

LFC Requester:

Kelly Klundt

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

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

Date Prepared: 2/21/25

Check all that apply:

Bill Number: HB 490

Original x Correction
Amendment Substitute

Sponsor: Rep. Diane Torrez-Velasquez, Rep. Pam Herndon, Rep. Janelle Anyanonu, Rep. Charlotte Little, Rep. Patricia Roybal Caballero

Agency Name and Code Number: 305 – New Mexico Department of Justice

Person Writing Analysis: Assistant Solicitor General Taylor Bui

Short Title: School Discipline Policy Changes

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(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						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

HB 490 amends NMSA Section 1978, Section 22-5-4.3 on school discipline policies to add “disability, home language, gender, [and] level of family” to the list of characteristics protected from discipline, discrimination, or disparate treatment. Additionally, HB 490 would add a clause that a student shall not be demeaned, bullied, or punished for any of the listed characteristics. HB 490 also amends Section 22-5-4.3 to change from a hotline to an online portal to report racially motivated incidents, and clarifies such reports are not public records.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

- HB 467’s Section 1 is a duplicate of HB 490.
- HB 194 is related to HB 490 as it also amends the Public School Code (Chapter 22) regarding protecting cultural regalia at graduation.
- HB 260 is related to HB 490 as it also amends the Public School Code (Chapter 22) regarding student discipline.
- SB 163 is related to HB 490 as it also amends the Public School code to protect

cultural graduation regalia.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

None.