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FISCAL IMPACT REPORT

SPONSOR: Stewart DATE TYPED: 2/12/01 HB 213
 SHORT TITLE: Safe School Program SB _____
 ANALYST: Gilbert

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 1,000.0			Recurring	GF

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files
 State Department of Education (SDE)
 Legislative Education Study Committee (LESC)
LESC Report to the First Session of the 45th Legislature

SUMMARY

Synopsis of Bill

House Bill 213 appropriates funds to the State Department of Education (SDE) to establish a safe schools program, to provide awards to public schools for the implementation of local comprehensive school safety plans, creates a new “safe schools fund”, and makes a \$1.0 million appropriation to the new fund.

Significant Issues

This bill directs the SDE to:

- distribute awards to public schools for the implementation of safe schools programs as identified in each school's comprehensive safe schools plan.
- develop procedures and adopt rules for the application and award of money from the fund and determine criteria for evaluation of safe schools programs.
- disbursements from the fund shall be made by warrant of the department of finance and administration pursuant to vouchers signed by the superintendent of public instruction.

According to the SDE, the accountability program for New Mexico schools includes five statewide indicators. One of the indicators is school safety. Currently, all public schools in New Mexico have developed comprehensive safe schools plans but lack the funding to fully implement these plans.

During the 1999 special session of the State Legislature, \$250,0 was appropriated to the SDE for safe schools security needs. Funding was distributed to schools on a competitive basis. Schools, school clusters and/or school districts were eligible to apply for up to \$10,000 for safe school security needs. According to the SDE, 155 applications totaling \$1.55 million were received from 54 school district.

Currently, a small percentage (15%) of Title IV funds can be utilized for school security. This resource, however, must also be used for other Safe And Drug Free School programs within districts.

FISCAL IMPLICATIONS

The appropriation of \$1.0 million to the newly created safe schools fund is a recurring expense to the general fund. This bill states that (page 2, lines 22-24) any unexpended or unencumbered balance remaining at the end of FY02 shall revert to the general fund. However, on page 2, lines 13-15, the bill states that any balances in the fund at the end of any fiscal year shall not revert.

ADMINISTRATIVE IMPLICATIONS

This bill would create a new project for the SDE to administer and would increase current programmatic duties, fiscal accountability, and oversight responsibilities. However, the SDE believes this can be accomplished with existing staff resources.

TECHNICAL ISSUES

Ambiguity regarding reversion of funds appears to exist in House Bill 213 as outlined below:

(Page 2, lines 17-19) Funds are appropriated from the general fund to the safe schools fund **for expenditure in fiscal year 2002 and succeeding fiscal years.**

(Page 2, lines 13-15) Any balances in the fund at the end of any fiscal year **shall not revert but shall remain credited to the fund.**

(Page 2, lines 22-24) Any unexpended or unencumbered balance remaining at the end of fiscal year 2002 **shall revert to the general fund.**

OTHER SUBSTANTIVE ISSUES

The following is provided for information only. It is not intended as a commentary on the merits of the program/project:

The Legislative Education Study Committee did not recommend funding for this program in their *Report to the First Session of the Forty-Fifth Legislature.*

LG/njw