

Fiscal impact reports (FIRs) are prepared by the Legislative Finance Committee (LFC) for standing finance committees of the Legislature. LFC does not assume responsibility for the accuracy of these reports if they are used for other purposes.

FISCAL IMPACT REPORT

BILL NUMBER: House Bill 219

SHORT TITLE: Attendance for Success Act Changes

SPONSOR: Rep. Terrazas/Sen. Ramos

LAST ORIGINAL
UPDATE: _____ **DATE:** 2/15/2026 **ANALYST:** Chilton

APPROPRIATION* (dollars in thousands)

FY26	FY27	Recurring or Nonrecurring	Fund Affected
		Choose an item.	
		Choose an item.	

*Amounts reflect most recent analysis of this legislation.

REVENUE* (dollars in thousands)

Type	FY26	FY27	FY28	FY29	FY30	Recurring or Nonrecurring	Fund Affected
	Choose an item.						
	Choose an item.						

Parentheses indicate revenue decreases.

*Amounts reflect most recent analysis of this legislation.

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

Agency/Program	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	Choose an item.	Choose an item.	Choose an item.		Choose an item.	Choose an item.
Total	Choose an item.	Choose an item.	Choose an item.		Choose an item.	Choose an item.

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Agency or Agencies Providing Analysis

Public Education Department

Regional Educational Cooperatives

Law Office of the Public Defender

Agency or Agencies That Were Asked for Analysis but did not Respond

Albuquerque Public Schools
Children, Youth and Families Department

SUMMARY

Synopsis of House Bill 219

House Bill 219 would make changes in the Attendance for Success Act, Section 22-12A NMSA 1978 to increase communication between law enforcement and school officials regarding children with legal difficulties and missing significant amounts of school time.

Section 2 of the bill would modify Section 22-12A-6, which deals with public school attendance policies. A new subsection 2 G requires public and charter schools to give juvenile probation services records of a student's attendance and any intervention attempts regarding absences

Section 3 of the bill amends Section 22-12A-12 NMSA 1978 to require juvenile probation services to initiate and enforce the Attendance for Success Act for any child who is both chronically absent and subject to a delinquency complaint.. For those children, the juvenile probation office must determine if the child has been neglected or if the family is in need of family services, and thus in need of referral to the Children, Youth, and Families Department (CYFD) for services. Juvenile probation services are to immediately call a meeting to discuss any case where a serious childhood offender is also a chronically absent student.

Section 4 of the bill amends Section 32A-2-7 of the Children's Code, which deals with complaints and preliminary inquiries into alleged delinquency. As in Section 3 of the bill, it requires juvenile probation services to call a meeting to review possible interventions for children who are being investigated for delinquency and are chronically absent, whether the child is judged guilty or innocent of the delinquent acts. Notice of the child's chronic absenteeism is to be given to the children's court attorney. The children's court attorney also bears the responsibility of determining if the child and family need court-ordered services.

Section 5 of the bill alters the definition in this section of the Children's Code to provide that a family is deemed in need of court-ordered services when a child has been excessively absent from school and the child or the child's family has refused family support, in addition to other existing criteria for court-ordered services. Existing criteria include absence from home for more than twelve hours, involvement in prostitution, refusal of a child to return home, a child being at risk of running away, or a parent's refusal to allow the child to return home.

Section 6 of the bill deals with petitions for a court order for family services, stating that such a petition should include a statement about chronic or excessive absence from school filed by a school official or juvenile probation officer.

This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns, which is May 20, 2026.

FISCAL IMPLICATIONS

There is no appropriation in House Bill 219. The Law Office of the Public Defender (LOPD) foresees some additional work but does not foresee a need for additional funding. The Public Education Department (PED) also does not specify a need for additional funding to carry out the mandates of this bill.

SIGNIFICANT ISSUES

According to the Public Education Department (PED), New Mexico’s schools had a 33 percent chronic absenteeism rate, defined as missing more than ten percent of school days, whether the absences are excused or unexcused. As currently written, schools have separate intervention requirements to complete when a student has missed more than five percent, ten percent, or twenty percent of school days.

PED also cites [a study](#) strongly linking school absenteeism with delinquency, as well as with juvenile delinquency. According to this 2023 study:

Local work has been done by three different grand juries in Miami-Dade County in Florida, which found that 75 to 85 percent of its serious criminal offenders in the early 1990s had a history of being truant or absent from school for long stretches of time beginning in the third grade (cited in NCSE, n.d.). It is also the case that truant students account for a large percentage of juvenile crime—in San Diego alone, 37 percent of juvenile crime in 2001 occurred between 8:30 AM and 1:29 PM (cited by San Diego Public Safety & Neighborhood Services Committee, 2002, p. 8).

As noted by LOPD, the main effect of this bill would be to “more closely integrate school attendance monitoring into delinquency and [family in need of services] FINS processes... the extent to which this improves attendance outcomes is uncertain, as attendance challenges are often associated with broader socioeconomic or health-related barriers.”

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to the following bills:

2026 HB 218 (“Attendance for Success Act Enforcement”)
2026 HB 282 (“School & Juvenile Probation Cooperation”)
2026 SB 105 (“Attendance for Success & Excused Absences”)
2026 SB 165 (“Delinquency Act Changes”)
2019 HB 236 (“Attendance for Success Act”)

Conflicts with provisions in the following bills:

2026 HB 218 (“Attendance for Success Act Enforcement”) which would add penalties for children who are chronically absent and their parents.
2026 SB 105 (“Attendance for Success & Excused Absences”) which would exempt children with chronic medical problems and disabilities from the provisions of the Attendance for Success Act.