

**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

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SECTION I: GENERAL INFORMATION

Check all that apply:

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

Date Prepared: 2024-02-01
Bill No: HB302

Sponsor(s) Debra M. Sariñana
:

Agency Name and Code Number: ECECD 611
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MILITARY
RECOMMENDATIONS

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
NFI	NFI		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

NFI	NFI	NFI		

ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

Duplicates/Conflicts with/Companion to/Relates to: Relates to HB235

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

HB302 provides an exemption from state licensing requirement for child care programs or facilities licensed or certified by the United States Department of Defense or the United States Coast Guard. It also amends several sections of New Mexico statutes to include the United States Space Force.

Section 1 of HB302 provides exemption from state licensing requirements for child care programs or facilities licensed or certified by the United States Department of Defense or by the United States Coast Guard. Under this proposed bill, programs or facilities certified as family child care providers by a branch of the United States Department of Defense or by the United States Coast Guard would be exempt from New Mexico’s child care facility licensure requirements. The exemption does not apply to family child care providers who also provide child care services to children not affiliated with a branch of the United States Department of Defense or the United States Coast Guard.

Section 2 of HB302 amends the definition of “uniformed-service voter” under NMSA 1978 § 1-1-5.4 (A) to add eligibility for members of active or reserve components of the space force.

Section 3 of HB302 amends NMSA 1978 section 21-1-4.5 to include members of active or reserve components of the Space Force and their family members for eligibility in determining resident tuition for veterans.

Section 4 of HB302 amends NMSA 1978 section 28-1-2 (Human Rights Act) to include the definition of "military status" which is defined as “a person's active membership in the armed forces or state defense force or being a veteran of the armed forces or state defense force and includes a spouse or child of an active member or veteran of the armed forces or state defense force.”

Section 5 of HB302 amends NMSA 1978 section 28-1-7 to prohibit discrimination based upon "military status."

Section 6 of HB302 amends NMSA 1978 section 40-10D-2 to include "space force" under the definition of uniformed service.

Section 7 of HB302 amends NMSA 1978 section 45-1-201 (Uniform Probate Code) is amended to include persons sixteen years of age and older who are members of the active or reserve space force in the definition of an emancipated minor.

Section 8 of HB302 amends NMSA 1978 section 66-3-303 to include officers and enlisted personnel of the Space Force, and removes a reference to NMSA 1953 section 64-3-301 and inserts NMSA 1978 section 66-3-301.

FISCAL IMPLICATIONS

None.

SIGNIFICANT ISSUES

ECECD currently recognizes child care programs or facilities licensed or certified by the United States Department of Defense and the United States Coast Guard as exempt from licensure as outlined under New Mexico Administrative Code (NMAC) 8.9.4.9(B), which excludes "[c]hild care facilities operated by the federal government or a tribal government." ECECD also provides for a "courtesy license" for military providers under its regulations that permit child care providers licensed by the Department of Defense to participate in ECECD's child care assistance program, without any inspections by the state and with minimal administrative burden. See 8.9.4.11(A)(5) NMAC, "Military License."

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

There would be no consequences. ECECD currently recognizes child care facilities licensed or certified by the United States federal government as exempt from licensure as outlined under 8.9.4.9(B) NMAC.

AMENDMENTS

None.