

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: 02/05/2025 *Check all that apply:*
Bill Number: SB256 Original Correction
 Amendment Substitute

Sponsor: Anthony L. Thornton & Nicholas A. Paul **Agency Name and Code Number:** New Mexico Public Schools Insurance Authority 34200
Person Writing: Dominique Williams **Email:** Dominique.williams@psia.nm.gov
Short Title: SCHOOL TEACHERS ON-SITE PROTECTION ACT **Phone:** 505-469-5541 :

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						No fiscal impact

(Parenthesis () Indicate Expenditure Decreases)

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB256 titled the "School Teachers On-Site Protection Act," proposes allowing certain school employees to carry handguns on school premises under strict conditions. The bill aims to enhance school safety by allowing trained and vetted school employees to act as a first line of defense in active shooter situations.

Firearm Training & Licensure:

The Department of Public Safety (DPS) will provide a 40-hour firearm training program for school employees who are already licensed under the state's Concealed Handgun Carry Act. Training includes active shooter response, legal education, firearm proficiency, and psychological evaluation. Employees must renew their firearm license every two years through additional training.

Appointment of Armed School Employees:

Local school superintendents or charter school administrators can appoint trained employees to carry handguns. The appointed employees must carry the firearm concealed or store it in a locked, secured location on school premises. Only frangible duty ammunition (designed to break apart upon impact) may be used.

Restrictions & Confidentiality:

Handguns can only be used in life-threatening situations that justify the use of deadly force. The identity of appointed school employees is confidential and cannot be disclosed under public records laws. If an employee's firearm license expires or is revoked, their authorization to carry a gun at school is automatically terminated.

Legal Amendments:

The bill modifies Section 30-7-2.1 of the New Mexico Statutes to exempt licensed school employees from the law prohibiting deadly weapons on school premises.

FISCAL IMPLICATIONS

Cost of life for injuring or killing a student, fellow employee, or innocent bystander by accident.
Funding for DPS to conduct the training.

SIGNIFICANT ISSUES

While the issue of school violence is an important issue, allowing teachers to carry firearms in schools may not be the best solution. Teachers are trained to educate, not to act as law enforcement officers, and introducing firearms into the classroom could create unnecessary risks. There is a significant chance that the presence of guns could lead to accidents, increase tensions, and make the learning environment feel less safe for both students and educators.

Teachers have an important role in protecting their students and ensuring their safety to the best of their ability. The "duty of care" in this context refers to the legal and ethical responsibility teachers must protect the well-being of students under their supervision, for example:

Immediate Response and Awareness: recognizing warning signs and emergency protocols and knowing how to act quickly to protect students.

Implementing Lockdown Procedures: emergency protocols, including locking doors, turning off lights, and keeping students away from windows and doors.

Protecting Students' Physical and Emotional Well-Being: keeping students calm and quiet, providing reassurance, offering comfort, and making sure they stay hidden.

Ensuring Clear Communication: communicate clearly and calmly with students, staff, and first responders with first responders, contacting school security or law enforcement to inform them about the shooter's location, the number of students present, and other critical details.

We should focus on enhancing school security through trained professionals, improving mental health resources, and creating a supportive and positive school culture. We need to provide teachers with the tools they need to help students succeed academically and emotionally, not place additional burdens on them by expecting them to take on the role of security

PERFORMANCE IMPLICATIONS

Will the Department of Public Safety adequately train an individual to act with proper state of mind during an unusual and highly stressful situation, in less than sixteen hours?

ADMINISTRATIVE IMPLICATIONS

Does a site administrator have the right to restrict the number of armed teachers or to identify individuals they feel are inappropriate to carry a weapon at school regardless of a psychological report? Will the psychologists be approved by PED, as understanding the complex issue in a school setting prior to writing a report on a candidate?

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS