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FISCAL IMPACT REPORT

ORIGINAL DATE 02/25/15

SPONSOR Ivey-Soto/Espinosa **LAST UPDATED** _____ **HB** _____

SHORT TITLE High School Equivalency Credentials **SB** 357

ANALYST Gudgel

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY15	FY16		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

Senate Bill 357 is a technical cleanup bill that changes nine terms currently used in law to reference a high school equivalency credential. The bill replaces these nine terms with “high school equivalency credential.”

SIGNIFICANT ISSUES

During the 2014 legislative session, Senate Bill 44 was enacted (Laws 2014, Chapter 31) to change references in law to “general education diploma”, “general equivalency diploma”, “general education development certificate”, “certificate of general equivalency”, “graduate equivalent diploma”, “GED certificate”, “high school equivalency diploma”, “certificate of equivalency”, and “equivalency diploma” to “high school equivalency credential”.

The changes proposed in SB44 did not capture all references to these high school equivalency credential terms and included several terms that are never used in statute. For example, Section 1 of SB44 amended Section 22-2-8.8 NMSA 1978 to change the term “general educational development certificate”; however, the term “general educational development certificate” was not included in the temporary provision in Section 2, despite its use in numerous other statutes. The temporary provision included the terms “general education diploma” and “equivalency diploma”, though they are never used in statute.

The bill changes the following terms to “high school equivalency credential” in the body of each statute (rather than through a temporary provision): “general education diploma”, “general education development certificate”, “general educational development certificate”, “certificate of general equivalency”, “general equivalency diploma certificate”, “GED certificate”, “high school equivalency diploma”, “certificate of equivalency”, and “general equivalency diploma”.

Enactment of this bill will result in a single term being used to refer to high school equivalency credentials.

TECHNICAL ISSUES

Senate Bill 44 (Laws 2014, Chapter 31) enacted one temporary provision with Subsection A, B, C and D. Changes proposed in Subparagraphs A and D are included in this bill.

Subsection C of the temporary provision changed all reference in law to “high school equivalency education” to “high school equivalency credential education.” Section 21-2-2 NMSA 1978 is the only section of law that includes the term “high school equivalency education”; however, the temporary provision has not been compiled and statute does not have reference to the temporary provision. Additionally, it is unclear why the term was changed to read “high school equivalency credential education”.

Subsection B of the temporary provision changed all reference in law to “high school diploma or equivalent” to “high school diploma or high school equivalency credential”. The following statutory sections include “high school diploma or its equivalent”: Sections 22-1-2, 22-1-2.1, 22-1-4, 22-13-8, 27-2B-11, 27-2D-7, 29-7-6, 61-27B-14, 61-27B-14, 61-27B-17, 61-27B-18, and 65-1-42 NMSA 1978.

The legislature may want to consider repealing Chapter 31 of Laws 2014 and amending the sections noted above that are affected by Subsection B of the temporary provision. This would amend all of the sections of law that refer to terms associated with a high school equivalency credential, eliminating potential compilation errors such as that noted for the change proposed by Subsection C of the 2014 law.

RSG/je