

LFC Requester:	Ruby Esquibel
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**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: Date 2/20/17
Original **Amendment** **Bill No:** SB302
Correction **Substitute**

Sponsor: Senator George K. Munoz **Agency Code:** 924
Short SCHOOL BOARD VACANCY **Person Writing** Matt Pahl
Title: & CANDIDACY **Phone:** 470-9909 **Email** Matt.pahl@state.nm.u
REQUIREMENTS

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY17	FY18		
None	None		

(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: SB-302 requires a special election to fill a vacancy on a school board and follow election procedures.

FISCAL IMPLICATIONS

None

SIGNIFICANT ISSUES

Section 1 adds new material to the School Election Law which requires that special elections be held to fill vacancies school boards.

Section 2 requires proof of residency to regular or special school board elections and adds requirements when filing a declaration of candidacy for school board elections.

SB302 provides for more timely public engagement to replace school board members. Existing statute states that school board vacancies may be filled with a qualified elector appointed by the existing school board members. If the school board fails to appoint a qualified elector the responsibility will fall to the department to appoint a qualified elector to fill the vacancy until the next regular school district election. SB-302 amends Section3 and requires that a special election be held to fill a vacancy on the school board. The special election shall be conducted pursuant to the School Election Law. Requiring a special election eliminates the department's responsibility and allows the PED to remain separate of school board leadership. This separation maintains a necessary balance and lends itself to local control.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS