

LFC Requester:	Sunny Liu
-----------------------	------------------

**AGENCY BILL ANALYSIS
2017 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

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** _____ **Date** 2/16/17
Correction _____ **Substitute** _____ **Bill No:** HB270

Sponsor: Rep. James R.J. Strickler **Agency Code:** 924
 Rep. Stephanie Garcia Richard
Short Title: HOME SCHOOL STUDENT **Person Writing** Matt Pahl
 ACTIVITY PARTICIPATION **Phone:** 470-9909 **Email** Matt.pahl@state.nm.u

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY17	FY18	FY19		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	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

BILL SUMMARY

Synopsis:

HB270 amends the Public School Code to allow home school students to participate in academic activities regulated by an association. HB270 also establishes requirements for home school participation in academic activities regulated by an association.

FISCAL IMPLICATIONS

HB270 does not appear to create any major fiscal implications. Membership in the New Mexico Activities Association is fee based and the fees support the administration of the association and participation in association activities.

SIGNIFICANT ISSUES

HB270 provides the ability for more students to participate in academic activities. The increase in access levels the playing field for participation in these activities.

HB270 allows the NMAA to create special rules and provisions related to teams composed of home school students. The organization would likely need to create new provisions to account for the unique nature of a home-school team. By allowing them to create these provisions, the NMAA can properly account for and govern home school teams.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

HB270 may require the NMAA to engage in additional rulemaking and may require additional administrative burdens related to granting and administering membership and scheduling team competitions. However, the administrative burdens of these activities appear to be fully funded by membership dues.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

HB270 allows the NMAA to promulgate such rules as required regarding home school team participation in academic activities. This language may still allow the NMAA to limit the number of activities home school teams and students may participate in. The language may also allow the NMAA to continue to limit the home school teams' and students' ability to compete for state awards. It is unclear if HB270 was intended to limit the NMAA's ability to do so and if

the bill was intended to ensure home school students and teams are entitled to equal participation in NMAA activities.

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Currently, the NMAA handbook indicates that home school students can participate on a public school time. The handbook also indicates that home school teams (rather than public school teams with home school students on them) may participate only if the individual activity allows the teams to participate based on the constitution of the activity's national governing organization. The handbook does not allow a home school student who participates in an academic activity on a home school team to be eligible for state awards. The handbook also does not allow homeschool teams to compete for state awards.

The NMAA handbook does not address home school teams' eligibility for membership in the association. However, the handbook does state that the association is made of member schools that are New Mexico public and private middle/junior high and senior high schools. It appears that home school teams are not entitled to membership within the association.

By not enacting HB270, the NMAA could continue to disallow home school team's membership in the NMAA.

AMENDMENTS