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## FISCAL IMPACT REPORT

ORIGINAL DATE 1/26/15

SPONSOR Padilla LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Paid Leave for Parent-Teacher Conferences SB 20

ANALYST Jorgensen

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	Unknown	Unknown	Unknown	Unknown	Recurring	General

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

State Personnel Office (SPO)

Department of Workforce Solutions (DWS)

Public Education Department (PED)

### SUMMARY

#### Synopsis of Bill

Senate Bill 20 requires employers to provide a parent of a school-aged child with up to two hours of paid leave per child per semester (spring and fall) to allow the parent to attend parent-teacher conferences. SB 20 allows employers to require employees to submit written requests for leave at least seven days before a parent-teacher conference unless the conference was scheduled by a teacher or administrator to occur in fewer than seven days. SB 20 also requires employees to provide documentation proving their attendance at a parent-teacher conference. Additionally, SB 20 provides civil penalties to be imposed on employers for violation of the bill's provisions including imposition on the employer of the employee's costs of filing and litigation in a civil action including reasonable attorney fees.

### FISCAL IMPLICATIONS

SB 20 may have a fiscal impact on the State as the provisions, providing two hours of leave per child per semester without a cap, may result in parents employed by the State of New Mexico taking more paid leave to attend parent-teacher conferences than they are currently allotted. Under Executive Order 2014-007, parents employed by the State of New Mexico may take up to four hours per semester (spring and fall) to attend parent-teacher conferences. If the provisions of SB 20 result in granting additional paid leave, the State may face losses in productivity.

The potential impact of enactment of the provisions of SB 20 to private employers is unknown.

**SIGNIFICANT ISSUES**

SPO states that SB 20 does not define parent-teacher conference or prohibit use of parent-teacher conference leave for extra-curricular activities such as sporting events, orientations, ceremonies, field trips, registrations, etc.

PED notes that the bill applies to all employees, regardless of employment status so that part-time, temporary, and probationary employees would be covered under SB 20.

**ADMINISTRATIVE IMPLICATIONS**

DWS states that SB 20's civil remedy, including the provision for costs and attorney's fees, does not exclude the state or its political subdivisions. This means that public entities normally covered by sovereign immunity may be subject to SB 20.

**TECHNICAL ISSUES**

On page 2, line 17, the bill states “‘spring semester’ means January through May”. PED states that some school schedules define spring semester as being from January through June.

CJ/bb