

LFC Requester:

Sunny Liu

**AGENCY BILL ANALYSIS - 2025 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.legis.nm.gov/AgencyAnalysis) and email to [billanalysis@dfa.nm.gov](mailto: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:** 2/19/2025 Check all that apply:  
**Bill Number:** SB437 Original  Correction   
 Amendment  Substitute

**Agency Name  
and Code**

**Sponsor:** Senator William Soules **Number:** ECECD 611  
**Person Writing  
Analysis:** Elizabeth Groginsky

**Short Title:** No School Use of Corporal Punishment **Phone:** (505)231-2997 **Email:** Elizabeth.groginsky@ecd.nm.gov

**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
NFI	NFI		

(Parenthesis ( ) indicate expenditure decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
NFI	NFI	NFI		

(Parenthesis ( ) indicate revenue decreases)

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

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI			

(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**

SB437 establishes that corporal punishment shall not be used in New Mexico in early childhood education and care and primary and secondary education. Further, SB437 prohibits the state and political subdivisions of the state from offering any grants or benefits to early childhood education and care and primary and secondary education entities unless they have adopted a policy or agreed in writing to forbid the use of corporal punishment on the premises.

#### **FISCAL IMPLICATIONS**

As reviewed, no fiscal implications for ECECD.

#### **SIGNIFICANT ISSUES**

No significant issues have been identified by ECECD. Corporal punishment is linked to negative outcomes for children, including physical and mental ill-health, impaired cognitive and socio-emotional development, poor educational outcomes, increased aggression, and perpetration of violence. Though ECECD's licensing regulations prohibit the use of physical punishment of any type, including shaking, biting, hitting, pinching or putting anything on or in a child's mouth, placing the prohibition of corporal punishment into statute will further protect the health and wellbeing of the children that ECECD serves.

#### **PERFORMANCE IMPLICATIONS**

None.

#### **ADMINISTRATIVE IMPLICATIONS**

ECECD currently addresses the use of corporal punishment in regulation at 8.9.4.24(A)(4) NMAC. If SB437 passes, ECECD may need to promulgate changes to its regulations to more closely align with the requirements of SB347.

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

#### **TECHNICAL ISSUES**

#### **OTHER SUBSTANTIVE ISSUES**

#### **ALTERNATIVES**

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

Consequences of not enacting this bill include the inability to withhold any benefit to or execute a contract with a person who provides early childhood education and care or primary or secondary education unless the person has adopted a policy, or otherwise agrees in writing, to prohibit the use of corporal punishment on the person's premises.

## AMENDMENTS