

**AGENCY BILL ANALYSIS
2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

SECTION I: GENERAL INFORMATION

Check all that apply:

Original **Amendment**
Correction **Substitute**

Date Prepared: 2025-01-23

Bill No: SB58

Sponsor(s) Michael Padilla
:

Agency Name CYFD 69000
and Code
Number:

Person Writing

Analysis:

Phone:

Short CHILDCARE FACILITY
Title: LICENSING ACT

Email:

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		

ESTIMATED ADDITIONAL OPERATION BUDGET (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

This bill proposes enacting the Child Care Facility Licensing Act which defines duties for ECECD to monitor Licensed Child Care facilities. This bill proposes not allowing a Child Care Facility to operate without a Department issued license and offers License Exempt Child Care Facilities to register with ECECD. This bill is not creating new authority for ECECD to license child care, but rather transferring the existing authority from the Public Health Act.

This bill also addresses how suspension and revocation of licenses would be handled by ECECD and penalties for operating without a license issued by the department and misdemeanor charges for violating this proposed act. This proposed bill also defines exemptions from the procurement code for families that are eligible for childcare assistance.

This bill also proposes adding application requirements for early Pre-K and Pre-K program services contracted by ECECD. It also defines teacher qualifications for contracted programs. There are also updates to definitions and references in the Early Childhood Care Accountability Act.

FISCAL IMPLICATIONS

None identified for CYFD.

SIGNIFICANT ISSUES

None identified for CYFD as ECECD will still be responsible for conducting investigations of complaints regarding services and any allegations of abuse or neglect of children while in the Licensed or Registered Childcare facility.

PERFORMANCE IMPLICATIONS

None identified for CYFD as this bill applies to ECECD performance and operation.

ADMINISTRATIVE IMPLICATIONS

None identified for CYFD as bill applies to ECECD operations.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

CYFD can partner with ECECD to provide training to Licensed and Registered Child Care Facilities on how to recognize signs of abuse/neglect that may be caused by a parent, guardian, or custodian of children who attend their childcare facility. CYFD can provide training on how to report abuse/neglect to Statewide Central Intake, provide promotional material, and resource information.

TECHNICAL ISSUES

None identified for CYFD.

OTHER SUBSTANTIVE ISSUES

None Identified.

ALTERNATIVES

None identified.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If bill is not enacted, childcare facilities that are not licensed would continue to operate without oversight from ECECD. This bill also establishes

quality initiatives and requirements for Pre-K and Early Pre-K programs used by ECECD. This bill also ensures that children with disabilities are eligible for Childcare Facility services.

AMENDMENTS

None.