

<b>LFC Requester:</b>	<b>Liu</b>
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**AGENCY BILL ANALYSIS  
2023 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

**[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)**

*and*

**[DFA@STATE.NM.US](mailto:DFA@STATE.NM.US)**

*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**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:

Original       Amendment    \_\_\_\_\_  
 Correction    \_\_\_\_\_    Substitute    \_\_\_\_\_

Date 1/20/2023

Bill No: SB93

Sponsor: Campos, Pete

**Agency Name  
and Code  
Number:**

New Mexico Public School  
Facilities Authority 940

Short

Title: Mora School Security

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
	7,800	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		

(Parenthesis ( ) Indicate Expenditure Decreases)

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

	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Conflicts to: SB95

**SECTION III: NARRATIVE**

**BILL SUMMARY**

Synopsis:

Senate Bill 93 (SB 93) makes an appropriation from the general funding to the New Mexico Public Education Department (PED) in the amount of \$78,000, for Mora Independent School District to make security improvements district-wide. Unexpended and unencumbered balance will revert to the general fund at the end of FY24.

**FISCAL IMPLICATIONS**

SB 93 appropriates \$78,000 from the general fund to PED for Mora Independent School District.

**SIGNIFICANT ISSUES**

Per Section 22-24-5-B NMSA 1978, direct legislative appropriations made to a district are excluded from the state share of PSCOC funded projects. The direct legislative appropriations a district receives over time are accumulated to equate to an offset amount, which is added to the local share of a PSCOC funded project, resulting in a higher percentage funded by the school district.

In recent years, Mora Independent School District has expressed interest in applying for Public School Capital Outlay Council (PSCOC) funding, but has been unable to successfully apply due to the district's inability to fund the local share and offset, as required per Section 22-24-5 NMSA 1978. As of FY 23, Mora Independent School District has a direct legislative appropriation offset of \$1,165,506.

This SB 93 appropriation will increase to the Mora Independent School District's current offset to \$1,243,506 in FY24. This will hinder the district more in its ability to fund the district's portion of a PSCOC funded project.

The appropriation must be expended or encumbered in FY24. The school security projects awarded by the PSCOC in 2019 and 2020 had a three-year limit for the expenditure of awarded funding. Many districts were unable to complete the security projects in three years. This was in part due to Covid related delays in materials and labor, and Covid related challenges and prioritization at the district level. In an effort to ensure the security projects were completed as planned, the PSCOC approved emergency awards for districts that requested additional time to in order to complete the high priority projects. Therefore, a one year limit might not be enough time for the districts to expend and encumber the funding.

See the conflict section below. Mora Independent School District would benefit from Senate Bill 95, which appropriates funding for school safety, and may negate the need for this appropriation

directly to the district, which will increase the district's offset.

## **PERFORMANCE IMPLICATIONS**

## **ADMINISTRATIVE IMPLICATIONS**

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

SB93 conflicts with Senate Bill 95, which appropriates \$25M from the capital outlay fund to the PED for school safety statewide. SB95 does not define the policy for the expenditures, so it is unknown the amount Mora Independent School District would receive from this disbursement, but it may be sufficient to fund the update and installation of surveillance cameras and security entrance doors districtwide, negating the need for this appropriation.

## **TECHNICAL ISSUES**

## **OTHER SUBSTANTIVE ISSUES**

## **ALTERNATIVES**

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

Mora Independent School District will not receive the appropriation for security improvements.

## **AMENDMENTS**