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}

Check all that apply: **Date Prepared**: January 28, 2025 Bill Number: Original X Correction SB136 Amendment Substitute

> **Agency Name** New Mexico Public School and Code Facilities Authority 940

Number: **Sponsor:** Michael Padilla

FIREARM DETECTION **Person Writing Short** Mona Martinez Title: SOFTWARE FUND **Phone:** 505-468-0271 **Email** mmartinez@nmpsfa.org

SECTION II: FISCAL IMPACT

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						NFI

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A Duplicates/Relates to Appropriation in the General Appropriation Act N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

SB136 proposes a new provision to the Public School Code, establishing a firearm detection software fund as a non-reverting fund within the state treasury. Five-million (5) dollars will be allocated from the general fund for expenditures in fiscal year 2026 and subsequent years. Any unspent or unobligated balances at the end of a fiscal year will remain in the fund. The purpose of this fund is to provide grants to school districts and charter schools, enabling them to contract for firearm detection software. This software is intended to identify visible unholstered firearms on public school grounds and to notify school personnel and law enforcement. The software shall be designed to integrate with the existing surveillance or security systems of public schools and must be recognized as qualified anti-terrorism technology by the U.S. Department of Homeland Security, along with meeting other vendor specifications.

FISCAL IMPLICATIONS

Indeterminate as to the Public School Facilities Authority (PSFA).

SIGNIFICANT ISSUES

The Public School Capital Outlay Fund (PSCOF) is the source of funding for the standards-based and systems-based capital outlay programs for public schools statewide, as well as the state match for the Public School Capital Improvements Act (SB9), Lease Assistance Program, Master Plan Assistance Program, and other programs under the Public School Capital Outlay Act (Chapter 22, Article 24 NMSA 1978). Revenues to the fund are principally from supplemental severance tax bonds and allocations from the fund are authorized by the Public School Capital Outlay Council (PSCOC).

In 2018, Senate Bill 239 created a school security system project grant initiative and made a recurring appropriation up to \$10.0 million annually to provide matching funds in fiscal years 2019 to 2022 to improve the security of school buildings, property and occupants. Pursuant to this initiative, the PSCOC made a total of 251 school security system awards based on the applicants' ranking and their ability to meet the local match requirement between FY19 and FY20.

In FY22 and FY23 two separate appropriations (SB212 and HB505) were made for school security programs out of which 178 projects were funded.

School districts have used the appropriations to fund projects items such as fencing, cameras, intercoms, radios, magnetic locks, exterior door and hardware replacements, access control systems, security systems, vestibules, personal crisis alarms, and one-way film for windows.

PERFORMANCE IMPLICATIONS

Acquiring a software program that can seamlessly integrate with the existing surveillance or security system of a public school may prove challenging, as many firearm detection software solutions rely on advanced AI technologies.

ADMINISTRATIVE IMPLICATIONS

The Public Education Department will need to establish rules for the procedures for a school district or charter school as it relates to the application and disbursement of funds from the grant.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

The Public School Capital Outlay Fund (PSCOF) is the source of funding for the standards-based and systems-based capital outlay programs for public schools statewide, as well as the state match for the Public School Capital Improvements Act (SB9), Lease Assistance Program, Master Plan Assistance Program, and other programs under the Public School Capital Outlay Act (Chapter 22, Article 24 NMSA 1978). Revenues to the fund are principally from supplemental severance tax bonds and allocations from the fund are authorized by the Public School Capital

Outlay Council (PSCOC). In 2018, Senate Bill 239 created a school security system project grant initiative and made a recurring appropriation up to \$10.0 million annually to provide matching funds in fiscal years 2019 to 2022 to improve the security of school buildings, property and occupants. (Many school districts applied for security awards to include such items as secured vestibules, fencing, etc).

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

N/A

AMENDMENTS

N/A