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| <b>LFC Requester:</b> | <b>Sunny Liu</b> |
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**AGENCY BILL ANALYSIS  
2024 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:**

**Analysis.nmlegis.gov**

*{Analysis must be uploaded as a PDF}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

*Check all that apply:*

**Original**        **Amendment**       
**Correction**        **Substitute**   

**Date** Jan 30, 2024  
**Bill No:** HB134 as amended

**Sponsor:** Rep. Derrick Lente                      **Agency Name and Code**  
**Short Title:** Tribal Education Trust Fund                      **Number:** Indian Affairs Dept. - 609  
**Person Writing** Ray Tafoya  
**Phone:** 505-699-0911    **Email** Ray.tafoya@iad.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

| Appropriation |           | Recurring or Nonrecurring | Fund Affected |
|---------------|-----------|---------------------------|---------------|
| FY24          | FY25      |                           |               |
|               | \$100,000 | Nonrecurring              | General       |
|               |           |                           |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

| Estimated Revenue |      |      | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY24              | FY25 | FY26 |                           |               |
|                   | \$0  |      |                           |               |
|                   |      |      |                           |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

|              | <b>FY24</b> | <b>FY25</b> | <b>FY26</b> | <b>3 Year<br/>Total Cost</b> | <b>Recurring or<br/>Nonrecurring</b> | <b>Fund<br/>Affected</b> |
|--------------|-------------|-------------|-------------|------------------------------|--------------------------------------|--------------------------|
| <b>Total</b> |             |             |             |                              |                                      |                          |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: Relating to Education. Creating the Tribal Education Trust Fund (TETF), providing reporting requirements, and making an appropriation.

**FIR is in response to Amendments to Bill, which modify the Tribal Disbursement Formula Task Force creation language.**

**FISCAL IMPLICATIONS**

No Fiscal impacts to IAD

**SIGNIFICANT ISSUES**

Creation of the Tribal Education Trust Fund and Distribution of Funds from the TETF proposes providing funding to NM Nations Tribes and Pueblos (NPTs) for purposes enumerated in the Indian education Act, NMSA 1978 §22-23A-2.

**Amendment modifies the Task Force creation, proposing that the Legislative Education Study Committee work with tribal representatives to propose an equitable tribal representation to the Task Force membership. It proposes that the with Indian Affairs Secretary may participate in the deliberations with tribal representatives in an advisory capacity. Task force membership recommendations shall be presented to LESC no later than Sept. 1, 2024.**

**PERFORMANCE IMPLICATIONS**

PED will be responsible for reporting and distribution of funds.

**ADMINISTRATIVE IMPLICATIONS**

PED will be responsible for any administrative functions and fund distributions through Intergovernmental Agreements between PED and NPTs.

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Related to HB 135 Indian Education Fund Distributions which encompasses changes to the Indian Education Act.

**TECHNICAL ISSUES**

TETF Task Force will create a distribution formula for submission to LESC and subsequently to PED for implementation.

**OTHER SUBSTANTIVE ISSUES**

**ALTERNATIVES**

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

**AMENDMENTS**