

LFC Requester:

Helms

**AGENCY BILL ANALYSIS  
2023 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)

and

[DFA@STATE.NM.US](mailto: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 1/24/23  
 Original  Amendment  Bill No: HB127  
 Correction  Substitute

Agency Name  
and Code PED - 924  
 Number: \_\_\_\_\_  
 Sponsor: Herrera  
 Short EDUCATION ASSISTANT  
 Title: SALARY INCREASE  
 Person Writing Gregory Frostad  
 Phone: 505-470-5752 Email: gregory.frostad@ped.nm.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	None	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY23	FY24	FY25		
None	None	None	N/A	NFA

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		\$31,455.4	\$31,455.4	62,910.8	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: None  
Duplicates/Relates to Appropriation in the General Appropriation Act: None

### **SECTION III: NARRATIVE**

#### **BILL SUMMARY**

Synopsis: House Bill 127 (HB127) would increase the statutory minimum salary for educational assistants from \$12,000 to \$25,000.

The bill would become effective in the 2023-2024 school year.

#### **FISCAL IMPLICATIONS**

The bill does not contain an appropriation.

The Public Education Department (PED) budget request includes \$109.3 million to provide an average 4 percent salary increase for all school personnel.

The Legislative Finance Committee budget recommendation includes \$139.1 million to provide an average 5 percent salary increase for all school personnel. Of this, with education assistant salaries making up approximately 5.8 percent of all education salaries statewide, approximately \$8.1 million is available to be applied to the provisions of this bill. This leaves a shortfall in appropriations of about \$30,589.8 that would need to be covered either by increased appropriations or within existing budgets.

#### **SIGNIFICANT ISSUES**

There are 8,127 educational assistants in school districts and charter schools, with an average salary of \$20,248.

A large portion of school district and charter school operations are funded by other revenue streams, such as federal funds, below-the-line appropriations, and special education. The statutory provisions contained in this bill would apply to staff funded through these other programs; sufficient funds from these revenue streams may not be available for proper implementation causing school districts and charter schools to use general fund appropriations to cover these added costs.

#### **PERFORMANCE IMPLICATIONS**

N/A

#### **ADMINISTRATIVE IMPLICATIONS**

Educational assistants are important to student learning and classroom safety. HB127 may help schools attract and retain educational assistants and thereby improve educational outcomes for students.

#### **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

N/A

#### **TECHNICAL ISSUES**

N/A

**OTHER SUBSTANTIVE ISSUES**

Current statutory provisions refer to “educational assistants” in general terms, leaving room for confusion as to which specific assistants would be subject to the provisions of this bill. Using the Uniform Chart of Accounts numbering system, educational assistants accounted for under job classifications 1213, 1216, 1218, 1319, 1711, 1712, 1713, and 1714 were considered.

**ALTERNATIVES**

N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

N/A

**AMENDMENTS**

N/A