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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**57th Legislature, Special Session, 2025**

<b>Bill Number</b>	<u>*SB3</u>	<b>Sponsor</b>	<u>López/Nava/Hochman-Vigil/Garratt/Serrato</u>
<b>Tracking Number</b>	<u>.232474.2SA</u>	<b>Committee Referrals</b>	<u>SHPAC;HHHC</u>
<b>Short Title</b>	<u>Immunization Rules &amp; Recommendations</u>		
<b>Analyst</b>	<u>Andrews</u>	<b>Original Date</b>	<u>10/1/2025</u>
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**BILL SUMMARY**

Synopsis of Bill

\*Senate Bill 3 (SB3\*) amends the Public Health Act to require the Department of Health (DOH) to promulgate rules governing immunization against diseases deemed dangerous to public health for children and adults. This bill temporarily replaces federal vaccine guidance through the Center for Disease Control's (CDC's) Advisory Committee on Immunization Practices with state guidance through July 1, 2026. SB3\* would then enact new material in the Public Health Act on July 1, 2026 that would reenact consideration of federal vaccine guidance in New Mexico's vaccination standards and schedule.

The bill temporarily requires DOH, in consultation with the Public Education Department (PED) and Early Childhood Education and Care Department (ECECD), to set vaccination standards for children attending school, specifically including childcare programs (as well as public, private, home or parochial school). \*SB3 also temporarily requires DOH vaccination standards to align with recommendations from DOH or the American Academy of Pediatrics. After July 1, 2026, the bill would no longer require DOH to include ECECD in setting vaccination standards for children attending school. After July 1, 2026 childcare programs would no longer be considered within these vaccination standards. Beginning July 1, 2026, \*SB3 would also require DOH vaccination standards to once again to align with recommendations from the CDC's Advisory Committee on Immunization Practices of the United States Department of Health and Human Services and the American Academy of Pediatrics.

\*SB3 also adds temporary language specifying that it is unlawful for any student to enroll in school or childcare unimmunized, unless the student has begun the immunization process; the bill also notes it is unlawful for any parent to refuse or neglect to have their child immunized unless the child is properly exempted. The bill continues to allow exemptions in alignment with current law. After July 1, 2026, childcare would no longer be included, and this language would only pertain to schools.

\*SB3 requires DOH to promulgate rules to set vaccination standards recommended for adults in accordance with guidance from the American Academy of Family Physicians, the American College of Obstetricians and Gynecologists, the American College of Physicians, or DOH.

The bill amends the Vaccine Purchasing Act to require vaccines purchased through the statewide vaccine purchasing program to be recommended by DOH.

\*SB3 amends the Insurance Code to require vaccine recommendations from DOH and to require certain health insurance plans from imposing cost-sharing requirements on immunizations recommended by DOH.

This bill has an emergency clause, meaning it would take effect immediately. However, beginning July 1, 2026, \*SB3 also specifies that the proposed changes would revert to requiring children's immunization standards to align with the Advisory Committee on Immunization Practices (ACIP) of the United States Department of Health and Human Services and the American Academy of Pediatrics. At that time, vaccines purchased through the statewide program and those covered by insurance are again tied to ACIP recommendations.

## **FISCAL IMPACT**

\*SB3 does not contain an appropriation.

LESC analysis focuses primarily on the impact of bills on kindergarten through 12th grade (K-12) education. This bill would impact agencies outside of K-12 education, such as operations of DOH, but this analysis does not discuss these impacts.

## **SUBSTANTIVE ISSUES**

**School Vaccination Requirements.** In the absence of federal vaccination requirements for school children, states set their own vaccination requirements. In New Mexico, DOH requires vaccinations for entry into childcare and K-12 education as specified in DOH guidance documents: [2025-2026 School & Daycare Immunization Requirements](#). Each year the Vaccine Advisory Group meets to discuss New Mexico School Entry Immunization Requirements and make any necessary changes based on CDC and Prevention and Advisory Committee on Immunization Practices annual recommendations.

The New Mexico Immunization Exemption Statute (Section 24-5-3 NMSA 1978) allows medical and religious exemptions from required immunizations to enter school, childcare, or preschool, but does not allow immunization exemptions for philosophical or personal reasons. All New Mexico schools with a kindergarten or seventh grade are required to submit an annual survey summarizing the immunization status of their students. According to [data](#) from the New Mexico Immunization School Survey from the 2024-2025 school year (SY25), over 92 percent of New Mexico students are fully vaccinated.

It appears that this bill would allow DOH, in consultation with PED and ECECD, to set vaccine standards for school vaccination based on state guidance rather than federal guidance. It also appears the bill temporarily includes childcare with other school vaccination guidance. These provisions are temporary and would revert to federal guidance on July 1, 2026.

## **ADMINISTRATIVE IMPLICATIONS**

\*SB3 would require PED to work with ECECD (until July 1, 2026) and DOH to set the vaccination standards and schedule for students attending school and childcare, which would require time and expertise from PED staff.

Impacts to schools and childcare programs are estimated to be minimal.

**SOURCES OF INFORMATION**

- LESC Files

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