

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	FY16	FY17	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 Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

BILL SUMMARY

Synopsis: Synopsis:

Senate Bill 85 is an act that creates harsher sanctions for habitual truants (exceeding 10 unexcused absences) by suspending and or denying driving licenses/permits for an indefinite period of time or until the student is of majority age. The law currently cannot exceed 1 year of such suspension pursuant to section 22-12-7 (C) NMSA 1978 (enforcing the Compulsory School Attendance Law). In doing so, the Senate Bill 85 introduces new law and expands on current law requiring schools (public, private and or state chartered) to identify the habitual truant, determine whether or not the issue is one for CYFD to investigate or if the state should take criminal action against the parent/legal guardian, notify the parent/legal guardian of the truancy to allow explanation for the unexcused absences or a corrective action plan to get the student out of habitual truancy status, and if found to be truant, provides an appellate process, first through the respective school/school district, then through the District Court.

Senate Bill 85 also creates additional authority to the Department of Motor Vehicle, after receiving certification of noncompliance with the Compulsory School Attendance Law, to suspend or deny licenses/permits of a habitual truant, and sets guidelines by which the suspension can be lifted or held until the student reaches majority age.

PLEASE NOTE: Senate Bill 85 corresponds with, and is identical to House Bill 117

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

NONE

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

PLEASE NOTE: House Bill 117 corresponds with, and is identical to Senate Bill 85

TECHNICAL ISSUES N/A

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES