

LFC Requester:

Sunny Liu

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 3/21/25

Check all that apply:

Bill Number: SB13

Original

Correction

Amendment X

Substitute

Sponsor: Sen. Benny Shendo, Jr. and
Sen. Angel M. Charley

**Agency Name and
Code Number:** 305 – New Mexico
Department of Justice

**Short
Title:** STATE-TRIBAL
EDUCATION COMPACT
SCHOOLS ACT

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(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						

(Parenthesis () Indicate Expenditure Decreases)

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

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator's request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis:

Original

SB 13 would create a new section of the Public School Code to allow for the creation of state-tribal education compact schools. The bill would provide authorization to the New Mexico Public Education Department (NMPED) to enter into compacts with Nations, Pueblos, and Tribes located either wholly or partially within the state of NM. It would also provide an application process by which Nations, Pueblos, and Tribes could request to create a state-tribal education compact school. Further, it would provide guidelines regarding funding, hiring of staff and admission of students, and performance reviews, compliance, and reporting requirements.

SB 13 would exempt state-tribal education compact schools from all state statutes and rules applicable to school districts, state-chartered charter schools, local school boards. However, state-tribal education compact schools would be subject to statutes and rules made applicable pursuant to the State-Tribal Education Compact Schools Act. These schools will also be bound by the terms of the compacts which created them.

Amendment

The amended bill would limit the creation of State-Tribal Education Compact Schools (STECS) to five pilot schools. The amended bill further states that eligibility requirements for STECS applications shall prioritize the distinct language groups of NM, including Tiwa, Tewa, Towa, Keresan, Apache, Zuni, and Dine. Finally, the amended bill adds that all STECS shall report their statuses and progress to the legislative education study committee and the legislative finance committee by November 1 of each year.

FISCAL IMPLICATIONS

None apparent to this office.

SIGNIFICANT ISSUES

The second amendment [the addition to Section 3(B)] is a bit confusing. While it reiterates the

mention of language in Section 3(A), the focus on language could seem to contradict 3(A)'s categorization of STECS as being both language and *culture-based* schools.

The third amendment, which creates a new subsection B within Section 6, requires each STECS to "report its status and progress" to the legislative education study committee and the legislative finance committee. This language is vague, so it's unclear whether these reports would be something that would be further fleshed out during the compact process. If so, this could create wildly varying reports based on the individual reporting agreements that occur for each of the pilot schools. More description or requirements of these reports would provide necessary guidance as to what the author envisioned these annual reports would/must contain.

PERFORMANCE IMPLICATIONS

None for this office.

ADMINISTRATIVE IMPLICATIONS

None for this office.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

The alternative is the original version of this bill.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

1. On page 2, line 19, after "into", insert "five pilot".
2. On page 3, line 3, after the period, insert:
"Eligibility requirements for each state-tribal education compact application shall prioritize the distinct language groups of New Mexico, including Tiwa, Tewa, Towa, Keresan, Apache, Zuni and Dine.".
3. On page 7, between lines 21 and 22, insert:
"B. Each state-tribal education compact school shall report its status and progress to the legislative education study committee and the legislative finance committee by November 1 of each year.".

4. Reletter the succeeding subsections accordingly.