

LFC Requester:	Glenn
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**AGENCY BILL ANALYSIS
2021 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 2/11/2021
Bill No: HB12

Sponsor: Reps. Javier Martínez & Andrea Romero
Short Title: CANNABIS REGULATION ACT

Agency Name and Code PED -924
Number: _____
Person Writing John Sena
Phone: 505-570-7816 **Email** John.Sena@state.nm.us

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY21	FY22		
NFI	NFI	Nonrecurring	General

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY21	FY22	FY23		
Indeterminate	Indeterminate	Indeterminate	Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY21	FY22	FY23	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	Indeterminate	Indeterminate	Indeterminate	Indeterminate	Recurring	General

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: HB17, Cannabis Regulation Act; SB13, Cannabis Regulation Act; and SB288, Cannabis Regulation Act.
Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 12 (HB12) would enact a new section of the Public School Code to require the Public Education Department (PED) to require that by January 1, 2023 all public schools annually provide to students in eighth through 12th grades evidence-based drug education programs that are based on principles of harm reduction and designed to prevent and reduce substance use and improve school retention and performance.

HB12 defines evidence-based drug education program as a research-based and scientific-evidence-based education program that has been thoroughly tested and has been shown to significantly reduce problematic use of substances such as nicotine, alcohol or drugs or reduce student suspensions or expulsions related to alcohol or drug use.

The PED’s bill analysis only analyzes provisions of HB12 that impact public school students.

FISCAL IMPLICATIONS

HB12 does not contain an appropriation.

HB12 may require PED staff to oversee public school compliance and offer technical assistance with the selection and provision of evidence-based drug education programs.

Schools would incur costs in acquiring a qualifying evidence-based drug education program and training staff to implement such program.

HB12 would create the Community Grants Reinvestment Program, which would allow the secretary of the Department of Health to provide funding for promising practices or evidence-based drug education programming based on the principles of harm reduction, including leadership development, family engagement and youth development, that is designed to prevent and reduce substance use, improve grades kindergarten through twelve school retention and performance and create economic security for families. This may assist in offsetting some costs for some schools related to the provision of annual substance abuse education as required by HB12.

SIGNIFICANT ISSUES

HB12 would require that by January 1, 2023, all public schools annually provide to students in eighth through 12th grades evidence-based drug education programs that are based on principles of harm reduction and designed to prevent and reduce substance use and improve school retention and performance. Schools may need guidance and assistance with selecting and implementing education programs that meet the provisions of HB12. The bill does not provide parameters regarding the enforcement or oversight of the required evidence-based drug education programs.

According to a [study](#) conducted by the Drug Policy Research Center, school-based drug prevention programs may be a “cost-effective tool for improving public health and for making incremental progress in the effort to manage mature drug epidemics.” Further, the Harm Reduction Journal (2017) states, “youth perspectives in the development of harm reduction programming are needed to ensure that approaches are relatable and meaningful to young people, and effective for promoting the minimization of substance-related harms.”

Although substance abuse education programs may be beneficial, requiring schools to identify additional instructional time and resources – staffing and monetary – to implement the provisions of HB12 for five grade levels may be burdensome.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

To implement the provisions of HB12, PED staff may need to oversee public school compliance and offer technical assistance to schools.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB12 relates to HB17, Cannabis Regulation Act; SB13, Cannabis Regulation Act; and SB288, Cannabis Regulation Act.

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If HB12 is not enacted, the PED would continue to require schools to provide health education as a graduation requirement in accordance with the [Health Education Standards and Benchmarks](#), which address alcohol, tobacco, and other drug use.

AMENDMENTS

N/A