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FISCAL IMPACT REPORT

LAST UPDATED _____

SPONSOR Chavez, E./Gurrola ORIGINAL DATE 2/12/25

BILL

SHORT TITLE Teach Employee Rights in High School NUMBER House Bill 282

ANALYST Liu/Mabe

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT*

(dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
		No fiscal impact				

Parentheses () indicate expenditure decreases.
 *Amounts reflect most recent analysis of this legislation.

Relates to Senate Bill 258

Sources of Information

LFC Files
 Education Commission of the States (ECS)

Agency Analysis Received From
 Public Education Department (PED)
 Workforce Solutions Department (WSD)
 Workers Compensation Administration (WCA)
 Division of Vocational Rehabilitation (DVR)
 New Mexico School for the Blind and Visually Impaired (NMSBVI)

SUMMARY

Synopsis of House Bill 282

House Bill 282 (HB282) requires high school social studies course content to include information on employee rights in the workplace, the Human Rights Act, the Public Employee Bargaining Act, the federal National Labor Relations Act, the U.S. Equal Employment Opportunity Commission, and labor organizations, beginning with students entering ninth grade in the 2026-2027 school year. This bill does not contain an effective date and, as a result, would go into effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

The bill does not contain an appropriation but would require high school social studies teachers to provide information related to employee rights in the workplace and information on several state and federal laws relating to human rights and labor. Costs of educators adjusting their

curriculum, schools purchasing new materials, and the Public Education Department (PED) updating rules for graduation requirements are considered normal operating costs. As such, the bill has no significant estimated additional fiscal impacts.

SIGNIFICANT ISSUES

The U.S. Constitution does not constrain a state legislature from asserting control over a curriculum rather than leaving it to local school boards. School districts and charter schools are political subdivisions of the state and are, thus, subject to control by the state. However, establishing a specific content requirement in statute may establish a legislative precedent of mandating specific content or topics be taught in classrooms.

Previous New Mexico Legislatures have flagged concerns with local curricular decisions. As stated in Subsection D of Section 22-1-1.1. NMSA 1978, the 1986 Legislature found, “The smorgasbord curriculum offered in many schools fails to provide students with the basic educational background necessary to provide them with indispensable life skills.” To this point, the state may want to consider how topics in this bill give students the educational background necessary to provide them with indispensable life skills.

PED notes the current social studies standards include references to human rights, labor unions, the New Deal, and historic strikes. However, the standards do not include the Human Rights Act, Public Employee Bargaining Act, the federal National Labor Relations Act, nor the U.S. Equal Employment Opportunity Commission. Educators are not precluded from covering these topics currently. Provisions of this bill require information about these laws and the commission to be included in high school social studies courses.

ADMINISTRATIVE IMPLICATIONS

Provisions of this bill would require PED to update its social studies standards, bypassing current procedures for public comment and rulemaking to amend existing state standards. In FY22, PED introduced changes to the state social studies standards, which had last been updated in 2009. The department received substantial public feedback, processing over 1,446 comments, 2,909 pages of written comments, and 109 verbal comments. The rulemaking process took one full year, and PED noted implementation of new standards would be completed by FY24 with the development of new instructional scopes, professional learning for educators, and purchasing of aligned instructional materials.

While implementation of new social studies content requirements outlined in this bill may not take as long as the previous social studies standards rule, PED must create a new process to ensure these topics are taught in social studies classrooms in all high schools as part of new graduation requirements. It is unclear how the department will monitor or enforce the teaching of this content statewide, and whether high school students may be denied a course credit for graduation purposes if these topics are not covered.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This bill relates to Senate Bill 258, which also amends high school graduation requirements to include human sexuality education in middle and high school health courses.

OTHER SUBSTANTIVE ISSUES

Other states, including Illinois, Maryland, New York, and Rhode Island, have introduced similar bills in 2024 requiring high school students be taught about workplace rights. In 2023, California enacted a new law requiring all 11th and 12th graders to learn about their rights as workers for one week each year to protect them from retaliation and discrimination.

In 1973, the U.S. Supreme Court ruled in *San Antonio Independent School District v. Rodriguez* that there is no fundamental right to education in the U.S. Constitution. Because of this, the Education Commission of the States notes the burden for providing a system of public education falls to the states. New Mexico's Constitution requires a uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state.

While the state has the ultimate control and responsibility of managing and directing the operations of public schools, New Mexico laws have historically delegated this responsibility to PED and local governing boards of school districts and charter schools. These districts have been in operation for decades, have democratically elected school boards, reflect community values, and rely on the local expertise of practitioners to provide instruction to students daily. As such, state requirements that override local decisions often face a myriad of implementation challenges.

SL/hg/sgs