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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
57th Legislature, 1st Session, 2025

Bill Number	<u>HB485</u>	Sponsor	<u>Lord/Block</u>
Tracking Number	<u>.229856.1</u>	Committee Referrals	<u>HEC/HJC</u>
Short Title	<u>School Marshal Act</u>		
Analyst	<u>Hicks</u>	Original Date	<u>3/6/2025</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

House Bill 485 (HB485) would create within the Public School Code the school marshal program, allowing retired or former law enforcement officers with at least three years of experience to be employed by school districts as school marshals authorized to carry firearms on school premises. School marshals would need to have a valid concealed carry permit, meet requirements for non-school resource officer school security personnel, be granted authority to carry a firearm by the local school board and the New Mexico Public Schools Insurance Authority (NMPSIA), and complete a New Mexico law enforcement academy training or other approved training, among other eligibility criteria. The law enforcement certification board would be responsible for certifying individuals as school marshals.

HB485 would also direct local school boards to develop policies on school marshal duties and responsibilities, would set reporting requirements about the identity and location of school marshals, allow school districts to hire contracted security personnel, and direct the Public Education Department (PED) to promulgate rules governing school marshals and associated training.

HB485 would add a new section to the Law Enforcement Training Act to mandate the development of curriculum and standards by the Law Enforcement Standards and Training Council.

Finally, HB485 would amend Section 30-7-2.1 NMSA 1978 to strike peace officer from exceptions to the unlawful carrying of firearms on school campuses. In its place, HB485 would expand upon the exemption for school security personnel to include school marshals and other law enforcement officers.

FISCAL IMPACT

HB485 does not contain an appropriation.

Under HB485, school districts would be responsible for the cost of training for school marshals operating in their jurisdiction. There would likely be fiscal impacts for PED, NMPSIA, and the Department of Public Safety (DPS) in the process of developing and implementing required training and reporting.

SUBSTANTIVE ISSUES

HB485 would add a new section to the Public School Code creating the school marshal program. As written, the proposed definition, as well as many of the training requirements, for a school marshal are essentially identical to those currently in law and rule for school security personnel (Section 22-10A-40 NMSA 1978).

Under existing law, school security personnel are defined as retired or former certified and commissioned law enforcement officers who are employed by a school district and authorized by both department rule and local school board policy to carry firearms on campus. The differences between school security personnel and the proposed role of a school marshal consist of the need for a concealed carry permit, reporting requirements about the identities and places of employment of school marshals, and the exclusion of school marshals from either educational retirement board (ERB) or public employees retirement association benefits (PERA).

School Safety in New Mexico. School safety encompasses a broad range of topics, including school discipline, security personnel and equipment, mental wellness, and behavioral health, culturally and linguistically responsive education, and more. According to the [National Center for School Safety \(NC2S\)](#), based at the University of Michigan’s Institute of Firearm Injury Prevention and School of Public Health, an impactful school safety strategy is multi-disciplinary, evidence-based, and includes a combination of measures focused on prevention, response (physical security measures fall primarily under this category), and recovery. NC2S notes prevention strategies such as social emotional learning, anti-bullying programs, threat assessment and screening, restorative practices, and trauma-informed responses have the strongest evidence base. In the 2024 interim, LESC studied school safety trends and best practices with briefs published in [June](#) and [November](#).

Educational Retirement Board Requirements. HB485 includes language excluding school marshals from ERB or PERA benefit accrual. According to the [ERB handbook](#), any direct employees of a school district who work more than 25 percent of full-time employment are generally required to be members of ERB as a condition of employment. There may be exceptions based on job classification, employment status, or specific contractual agreements. Whether SB485’s exemption of school marshals from ERB conflicts with the requirement of ERB membership for school employees would likely depend on a school marshal’s specific situation.

National Context. Under the federal Gun Free-School Zones Act of 1990 and the Gun-Free Schools Act of 1994, possession of a loaded or unsecured firearm by an unauthorized individual is prohibited on the premises of public, private, and parochial schools. However, these laws provide exemptions for law enforcement and concealed carry permit holders, as well as allowing for individuals to keep firearms secured in locked containers or racks on a vehicle on school grounds. States and localities are also empowered to exempt individuals from the overarching prohibition with the creation of specific licenses.

School Safety Investments and Funding to Date. The state has made significant investments in school safety through several sources. NMPSIA contracts with Poms & Associates Insurance

Brokers to provide schools with on-the-ground technical assistance and training for active shooter situations and restorative practices. Additionally, NMPSIA covers the cost for schools to use the [STOPit](#) anonymous reporting software. The state also provided \$5.6 million in funding between FY21 and FY25 for schools to implement the RAVE panic button system, a software allowing school staff to quickly contact emergency services for a variety of safety incidents including fires, medical emergencies, and active assailants, among others. This software can also be used for immediate internal communication between staff to manage incidents. In FY25, the Legislature appropriated \$35 million from the public school capital outlay fund to help schools purchase physical security measures and technology.

ADMINISTRATIVE IMPLICATIONS

HB485 would have significant administrative implications for DPS, PED, and local school boards, given the requirements for rulemaking, provision of training, and implementation of the school marshal program.

NMPSIA would need to coordinate with local school boards to assist in the development of policies governing the role of a school marshal in their local contexts.

According to DPS, the Law Enforcement Training Academy would need to develop, implement, and administer school security-specific curriculum to train school marshals. A certification process for school marshals would also need to be created.

RELATED BILLS

Relates to Senate Bill 136, Firearm Detection Software Fund, which would create the firearm detection software fund for K-12 schools and provide grants to districts and charter schools for purchasing eligible software.

Relates to Senate Bill 256, Teachers On-Site Protection Act, which would establish training requirements and allow for the designation of school employees to carry handguns on school campuses.

Relates to House Bill 473, School Security Personnel, which establishes roles for Level 1-3 security guards in schools, defining duties, hiring requirements, and termination notifications.

SOURCES OF INFORMATION

- LESC Files
- New Mexico Public Schools Insurance Authority (NMPSIA)
- Department of Public Safety (DPS)
- Department of Homeland Security and Emergency Management (DHSEM)
- Public Education Department (PED)
- New Mexico Regional Education Cooperatives Association (NMRECA)