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FISCAL IMPACT REPORT

ORIGINAL DATE 2/10/09
 SPONSOR Jeff LAST UPDATED 3/9/09 HB 240/aHEC
 SHORT TITLE Public School Security Infrastructure Fund SB _____
 ANALYST Varela

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$500.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		\$0.1	\$0.1	\$0.1	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety (DPS)

Department of Public Education (PED)

SUMMARY

Synopsis of HEC Amendment

The House Education Committee amendment replaces “student transport” vehicles with “school buses or school” vehicles and includes those that are “owned or leased” by a school district.

Synopsis of Original Bill

Senate Bill 240 appropriates \$500 thousand from the general fund to the Department of Public Education (PED) to create the Public School Security Infrastructure Fund. The fund shall be administered by PED. PED may expend no more than \$50 thousand in a fiscal year from the fund to administer the fund and implement provisions.

This bill requires PED to review and award grants to public schools seeking funding for security improvements.

FISCAL IMPLICATIONS

The appropriation of \$500 thousand contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of 2010 shall not revert to the general fund.

According to the December 2008 revenue estimate, FY10 recurring revenue will only support a base expenditure level that is \$293 million, or 2.6 percent, less than the FY09 appropriation. All appropriations outside of the general appropriation act will be viewed in this declining revenue context.

Continuing Appropriations language

This bill creates a new fund and provides for continuing appropriations. The LFC has concerns with including continuing appropriation language in the statutory provisions for newly created funds, as earmarking reduces the ability of the legislature to establish spending priorities.

SIGNIFICANT ISSUES

According to PED, Senate Bill 827 of the 2007 regular legislative session appropriated over \$4 million for security improvements in New Mexico public schools. More than half of the money was a special appropriation to a specific school or district that requested security funding. The other \$2 million was to be allocated using a funding program that took into account the most recent data from the PED Safe Schools (Violence & Vandalism) reports.

Senate Bill 827 security requests were made for the following:

- New security camera systems
- Updated security camera systems, or additional cameras
- New door locks and doors
- Security/perimeter fencing
- Phone/paging systems for outer buildings

PED also notes that Senate Bill 611 of the 2007 regular legislative session appropriated \$230 thousand for a statewide crime stoppers-type tip line for all New Mexico school students to be able to report any suspected criminal activity that may or may not have occurred.

Title IV, Safe & Drug Free Schools and Communities Act of No Child Left Behind is the current source for school violence prevention-related funding for most districts. There is a cap of 40% for each district to use towards purchases of security items such as cameras (U.S. Department of Education, Office of Safe and Drug Free Schools, 2004).

New Mexico received approximately \$2 million in Title IV funding for FY 2008. Funding to each district is based on a formula that includes student population counts (U.S. Department of Education, Office of Safe and Drug Free Schools, 2007).

PED states over half of New Mexico school districts receive less than \$1,000 for Title IV funding annually (Title IV planning allocations, 2007).

ADMINISTRATIVE IMPLICATIONS

PED would administer and monitor grants for school security and would be able to do this with existing staff.

PV/mt:mc