

LFC Requester:

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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov/AgencyAnalysis) 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}*Date Prepared: 2/6/25

Check all that apply:

Bill Number: SJR8Original Correction Amendment Substitute Sponsor: Sen SoulesShort Title: CA: Rights of Children to Benefits

Agency Name

and Code

HCA-630

Number:

Person Writing

John Emery

Phone:

Email

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

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		
None	None	-	-

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		
None	None	None	-	-

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	-	-	-

(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

Synopsis: Proposes to amend Art. 2 of the Constitution by adding a new section to establish rights of children to include health care, nutrition, safe housing, transportation to access services, home visitation, early childhood programs, fully resourced community schools, school-based centers, youth mentorship programs and attainment of skills for quality employment; and to require establishment and administration of laws to protect those rights.

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

Rights are generally understood as being inherent in personhood or citizenship that the state cannot restrict or take away (e.g. freedom of speech, due process of law, etc.). Entitlements, however, are established by legislation and must be provided by the state or some other entity (e.g., healthcare, education, etc.) Entitlements, because they are created and provided by the state, do not usually get constitutional protection. The "rights" enumerated in this resolution may be entitlements programs and services. Once such legislation is passed, however, the rights would exist in perpetuity. Any future attempt by the legislature to alter how those rights are provided or funded may potentially face a constitutional challenge, making it difficult to respond to changes in economic or social conditions that the proposed bill cannot anticipate.

PERFORMANCE IMPLICATIONS

None

ADMINISTRATIVE IMPLICATIONS

No IT impact.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None

TECHNICAL ISSUES

None

OTHER SUBSTANTIVE ISSUES

None

ALTERNATIVES

None

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS