

LFC Requester:**Sunny Liu****AGENCY BILL ANALYSIS - 2025 REGULAR SESSION****WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov****(Analysis must be uploaded as a PDF)****SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}***Date Prepared:** 2-23-2025*Check all that apply:***Bill Number:** HB 473Original Correction Amendment Substitute **Sponsor:** Rep. Cathrynn Brown**Agency Name
and Code**

Regulation and Licensing

Number:

Department - 420

Short Title: School Security Personnel**Person Writing**Jen Rodriguez**Title:****Phone:** 505-795-3250 **Email** Jen.rodriguez@rld.nm.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
N/A	N/A	N/A	N/A

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
N/A	N/A	N/A	N/A	N/A

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 473 (HB473)

HB473 amends the School Personnel Act, §§ 22-10A-1 to -40.1, NMSA 1978 and the Private Investigations Act, §§ 61-27B-1 to -36, NMSA 1978 (PI Act) to allow Level 1 and Level 2 Security Guards to serve as assistant school security personnel, a new classification under the School Personnel Act and Level 3 Security Guards to serve as school security personnel.

Section 1 of HB473 amends §22-10A-40 of the School Personnel Act, adding the definition of “assistant school security personnel” which means licensed level one (1) or level two (2) security guards who are employed by a school district but who may not carry a firearm on the school premises. It also expands the definition of “school security personnel” to include retired or former commissioned peace officers and licensed level three (3) security guards. Section 1 also requires that the Public Education Department (PED) promulgate rules to require proof of current licensure for level 1, 2, and 3 security guards, and for assistant school security personnel, the successful completion of a school security personnel training, a background check, and any other conditions required by law.

Sections 2, 3 and 4 of HB473 amend §61-27B-16, 17, and 18 of the PI Act to allow Levels 1, 2, and 3 security guards to be employed by a school district or charter school as part of their licensure.

The effective date of this legislation is June 20, 2025.

FISCAL IMPLICATIONS

An administrative rulemaking process, including a public hearing and all required publication of notices and proposed rules, would be required to update and amend current administrative rules issued pursuant to the Act if HB473 is enacted. The RLD believes it can absorb the costs associated with the rulemaking processes for this bill within existing resources.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

The Private Investigations Advisory Board (Board) supports HB473, understanding that it is difficult to find qualified security personnel for school districts across New Mexico, and especially in rural areas. The Board did express concern with allowing level 3 security guards to operate as independent school security personnel. They have requested that level 3 security guards be employable as assistant school security personnel, and private patrol operators as described in §61-27B-10 of the PI Act can be employed as independent school security personnel as they have received additional security and supervisory experience. [See language proposed in the “Amendments” section, below.]

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

The Board will need to develop school security personnel training curricula to meet the requirements of Section 1, page 5, lines 1 and 2 and conduct rulemaking to adopt those training requirements. The Board is prepared to address those issues without additional expenditure.

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS

1. The RLD respectfully requests that the effective date of this legislation be moved from June 20, 2025, to January 1, 2026, to allow more time to implement the new school security personnel training program and change the administrative rules. (See Other Substantive Issues above.)
2. The Board recommends that level 3 security guards be added to the definition of “assistant security personnel” on Page 2, Section, 1, Subsection A., lines 4-8.
3. The Board recommends that level 3 security guards be removed from the definition of “security personnel” and replaced with “private patrol officer” on Page 3, Section, 1, Subsection A., lines 2-8.
4. The Board recommends that the language on Page 11, Section 4, Subsection B. Line 14 be amended to read: “enforcement academy or the national rifle association **law enforcement training division**” to clarify the firearm certification requirement.