

LFC Requester:	Sunny Liu
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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.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}

Date Prepared: 02/19/2025 *Check all that apply:*
Bill Number: HB432 Original Correction
 Amendment Substitute

Sponsor: Luis Terrazas, Andrea Reeb, Cathrynn Brown, Nicole Chavez & Jonathan Henry **Agency Name and Code Number:** 770-NMCD
Short Title: Student Absences & Crime for Parents **Person Writing:** Anisa Griego-Quintana
Phone: 505-479-2296 **Email:** anisa.griego-quinta@cd.nm.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
0	0	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
0	0	0	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	N/A	N/A

(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: House Bill 432 would amend the Attendance for Success Act in the Public School Code to provide new penalties for students and parents in cases of excessive absenteeism. Provides for forfeiture of the student's driving privileges for 90 days on first finding and no more than one year for subsequent findings. Creates the petty misdemeanor crime of causing or allowing an excessively absent student to continue to be absent, punishable by a fine or community service for the first offense, and a fine or imprisonment for up to six months, or both, for multiple offenses.

Where an excessively absent student is referred to Juvenile Probation Services, in addition to any other disposition, the Children's Court may order that the student's driving privileges to be suspended for a specified time, up to 90 days for the first finding of excessive absenteeism and no more than one year for a subsequent finding.

It is a violation of the Attendance for Success Act for a parent of an excessively absent student to cause or allow that student to continue to be absent from school. If the absences continue after the student is referred to Juvenile Probation, the local school board or governing body of a charter or private school shall, after consultation with the local superintendent or head administrator, refer the parent to the local District Attorney for prosecution.

If that parent is found to have caused or allowed the excessive absenteeism to continue, the parent is guilty of a petty misdemeanor. For the first conviction the parent shall be subject to a fine of not less than \$50 nor more than \$100 or may be ordered to perform community service; and for subsequent convictions subject to a fine not to exceed \$500 or up to six months' imprisonment, or both.

FISCAL IMPLICATIONS

The proposed amendments would not impact the Corrections Department as the imprisonment component of the proposed penalties would not fall under our jurisdiction.

SIGNIFICANT ISSUES

None for the Corrections Department.

PERFORMANCE IMPLICATIONS

None for the Corrections Department.

ADMINISTRATIVE IMPLICATIONS

None for the Corrections Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None for the Corrections Department.

TECHNICAL ISSUES

None for the Corrections Department.

OTHER SUBSTANTIVE ISSUES

None for the Corrections Department.

ALTERNATIVES

None for the Corrections Department.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None proposed by the Corrections Department.