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SENATE BILL 49

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

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC SCHOOLS; CREATING THE SCHOOL AGE-APPROPRIATE
FILTERING AND EVALUATION PROJECT AS A THREE-YEAR PILOT PROJECT
IN THE PUBLIC EDUCATION DEPARTMENT; DEFINING TERMS; PROVIDING
FOR PROJECT REQUIREMENTS; PROVIDING FOR FINANCIAL GRANTS;
ASSIGNING DUTIES; MAKING AN APPROPRIATION.

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

SECTION 1. A new section of the Public School Code is
enacted to read:

"[NEW MATERIAL] SCHOOL AGE-APPROPRIATE FILTERING AND
EVALUATION PROJECT CREATED.--

A. As used in this section:

(1) "age appropriateness" means, in regard to
language, violence, sexual content or mature themes in library
materials, suitability to the developmental and social maturity

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1 of a particular age or age group of children based on
2 developing cognitive, emotional and behavioral capacity typical
3 for the age or age group and on local norms and expectations;

4 (2) "library materials" means printed, digital
5 or electronic books or other media available to students at
6 public schools but does not mean instructional material
7 included on the department's multiple list;

8 (3) "participant" means a school district or
9 charter school that applies and is selected by the department
10 for participation in the project;

11 (4) "project" means the school age-appropriate
12 filtering and evaluation project;

13 (5) "school district" includes charter
14 schools;

15 (6) "survey" means a questionnaire designed to
16 measure a parent's opinion about a participant's rating system
17 and rated library materials and to assess the parent's
18 likelihood of greater or continued engagement with the parent's
19 child's education, public school or school district and the
20 parent's trust in the education, public school or school
21 district; and

22 (7) "year" means a school year.

23 B. The "school age-appropriate filtering and
24 evaluation project" is created as a three-year pilot project in
25 the department to demonstrate that a voluntary rating system

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1 for library materials will increase parent engagement and
2 preserve trust between parents and public schools and school
3 districts while protecting intellectual freedom and academic
4 integrity.

5 C. During each year of the project, twenty
6 different participants shall be selected and shall reflect the
7 geographic distribution of the state. Each participant shall
8 implement the project in at least one elementary school, one
9 high school and, if applicable, one junior high school;
10 provided that this requirement shall not apply to charter
11 schools or small or rural school districts with a combined
12 school.

13 D. A participant shall:

14 (1) adopt and implement a rating system for
15 library materials that is based on age appropriateness;

16 (2) after the participant's library materials
17 are rated in accordance with the adopted system, publish or
18 otherwise provide parents with a list of the rated library
19 materials and provide for a mechanism to receive parents'
20 feedback; and

21 (3) after the list of rated library materials
22 is published, provide a department-approved survey to all
23 parents at each of the public schools where the participant
24 implemented the project.

25 E. Each participant shall receive a twenty-five-

1 thousand-dollar (\$25,000) grant upon being selected and a
2 second twenty-five-thousand-dollar (\$25,000) grant at the time
3 that the participant completes the survey stage of the project.

4 F. The department shall:

5 (1) on or before August 1, 2026:

6 (a) develop or adopt guidance or best
7 practices for rating systems that participants may use;

8 (b) develop or adopt a survey that each
9 participant shall use; and

10 (c) begin accepting applications from
11 prospective participants;

12 (2) on or before September 1, 2026, select
13 participants;

14 (3) on or before December 1, 2026, provide a
15 preliminary report to the legislative education study committee
16 regarding participants, projected time lines and projected
17 expenditures;

18 (4) on or before July 1 of each year of the
19 project, compile and analyze surveys from participants and
20 report available survey responses to the legislative education
21 study committee;

22 (5) on or before December 1, 2029, submit a
23 final report to the governor and the legislative education
24 study committee; and

25 (6) comply with all requirements pursuant to

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1 Section 22-8-23.13 NMSA 1978."

2 SECTION 2. APPROPRIATION.--

3 A. Three million two hundred ten thousand dollars
4 (\$3,210,000) is appropriated from the public education reform
5 fund to the public education department for expenditure in
6 fiscal years 2027 through 2029 to administer the school age-
7 appropriate filtering and evaluation project; provided that in
8 a single fiscal year:

9 (1) no more than one million dollars
10 (\$1,000,000) may be expended on grants to participating school
11 districts or charter schools; and

12 (2) no more than seventy thousand dollars
13 (\$70,000) may be expended on administration.

14 B. Any unexpended balance remaining at the end of
15 fiscal year 2029 shall revert to the public education reform
16 fund.