

<b>LFC Requester:</b>	<b>Conner Jorgensen</b>
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**AGENCY BILL ANALYSIS  
2025 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

**LFC@NMLEGIS.GOV**

*and*

**DFA@STATE.NM.US**

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

*{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Check all that apply:

Original  Amendment   
Correction  Substitute

Date January 23, 2025

Bill No: SB0010

Sponsor: Pope Agency Name and Code Number: New Mexico State University/954  
Short Title: ENACTING THE ANTI-HAZING ACT Person Writing: Clayton Abbey  
Phone: 505-239-8821 Email: nmsufir@nmsu.edu

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>	\$400	\$420	\$441	\$1,261	recurring	N/A

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: Maestas Discussion Draft  
 Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis: Defines employee, reasonable cause and hazing. Hazing is defined as a misdemeanor. Groups that permit hazing are liable for damages, as are a group’s corporate board. State-funded grants, scholarships or awards may be revoked for people who haze. A group that permits hazing forfeits official recognition or approval. A person who participates in hazing “forfeits any entitlement to state-funded grants, scholarship or awards” for a time determined by the institution; any organization that permits hazing forfeits official recognition or approval (time not specified). Failure to report hazing is a misdemeanor.

Hazing will be prohibited by a code of conduct. Hazing education will be part of orientation for new students and will be posted for viewing; hazing materials will be included in information given to student groups. Institution will have a Hazing Prevention Committee (membership is defined, includes student faculty or staff, parent or guardian).

Annual report will be submitted on findings regarding investigations into violations by student group of “code of conduct, anti-hazing policies or state or federal laws relating to hazing or offenses related to alcohol, drugs, sexual assault or physical assault.” Report will be posted to institutional website for 5 years.

Employees will also receive hazing education annually at start of academic year. Employees must report hazing if they have reasonable cause to believe it has happened. Person who witnesses hazing, believes it has happened, and reports shall not be punished unless they planned, directed, or committed hazing.

Social fraternities or sororities will notify institution before they are chartered, opened, or rechartered; notify if they investigate hazing and notify institution of results; must post findings of violations for previous 5 years; failure to do to results in automatic loss of recognition.

**FISCAL IMPLICATIONS**

Training for students and employees will involve an associated cost, with an additional expense for tracking the training.

**SIGNIFICANT ISSUES**

The bill calls for the following actions: Comments on NMSU’s status related to these actions is in **bold italic**.

1. University code of conduct must prohibit hazing. ***NMSU’s code of conduct prohibits hazing.***
2. There are consequences for hazing: Organizations will lose recognition and students will lose state funding for scholarships and awards. ***NMSU accountability measures address both individuals and organizations. The organizational conduct process can remove recognition from an organization, and one organization has lost its recognition. Our student conduct process does not currently remove state funding as part of the sanction process.***
3. NMSU will be obligated to train students regarding hazing at new student orientations and conduct refresher training annually. ***We review hazing policies at New Student Orientation events (NSOs) but we do not currently provide refresher training for all students. There is training annually for students in fraternities and sororities and for student athletes; this cost is considerable at \$5–10 annually, plus a position to track compliance for students.***
4. NMSU staff commit a misdemeanor for failing to report hazing.
5. NMSU must have a hazing prevention committee. ***NMSU has had a hazing prevention committee since summer of 2023. The committee includes faculty, staff, and students and meets monthly (leadership meets every two weeks).***
6. Employees, including student employees, will receive annual hazing prevention education. ***We do not currently do this.***
7. We will publish annually a report on finding regarding investigations into hazing violations. ***This is in process and will be completed by February 2025. Under the 2024 federal legislation “Stop Campus Hazing Act”, hazing is included in our Cleary reporting, and these reports never sunset.***
8. Fraternities and sororities must notify NMSU of investigations they initiate into hazing and they must post finding of violations for previous five years. ***It is unclear that NMSU can require private entities to notify us of this.***

## **PERFORMANCE IMPLICATIONS**

N/A

## **ADMINISTRATIVE IMPLICATIONS**

N/A

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

N/A

## **TECHNICAL ISSUES**

N/A

## **OTHER SUBSTANTIVE ISSUES**

N/A

## **ALTERNATIVES**

N/A

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

New Mexico would continue to be one of the few states without anti-hazing legislation. Some provisions in this proposal duplicate the 2025 federal legislation “Stop Campus Hazing Act.”

## **AMENDMENTS**

Page 3 lines 23 to page 4 line3. This bill will shut down organizations for an unspecified time regardless of the severity of the hazing:

“any organization, association or student living group that knowingly permits hazing to be conducted by its members or by others, subject to its direction or control, shall forfeit any official recognition or approval granted” by the institution.

This could result in the elimination of an entire athletics department or removal of programs like marching bands, ROTC, or other opportunities that enrich the lives of college students.

Changing “shall” to “may” will allow the institution to make a judgement call about withdrawing university recognition and for how long. The current standard is to revoke a charter for long enough for all students associated with the organization to have left the university (4 to 6 years).

Page 5 line 18: We agree that it is crucially important that students serve on this committee, and our current committee has robust student representation. However, we have many other people who wanted to serve on this committee, and it would be nearly impossible to recruit enough students to equal the number of employees involved. This is even more difficult given the time commitments students make to athletic teams, organizations, and other activities that could be implicated in hazing incidents. Recommend changing “Fifty percent of the committee shall include students...” to “Committee members shall include at least two undergraduates and one graduate student currently attending the institution...”

Page 6 lines 2–6: Recommend deleting these lines. A student member of an organization that violated hazing rules could be an effective advocate for change and could even be a whistleblower. Such a student would have first-hand knowledge of how to influence a culture change regarding hazing.