

LFC Requestor: Self Assigned

**2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS**

Section I: General

Chamber: Senate
Number: 256

Category: Bill
Type: Introduced

Date (of THIS analysis): 02/04/2025
Sponsor(s): Anthony L. Thornton, Nicholas A. Paul
Short Title: SCHOOL TEACHERS ON-SITE PROTECTION ACT

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	NA	NA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0	NA	NA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	NA	NA

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: SB136

Companion to: None

Relates to: None

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

Senate Bill 256 (SB0256) proposes to create a new section to the Public School Code that would:

- Require the Department of Public Safety to conduct school employee firearm training.
- Establish procedures for school employees to be licensed and appointed to carry handguns on school premises which would include a psychological examination.
- Add school employees who are licensed and appointed to carry a handgun to exceptions to unlawful carrying of a deadly weapon on school premises.

The following terms are defined in the proposed bill

- “Appointed School Employee” - a school employee who has successfully completed the school employee firearm training program, is licensed to carry a handgun pursuant to the Concealed Handgun Carry Act and is appointed by the local superintendent of a school district or head administrator of a charter school to carry a handgun on school premises.
- “Trainee” - a person who is licensed to carry a handgun pursuant to the Concealed Handgun Carry Act and is a participant in the school employee firearm training program.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Does Arming Teachers Make Schools Safer?

- Evaluating the effects of laws that allow armed staff in K–12 schools is challenging because state statutes often permit local decision making about school firearm policies, and there are not comprehensive lists of school districts where school personnel are and are not allowed to carry firearms. ([The Effects of Laws Allowing Armed Staff in K–12 Schools | RAND](#))
- Available data suggest that rates of violence and gun carrying among students at K–12 schools have decreased substantially in the past few decades: While

nearly 12 percent of students in grades 9–12 reported carrying a weapon on school property in 1993, the rate of students doing so had fallen to just over 3 percent in 2021.

- Mass shootings in schools are often of great concern to students, parents, and school personnel ([19% of K-12 parents extremely worried a shooting may happen at school | Pew Research Center](#)).
- Deaths on school property make up only a small fraction of all violent deaths among youth aged 5–18. Between 2015 and 2016, 1.2 percent of youth homicides and 0.2 percent of youth suicides took place on school property ([Indicators of School Crime and Safety: 2018](#)).
 - From 1994-2018, 95% of multiple-victim school-associated youth homicides were caused by firearm-related injuries. Firearms used in school-associated homicides and suicides came primarily from the perpetrator’s home or from friends or relatives ([Key Findings: School-Associated Violent Death Study | Youth Violence Prevention | CDC](#)).
 - In New Mexico from 2013-2022 only two (1.3%) of homicides involving a firearm occurred in a school and zero (0%) of suicides occurred in schools. ([Unpublished data, New Mexico Violent Death Reporting System](#)).
- Even though school shootings are very rare, research shows they can have far-reaching effects on mental distress and educational and labor-market outcomes, and they can potentially increase the risk of premature mortality apart from the shooting incident itself ([TRAUMA AT SCHOOL: THE IMPACTS OF SHOOTINGS ON STUDENTS' HUMAN CAPITAL AND ECONOMIC OUTCOMES](#)).
- The public safety and public health implications of laws that allow armed staff in K–12 schools will depend on trade-offs between (1) the potential deterrent effect and the potential roles of armed teachers or school staff in providing a timelier and effective response should a violent incident occur, and (2) the extent to which increased gun carrying in schools elevates the risk of accidents, negligent use or storage of firearms, or firearm thefts. ([The Effects of Laws Allowing Armed Staff in K–12 Schools | RAND](#)).
- The National Education Association, the American Federation of Teachers, and gun safety advocacy organizations (e.g., Everytown for Gun Safety Support Fund) strongly oppose arming teachers ([Everytown for Gun Safety Support Fund](#), [National Education Association](#), and [American Federation of Teachers](#)).
- Survey evidence from 2022 indicates that only one-fifth of a nationally representative sample of 973 primary and secondary school teachers in the United States believe that allowing teachers to carry firearms would make schools safer, and more than half believe it would make schools less safe ([Teachers' Views on School Safety: Consensus on Many Security Measures, But Stark Division About Arming Teachers | RAND](#)).
- Jonson et al. found that while a significant percentage of 1,100 American adult respondents were in favor of having armed law enforcement personnel on school grounds, 60% were hesitant or against arming teachers. The authors also argued that there was insufficient evidence to suggest arming teachers and school staff to be an effective deterrent for gun violence in schools. ([An Apple in One Hand, A Gun in the Other: Public Support for Arming Our Nation’s Schools](#)).
- A large survey of high school students found that about half of students opposed policies that would allow teachers and school staff to receive special training to carry firearms in school buildings; more than one-third of students

reported that their school would be less safe if their teachers were armed ([Creating Safe Schools: Examining Student Perceptions of Their Physical Safety at School](#)).

States with Similar Laws:

- As of January 1, 2024, at least 28 states allow schools to arm teachers or staff (not just trained guards or peace officers) in at least some cases or as part of a specific program.
 - Several states, including Colorado, Montana, and Ohio, allow armed teachers if the school district or charter school allows it. Other states, such as Indiana, allow individuals (including teachers) who have been specifically authorized by the school board to carry firearms on school property.

([The Effects of Laws Allowing Armed Staff in K–12 Schools | RAND](#))

- Robert Shawn Cambron of the Texas State Board of Pharmacy argues that the resources, cost, and training for school educators and staff to intervene in an active shooter scenario would be immense, with no evidence to guarantee they would not further add to the confusion, fear, and violent reaction, putting themselves and their students at greater risk.

([A Case Against Arming Teachers and Other School Personnel on K-12 Campuses](#))

Related Federal Laws:

- Two federal laws restrict who may carry guns in or around schools offering kindergarten through grade 12 (K–12) education: the Gun-Free School Zones Act of 1990 (18 U.S.C. 922) and the Gun-Free Schools Act of 1994 (20 U.S.C. 7961). These laws do not prohibit all people from carrying guns in schools, however. Law enforcement officers and individuals with valid state-issued concealed-carry permits are exempted from the laws' prohibitions (18 U.S.C. 922(q)(2)(B)(ii)).

([The Effects of Laws Allowing Armed Staff in K–12 Schools | RAND](#))

2. PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?

Yes No

If yes, describe how.

- Is this proposal related to the NMDOH Strategic Plan? Yes No

Goal 1: We expand equitable access to services for all New Mexicans

Goal 2: We ensure safety in New Mexico healthcare environments

Goal 3: We improve health status for all New Mexicans

Goal 4: We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

- SB256 conflicts with SB136 which proposes to create a firearm detection software fund and provide grants to school districts to implement the software.

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

Disparities in Concerns about School Shootings

- Half of Hispanic parents of K-12 students say they are very or extremely worried about the possibility of a shooting at their children's school, compared with 40% of Black parents, 35% of Asian parents and 22% of White parents.
- About half of K-12 parents with lower incomes (49%) say they are very or extremely worried about a school shooting happening at their children's school. This is significantly higher than the share among middle-income (26%) or upper-income parents (19%).
- K-12 parents who live in urban areas are more worried about school shootings than those in suburban or rural areas: 46% of urban parents say they are very or extremely worried, compared with 28% of suburban parents and a quarter of rural parents.

[\(19% of K-12 parents extremely worried a shooting may happen at school | Pew Research Center\)](#)

Disparities in Students Opinions of Safety

- Black students are less supportive of arming teachers and more likely to experience decreases in their perceptions of safety if teachers are armed.
- The results of this study signify that the use of target-hardening measures, such as arming teachers, can be especially detrimental for minority students in terms of their perceptions of school safety.
- Students' anticipation that such a policy would decrease perceptions of safety indicates that, rather than improving school safety, the arming of teachers can have

adverse consequences for educational environments and outcomes – specially for students of color.

[\(Race Differences in Youths' Attitudes Towards Arming Teachers: Investigating the Role of Procedural Justice\)](#)

Firearm Deaths for Children and by Race/Ethnicity in New Mexico

- In 2020, firearms surpassed motor vehicle accidents as the leading cause of death for children in the US (under 19 years old). In 2021, firearms has remained the leading cause of death for children ([Gun Violence: The Impact on Society \(nihcm.org\)](#)).
- In NM, between 2018 and 2022, there were 117 firearm deaths among children aged 0 – 17, which included 50 suicide deaths and 56 homicide deaths (Unpublished data, [NM BVRHS](#)).
- In NM, between 2019 and 2023, firearm deaths increased by 114% among American Indian and Alaska Natives residents, by almost 40% among Hispanics, and decreased by 11% among non-Hispanic Whites

9. HEALTH IMPACT(S)

Firearm deaths in New Mexico:

New Mexico (NM) has had one of the highest age-adjusted firearm death rates in the United States (US) over the past two decades. Over the past decade (2011-2022):

- NM's age-adjusted firearm death rate increased by 84% (from 14.8 per 100,000 population in 2011 to 27.3 per 100,000 population in 2022).
- NM's rank for age-adjusted firearm death rates went from the 10th highest to 3rd highest in the U.S.
- the gap in the age-adjusted firearm death rate between NM and the US has also widened. In 2011, NM's age-adjusted firearm death rate was 45% higher than the US In 2022, it was 90% higher.

More recent trends in firearm deaths in NM (2019-2023) indicate that:

- The number of firearm deaths has increased by 7%, between 2019 and 2023. The number of firearm deaths peaked at 562 firearm deaths (in 2021), representing a 19% increase between 2019 and 2021.
- Suicide with a firearm has remained relatively stable between 2019 (285 deaths) and 2023 (273 deaths).
- Homicide with a firearm increased by 29% from 158 (in 2019) to 204 (in 2023). The number of homicides with a firearm also peaked in 2021 (224 firearm deaths), a 42% increase between 2019 and 2021.
 - In 2022, there were a total of 550 firearm-related deaths in NM that included 214 homicides, which represents 39% of all firearm deaths in NM (Unpublished data, [NM BVRHS](#)).
 - In 2022, 77.0% (or 214 out of 278) of homicides involved a firearm (Unpublished data, [NM BVRHS](#)).

- Over the past several years, firearms have become the leading cause of death for children and adolescents in the US ([Gun Violence: The Impact on Public Health \(nihcm.org\)](#)).

10. ALTERNATIVES

None

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If Senate Bill 256 is not enacted there will be no new section created in the Public School Code that would:

- Require the Department of Public Safety to conduct school employee firearm training.
- Establish procedures for school employees to be licensed and appointed to carry handguns on school premises which would include a psychological examination.
- Add school employees who are licensed and appointed to carry to carry a handgun to exceptions to unlawful carrying of a deadly weapon on school premises.

12. AMENDMENTS

None