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HOUSE BILL 175

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

INTRODUCED BY

Brian F. Egolf

AN ACT

RELATING TO PUBLIC SCHOOLS; PROVIDING PROCEDURES FOR CLOSING OR  
CONSOLIDATING PUBLIC SCHOOLS IN A SCHOOL DISTRICT; REQUIRING  
LOCAL SCHOOL BOARDS TO FOLLOW MUNICIPAL AND COUNTY ZONING  
ORDINANCES AND LAND USE CODES; REQUIRING PUBLIC EDUCATION  
DEPARTMENT APPROVAL.

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 CLOSURE OR CONSOLIDATION--  
COMPLIANCE WITH MUNICIPAL AND COUNTY ORDINANCES REQUIRED--  
ANALYSIS REQUIRED.--

A. A local school board that plans to close or  
consolidate public schools in the school district shall comply  
with all applicable municipal and county zoning ordinances and

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1 land use codes. Before a final vote on any closure or  
2 consolidation, the local school board shall provide to the  
3 department a certification from the municipal or county  
4 government that the proposed closure or consolidation plan  
5 complies with all local laws or ordinances that would apply to  
6 a private entity.

7 B. Before a final vote on closure or consolidation,  
8 the school district shall perform a comprehensive analysis that  
9 demonstrates that closing or consolidating public schools will:

10 (1) result in financial savings to the school  
11 district in the following five-year period; or

12 (2) improve educational outcomes.

13 C. The department must approve the analysis called  
14 for in Subsection B of this section before the local school  
15 board may take a final vote on closure or consolidation."

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