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FISCAL IMPACT REPORT

ORIGINAL DATE 03/04/09

SPONSOR Strickler LAST UPDATED 03/12/09 HB 704/aHCPAC

SHORT TITLE Home School Students in District Activities SB _____

ANALYST Varela

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

Attorney General's Office (AGO)

SUMMARY

Synopsis of HCPAC Amendment

The House Consumer and Public Affairs Committee amendment inserts "athletic" into the title of the Act after the word "district". The amendment appears to change the original intent of the bill. The amendment would allow a home school student to be eligible to participate in up to three school district "athletic" activities.

Synopsis of Original Bill

House Bill 704 would allow home school students to participate in up to three school district activities at the public school in the attendance zone in which the student resides, according to the New Mexico Activities Association (NMAA) guidelines. By deleting the words athletic activity from the current law, the bill would allow home school students to participate in any school district activities, not just athletic activities.

FISCAL IMPLICATIONS

This bill contains no appropriation and has no fiscal impact.

SIGNIFICANT ISSUES

According to the Attorney General’s Office (AGO), this bill increases the number of activities in which a home school student may participate from one to up to three, also deletes the descriptive qualification “athletic,” apparently broadening the scope of activities in which a home school student may participate. However, the last sentence of the section 22-8-23.8 retains the descriptive qualification “athletic,” in providing: The school district shall verify each home school student’s academic eligibility to participate in school district athletic activities.” (Emphasis added). It is unclear whether a verification of academic eligibility is required for participation in all activities governed by the New Mexico activities association.

PV/svb:mc