



<b>LFC Requester:</b>	<b>Liu</b>
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**PUBLIC EDUCATION DEPARTMENT  
BILL ANALYSIS  
2023 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

*Check all that apply:*

**Original**     **Amendment**      
**Correction**     **Substitute**   

**Date Prepared:** 02/16/23  
**Bill No:** HB383

**Sponsor:** Figueroa  
**Short Title:** SUMMER & OUT-OF-SCHOOL  
TIME PROGRAMMING

**Agency Name and Code Number:** Agency Name and Code Number: PED - 924  
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**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY23	FY24		
None	\$250.0	Nonrecurring	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>	None	\$110.0	None	\$110.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

**Synopsis:** House Bill 383 (HB383) appropriates \$250,000 to the Public Education Department

(PED) to enhance six-week-summer and out-of-school-time programming for kindergarten-through 12th-grade public school students in the Albuquerque metropolitan area.

The bill requires that a report be provided to the Secretary of Public Education and the Legislative Education Study Committee by October 1, 2024.

The bill contains neither an explicit effective date nor an emergency clause, meaning the bill will become effective June 16, 2023.

### **FISCAL IMPLICATIONS**

The bill appropriates \$250,000 from the general fund to PED for expenditure in FY24 to enhance six-week-summer and out-of-school-time programming. Any unexpended or unencumbered balance remaining at the end of FY24 is required to revert to the general fund.

### **SIGNIFICANT ISSUES**

The bill requires that the summer and out-of-school-time programming include literacy and mathematics enrichment, social emotional learning, physical wellness and swimming, life and career skills and individualized tutoring.

### **PERFORMANCE IMPLICATIONS**

None.

### **ADMINISTRATIVE IMPLICATIONS**

PED would require an additional 1.0 FTE at a cost of \$110,000 to implement, track, research the outcomes of the program and prepare the final report, assuming it is PED who is to provide the required report (see, “Technical Issues”, below).

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

None.

### **TECHNICAL ISSUES**

The funding in HB383 is for FY24 and a report is due October 1, 2024. Although the funds would become available July 1, 2023, the first summer the funding could be used to implement a summer program for students would be the summer of 2024. This timeline raises two technical issues:

- the funds would revert if not expended or encumbered by June 30, 2024, which would occur in the middle of the program; and
- the timeframe is too short to collect resulting student academic achievement data and prepare a report by October 1, 2024.

Additionally, the bill requires that the report be provided to the Secretary of Public Education and the Legislative Education Study Committee by October 1, 2024, but does not indicate who is to prepare and submit this report, as the language in the bill employs the passive voice.

### **OTHER SUBSTANTIVE ISSUES**

None.

**ALTERNATIVES**

None.

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

None.

**AMENDMENTS**

The sponsor may wish to amend the bill to allow the funds to be used in FY24 and FY25, and to require the report to be submitted after the 2024-2025 school year to allow time to collect student achievement data and compare the effect of 2024 summer participation on participating versus non-participating students over the 2024-2025 school year. The sponsor may also wish to clarify who is to prepare and provide the required report.