federal programs, child support, pensions, gifts, loans, grants
17 and other income that is not income received as gross wages
18 from employment or as profit from self-employment."

19 SECTION 3. A new section of the Children's Code is
20 enacted to read:

21 "NEW MATERIAL] FAMILY ECONOMIC SECURITY ASSISTANCE
22 PROGRAM--ELIGIBILITY REQUIREMENTS.--

23 A. The "family economic security assistance
24 program" is created in the department to provide economic
25 assistance for eligible families, subject to appropriation.

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1 The department shall promulgate rules necessary to carry out
2 the provisions of the program.

3 B. To participate in the family economic security
4 assistance program, an application shall be submitted to the
5 department in the manner and form prescribed by the department
6 and shall align with applicable federal regulations. Subject
7 to the provisions of Subsection C of this section, a person is
8 eligible for economic assistance if an application is submitted
9 on behalf of a resident with a child who is under the age of
10 thirteen years at the time of application or under the age of
11 nineteen years if the child is physically or mentally incapable
12 of caring for the child's self or is under court supervision.

13 C. To be eligible to participate in the family
14 economic security assistance program, at least one parent or
15 legal guardian of a child who lives in the household with the
16 child shall be:

17 (1) employed;

18 (2) a full-time student and enrolled in at
19 least twelve credit hours at an accredited educational
20 institution; or

21 (3) a part-time student and enrolled in at
22 least six credit hours at an accredited educational
23 institution.

24 D. An application to the department shall include
25 documentation evidencing that the applicant meets the

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1 requirements to be eligible to participate in the family
2 economic security assistance program and shall include
3 documentation of earned and unearned income. To determine
4 residency in New Mexico, the applicant shall provide a current
5 New Mexico driver's license or other documentation proving
6 residence in New Mexico as determined by department rule."

7 SECTION 4. A new section of the Children's Code is
8 enacted to read:

9 "[NEW MATERIAL] PAYMENT RATES FOR FAMILY ECONOMIC SECURITY
10 ASSISTANCE.--

11 A. Payment rates for the family economic security
12 assistance program shall be subject to the availability of
13 funds and shall be set by rule of the department. Total annual
14 payments for the family economic security assistance program
15 shall not exceed four hundred fifty million dollars
16 (\$450,000,000) each year. Subject to available funds, payments
17 shall be distributed as follows:

18 (1) ten thousand dollars (\$10,000) per child
19 for a family with an annual household income at or below two
20 hundred percent of the federal poverty level;

21 (2) seven thousand five hundred dollars
22 (\$7,500) per child for a family with an annual household income
23 greater than two hundred percent and up to four hundred percent
24 of the federal poverty level;

25 (3) five thousand dollars (\$5,000) per child

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1 for a family with an annual household income greater than four
2 hundred percent and up to six hundred percent of the federal
3 poverty level; and

4 (4) three thousand dollars (\$3,000) per child
5 for a family with an annual income greater than six hundred
6 percent and up to nine hundred percent of the federal poverty
7 level.

8 B. By September 1, 2026 and each September 1
9 thereafter, the department shall provide to the legislative
10 health and human services committee and the legislative finance
11 committee a report on implementation of the Family Economic
12 Security and Welfare Act, including costs, program
13 participation and families served by that act."

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