

LFC Requester:

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: 2-27-25 *Check all that apply:*
Bill Number: SB465 Original Correction
 Amendment Substitute

Sponsor: Antonio Maestas **Agency Name and Code** New Mexico Activities Association
Short Title: Athletic participation; eligibility rules **Number:** _____
Person Writing Dusty Young, Executive Director
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

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

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	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	N/A	N/A	N/A	N/A	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: SB465 contains several items relative to eligibility requirements as set forth in the Handbook of the New Mexico Activities Association, including rules for transfer eligibility, club sport participation, scholarships for private school athletic participation, and eligibility of eighth grade students at the high school level. There is one article of the bill which asks for a change in the construct of the Board of Directors of the NMAA.

FISCAL IMPLICATIONS

There are no fiscal implications associated with this bill.

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

The New Mexico Activities Association is an organization comprised of member schools, which works on behalf of its membership. The NMAA is member-led and the rules contained within the NMAA Handbook have been developed and approved by school administrators and changes to the rules are completed via a process outlined in the NMAA Handbook. The proposed bill, SB465, is problematic for a variety of reasons that violate the basic tenets and principles of interscholastic athletics.

The NMAA is an organization whose core values center around education-based athletics and activities. As part of the fundamental purpose of the organization, the rules, as passed by the membership have been established to ensure competitive balance, an equitable playing field, and are deeply rooted in the education-based model. Many of the articles in this proposed bill threaten the very foundation of the NMAA and would severely impact member schools, as the gap would broaden between the “haves” and “have nots.” Interscholastic athletics are different from the collegiate model and the concepts used in the collegiate athletic space are against the basic foundational premises of interscholastic education-based sports. In short, the bill would significantly impact the overall educational experience for many of this state’s students, which are the greatest commodity of any state.

With regard to SB465:

Letter A of this bill is not related to any other portion of the bill, as it deals with the construct of the NMAA Board of Directors. The NMAA Board of Directors represents the member schools in terms of its make-up. Currently, the two largest school districts (Albuquerque Public Schools and Las Cruces Public Schools) each receive an automatic seat on the Board. There are eight other elected positions based on region and school size – four from large schools and four from small schools. These individuals serve as representatives for the member schools that comprise

their area. The last three positions are appointed – one superintendent that serves as an at-large member, one representative from the New Mexico School Boards Association, and the Chair of the NMAA Commission. The population of counties does not have a role in the composition of the Board, and in the last 20 years, there have been no proposals from the membership to make adjustments that would increase representation for large schools / higher populated areas.

In letters B through F of this bill, these items would largely affect Section 6 of the NMAA Handbook. However, it is important to note that some of the items are already in existence in the Handbook.

- Letter B – Is the basic transfer eligibility rule. There are currently a myriad exceptions that can be granted for a student to transfer and still play at some level of competition. Some of these exceptions allow varsity competition, while others allow sub-varsity competition. Allowing students to freely transfer from school to school would be clearly in conflict with education-based athletics, disrupting the educational continuum and potentially displacing students at other schools. Note that on average, there are 600 transfer situations that result in eligibility petitions to the NMAA each year. Approximately two thirds of those gain eligibility in the sport for which they were petitioning. Of the remaining one third, a vast majority were still able to participate at the sub-varsity level or were allowed to return to / participate at their original school. It should also be noted that there is an appeals process to these rulings, and on average, there are 35 student eligibility cases that are appealed. To expand further, around 40% of these are typically overturned with eligibility granted. So, of the 600 petitions sent to the NMAA annually, approximately 20 students are denied eligibility (3%). Over 30,000 students participate in high school athletics each year.
- Letters C & D – There are currently provisions within Sections 6 and 7 of the NMAA Handbook which can allow students to participate in a school sponsored athletic activity after participating in an athletic training camp. Student-athletes are currently only prohibited from participation in a school-sponsored athletic activity if they disenroll from their school to participate on or with a non-school sponsored athletic team and then try to re-enroll.
- Letter E – Private schools offering scholarships to student-athletes for athletic participation would negatively affect competitive balance and is a direct violation of the recruitment rules of the NMAA both of which are core values and part of the mission and philosophy of education-based athletics.
- Letter F – Regarding eighth grade participation, this article would essentially give one student two “open enrollment” choices within their high school playing career. One as an 8th grader and then another again as a 9th grader.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

As stated in the “Significant Issues” section. There are already existing exceptions and processes which cover many of the items in the bill in terms of transfer eligibility, as well as club sport participation, and participation in specialty training camps.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The only consequences of NOT enacting this bill would be positive, as the core values of interscholastic athletics and activities would be preserved. Passing this bill would be detrimental to student-athletes in the state who truly rely on interscholastic athletics as part of their overall educational experience. Passing this bill changes the model of interscholastic athletics and would create a place where the haves and the have-nots become further separated and the core of education-based participation would be at risk. The passing of this bill would also impact the Association’s ability to formulate and adopt policies based on administrator input from the membership.

AMENDMENTS

None.