

1 SENATE INDIAN AND CULTURAL AFFAIRS COMMITTEE SUBSTITUTE FOR
2 SENATE BILL 292

3 **54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020**

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10 AN ACT

11 RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
12 REPLACING THE CREDIT TAKEN FOR IMPACT AID PAYMENTS TO CERTAIN
13 SCHOOL DISTRICTS AND STATE-CHARTERED CHARTER SCHOOLS; MAKING AN
14 APPROPRIATION.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. A new Section 22-8-25.2 NMSA 1978 is enacted
18 to read:

19 "22-8-25.2. [NEW MATERIAL] IMPACT AID CREDITS--PORTION
20 RETURNED TO CERTAIN SCHOOL DISTRICTS AND STATE-CHARTERED
21 CHARTER SCHOOLS.--

22 A. Each year, the department shall calculate and
23 distribute one hundred percent of the previous year's impact
24 aid credit taken pursuant to Section 22-8-25 NMSA 1978 for each
25 school district and state-chartered charter school for which

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1 the department has taken one million dollars (\$1,000,000) or
2 more in impact aid credit. Money received by those school
3 districts and state-chartered charter schools pursuant to this
4 section shall be used, in consultation with the Indian affairs
5 department:

6 (1) for student-focused operational
7 expenditures in the following function codes of the public
8 schools chart of accounts:

9 (a) 1000, instruction;

10 (b) 2100, support services--students;

11 and

12 (c) 2200, support services--instruction;

13 (2) to meet match requirements for funding
14 from the public school capital outlay council;

15 (3) for other capital improvements; and

16 (4) for maintenance.

17 B. Any unexpended or unencumbered balance of a
18 school district's or state-chartered charter school's impact
19 aid replacement funding pursuant to this section in any fiscal
20 year shall not revert to the state.

21 C. Each school district and state-chartered charter
22 school that receives additional funding pursuant to this
23 section shall submit an annual report to the department and the
24 appropriate legislative interim committees that details how the
25 credit replacement funding was expended and how those

1 expenditures improved or will improve student achievement."

2 SECTION 2. APPROPRIATION.--The actual amount of the
3 impact aid the state took credit for in fiscal year 2020's
4 state equalization guarantee distribution pursuant to Section
5 22-8-25 NMSA 1978 from school districts and state-chartered
6 charter schools that had federal impact aid revenue over one
7 million dollars (\$1,000,000) is appropriated from the general
8 fund to the public education department for distribution to
9 those school districts and state-chartered charter schools in
10 fiscal year 2021 to provide impact aid credit replacement
11 funding pursuant to Section 1 of this act.

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