

1 SENATE BILL 49

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

3 INTRODUCED BY

4 Anthony L. Thornton

10 AN ACT

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

16  
17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

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

22 A. As used in this section:

23 (1) "age appropriateness" means, in regard to  
24 language, violence, sexual content or mature themes in library  
25 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-

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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

.232672.3

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.