



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2025 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 02/21 /25
Bill No: HB487

Sponsor: Torres-Velásquez/López/Roybal
Caballero/Gurrola/Mirabal Moya

Agency Name and Code: PED - 924

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Short Title: PROTECTION OF HISPANIC
EDUCATION

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	\$1.5	\$1.5	\$1.5	\$4.5	Recurring	GF

Duplicates/Relates to Appropriation in the General Appropriation Act: The [House Appropriations and Finance Committee Substitute for House Bill 2](#) as amended by the House Appropriation and Finance Committee contains a \$500,000 appropriation to the Public Education Department to carry out the purposes of the Hispanic Education Act.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 487 (HB487) would amend the [Hispanic Education Act](#) (HEA) to allow members of the Hispanic Education Advisory Council (HEAC) to receive per diem and mileage reimbursement, to change the purposes of the act to remove “closing the achievement gap” as an objective and add to “protect and preserve New Mexico’s heritage Spanish language and culture,” and “ensure the lifelong success” of Hispanic students.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the legislature enacting them unless a later date is specified. If enacted, this bill would become effective June 20, 2025.

FISCAL IMPLICATIONS

The bill does not contain an appropriation.

Reimbursing members of the HEAC for mileage and per diem expenses to attend biannual meetings would cost the Public Education Department (PED) approximately \$1,500 annually. Per diem may include utilities such as meals and lodging while HEAC members are traveling.

SIGNIFICANT ISSUES

The HEA was enacted by the legislature in 2010 to provide for the study, development, and implementation of systems that affect Hispanic student educational success, encourage and foster parental involvement in their children’s education, and provide means for diverse stakeholders to work together with the PED to improve educational opportunities for Hispanic students. The HEA enables the HEAC, which consists of up to 23 members from various regions of the state representing public schools, post-secondary education and teacher preparation programs, parents, Hispanic organizations, other community and business organizations, and more.

HB487 would add community-based organizations and higher education institutions among the list of collaborators working toward the purpose of the Hispanic Education Act, remove language about “closing the achievement gap”, and add to the list of outcomes the purpose of “ensuring lifelong success.”

The bill would also add language to the purpose of the act to “protect and preserve New Mexico’s heritage Spanish language and culture,” which may refocus a portion of the work of the bureau on the subset of Hispanic students and families with deep roots in New Mexico.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to:

- [Senate Bill 396](#), which would amend the Hispanic Education Act to add new data collection requirements and require systemic frameworks for improving educational outcomes for Hispanic students.
- [House Bill 487](#), which also amends the Hispanic Education Act to allow members of the HEAC to be reimbursed for mileage and per-diem expenses. among several other amendments to the Public School Code.

TECHNICAL ISSUES

While purpose sections of legislative acts are generally aspirational, the Court in the *Martinez* and *Yazzie* consolidated lawsuit found purpose sections of the Public School Code to be actionable, creating obligations for the state and the legislature. HB467 proposes to amend Section 22-23B-2 NMSA 1978, the purpose section of the Hispanic Education Act, by striking references to closing the Hispanic student achievement gap and replacing it with an explicitly stated purpose of “*ensuring* [Hispanic students'] lifelong success.” It would be difficult, if not impossible, to proactively *ensure* another person’s lifelong success, no matter the amount or quality of the effort put into it. The sponsor may consider amending this section to “encourage,” “support,” or “facilitate” lifelong success.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

HB467 proposes to amend Section 22-23B-2 NMSA 1978, the purpose section of the Hispanic Education Act, by striking references to closing the Hispanic student achievement gap and replacing it with an explicitly stated purpose of “*ensuring* [Hispanic students'] lifelong success.” The sponsor may consider amending this section to “encourage,” “support,” or “facilitate” lifelong success.