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FISCAL IMPACT REPORT

SPONSOR Kernan ORIGINAL DATE 02/12/13
LAST UPDATED _____ HB _____
SHORT TITLE School Athletics Equity Act Delayed Repeal SB 361
ANALYST Roberts

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	NFI	NFI	NFI	NFI	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

SUMMARY

Synopsis of Bill

Senate Bill 361 (SB 361) proposes to amend the public school code by repealing the School Athletics Equity Act (SAEA) (Sections 22-31-1 through 22-31-6 NMSA 1978) effective July 1, 2016.

FISCAL IMPLICATIONS

No fiscal impact.

SIGNIFICANT ISSUES

The Public Education Department (PED) reports that the SAEA applies to each public school that has an athletics program for grades seven through twelve. The enactment of SB 361 would mean that the following requirements would end in August 31, 2015:

- Collection of comprehensive data from public schools by the PED,
- Submittal of assurances of compliance with Title IX by public schools to their local school boards/governing bodies, and
- Submittal of annual report to the Governor and Legislature by the PED.

The SAEA requires the PED to collect very specific, comprehensive data from public schools regarding athletics by August 31, 2011 and August 31, 2012 and years following. In addition, the SAEA requires that public schools submit an assurance of compliance with Title IX (federal Public Law 92-318, Title IX, of the Education Amendments of 1972) to its local school board or governing body and provide a copy to the PED no later than August 31 of each year. The SAEA also requires that the PED annually submit a report to the governor and the legislature, including a summary of the data received from the public schools. The report includes recommendations on how to increase gender equity in athletics in public schools, and must be posted on the PED web site.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The PED reports that if this bill is not enacted, public schools will continue to submit assurances of compliance with Title 9, and the Department will continue to collect comprehensive data from public schools and submit a report to the Governor and the Legislature.

MIR/svb:blm