

LFC Requester:	Ellen Rabin
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**AGENCY BILL ANALYSIS
2019 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**
Correction **Substitute**

Date 1/19/19
Bill No: SB231

Sponsor: Mimi Stewart
Short Title: PUBLIC SCHOOL CAPITAL
OUTLAY CALCULATIONS

Agency Code: 924
Person Writing Daniel Manzano
Phone: 505-670-3820 **Email** Daniel.Manzano@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	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-231 makes clarifying changes to the state and local match percentages for Public School Capital Outlay Council (PSCOC) projects and makes technical changes throughout the Public School Capital Outlay Act (PSCOA).

Effective date of this Act is July 1, 2019.

FISCAL IMPLICATIONS

None. SB-231 is simply clean-up of the PSCOA.

SIGNIFICANT ISSUES

Senate Bill 30 from the 2018 legislative session amended the PSCOA by changing how the state-local match formula is computed. The original formula used land valuations, membership, and residential taxes to determine the state and local matches. The changes made factored in additional variables, including gross square feet per student, replacement cost per square foot, and school district population density. SB-231 is making technical and clarifying changes to the local and state match formula. There are no changes to the formula.

Other proposed technical changes made by SB-231:

1. Changes Public School Facilities Authority to “Authority” to match the definition within the Act.
2. Deletes the reference of “No Child Left Behind Act of 2001” due to the fact that it does not exist and inserts “Every Student Succeeds Act”
3. Changes the references of 80th and 120th day to “second reporting date” and “third reporting date”.
4. Changes Public Education Department to “Department” to match the definition within the Act.
5. Changes Public School Capital Outlay Fund to “Fund” to match the definition within the Act.
6. Deleting old language that dealt with bridging the old critical capital outlay process with the new standards based process.
7. Deleting references to the American Recovery and Reinvestment Act of 2009 which is no longer valid.
8. Deletes waiver criteria for state chartered charter schools due to the fact that the charter school capital outlay fund no longer exists.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB-230 and Sb-231 are both making technical changes to section 22-24-4.