LFC Requester: **Liu**

PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

Check all that apply:
Original x **Amendment** ____
Correction ____ **Substitute** ____

Date Prepared: 01/27 /25
Bill No: SB136

Agency Name and Code: PED - 924

Sponsor: Padilla

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Short Title: FIREARM DETECTION SOFTWARE FUND

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SECTION II: FISCAL IMPACT

(Parenthesis ( ) Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	**FY27**		
$5,000.0	Undetermined	Nonrecurring	GF

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	**FY27**	**FY28**		
None.	None.	None.	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 136 (SB136) would establish a Firearm Detection Software Fund to enhance public school security. The fund would provide grants to school districts and charter schools for implementing firearm detection software capable of identifying visible, unholstered firearms on school premises, integrating with existing surveillance systems, and alerting school personnel and law enforcement. The software must be designated by U.S. Homeland Security as qualified anti-terrorism technology designation, be developed in the United States with patented or other proprietary data, and have evidence-based effectiveness.

The bill does not provide an effective date. Laws go into effect 90 days after the adjournment of the Legislature enacting them unless a later date is specified. If enacted, this bill would become effective June 20, 2025.

FISCAL IMPLICATIONS

SB136 would appropriate $5 million from the general fund to the firearm detection software fund in FY26 and subsequent fiscal years to be administered by the Public Education Department (PED). Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the general fund.

Estimates indicate the cost of licensing a video stream detection point or camera at $400 per year, depending also on the numbers of licensed detection points and duration of the software licenses.

The number of security cameras installed in a school building can vary significantly depending on several factors, including the size of the school, the layout of the building, security priorities, and local policies or regulations.

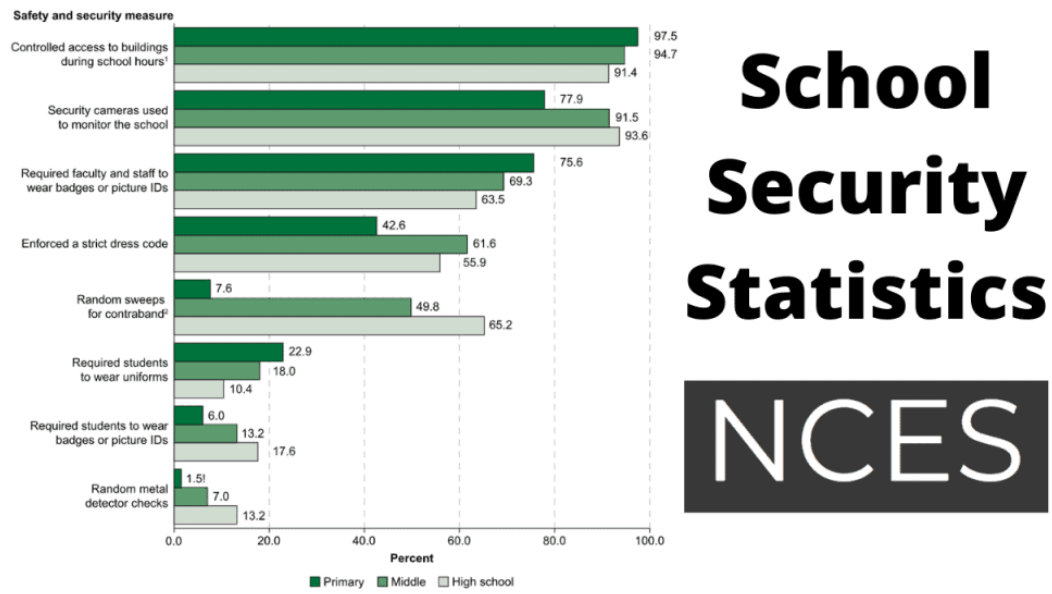
The initial appropriation of $5 million may be distributed to pay for 12,500 one-year detection point licenses at $400 each. At an average per pupil estimate of 1 camera for every 15 students, this would pay for one-year licenses of software for 187,500 students, or about 60% of the population of New Mexico schools, if expended in the first year.

The fund may be spent down in FY26 with expectations that it will receive future appropriations, or distributions from the original appropriation may be spread out over several years.

SIGNIFICANT ISSUES

According to Safe and Sound Security, more than 80 percent of public schools and more than 95 percent of high schools in the United States use security cameras to monitor schools. The benefits of security cameras include, enhancement of safety, emergency preparedness, bullying prevention, facilitating incident resolution, and monitoring during and outside school hours. (See also, Figure 1, below, from the National Center for Education Statistics.)

Figure 1.



[Safe and Sound Security] indicates the most common types of security cameras used in schools include:

- Bullet cameras, which typically include features such as high resolution, infrared night vision, and weather resistant casings.
- Dome cameras, which generally feature vandalism-proof casings, wide-angle lenses, and ceiling or wall mounts for flexible installation.
- Pan/tilt/zoom cameras, which cover large areas, track movement and zoom in, and allow for remote operation.

Currently in use in New Mexico are firearm detection systems that meet the requirements outlined in SB136. Both [Clovis Municipal Schools] and [Hobbs Municipal Schools] have implemented an Artificial-Intelligence-(AI)-based gun-detection platform. This software integrates with existing security cameras to detect visible, unholstered firearms and alerts school personnel and law enforcement within five seconds of detection. The software is designated as qualified anti-terrorism technology under the U.S. Department of Homeland Security's SAFETY Act, aligning with the specifications of SB 136.

These measures demonstrate the practical application of firearm detection software that meets the criteria specified in SB136, aiming to enhance school security by providing timely alerts to potential threats.

Beyond New Mexico, the Charlotte-Mecklenburg School District in North Carolina has also implemented an AI-powered firearm detection systems at several of its large high schools. These systems are designed to detect visible firearms and alert appropriate personnel promptly. The system also provides software for the visual detection of [concealed weapons].

Critics of visual firearm detections systems note that the machine learning that drives them may improve, but early adopters may encounter false positives while the newly installed systems provide additional data to train the underlying AI. For entry-scanning technologies, which are

not the subject of SB136, false positives have been reported to cause some trauma for students of various ages who have been incorrectly identified by software as carrying concealed weapons into school.

No personally identifiable information is stored by the software, which is an important consideration regarding the interplay between safety and privacy. Education Commission of the States notes that, several states have attempted to strike a balance between the potentially competing interests of security and privacy:

- **Colorado** (R.S. 19-1-302) addresses data privacy measures that schools and service agencies must observe when they share such information as juvenile delinquency records, information concerning abuse and neglect, truancy information, mental health records and medical records.
- **Nebraska** (B.322) established the Safe2HelpNE anonymous school safety reporting line and requires that report line staff be trained in applicable confidentiality and privacy laws. It also provides that "any information in the possession of the threat assessment team shall remain separate from educational records and shall be considered security records."
- **Utah**'s State Safety and Support Program (53G-8-802) requires the state board of education to provide districts training on the types of student data they are permitted to collect and disclose to law enforcement and other support services.

PERFORMANCE IMPLICATIONS

The K-12 School Shooting Database reported the highest number of school shootings on record in 2023. That year, 349 school shooting incidents resulted in 249 victims injured or killed. The highest number of victims of school shootings was 273 the previous year, 2022. In 2024, the database recorded 330 school shooting incidents, up from 47 in 2014, and 35 in 2004.

ADMINISTRATIVE IMPLICATIONS

Managing the implementation of visual firearm detection technology may require an understanding of the complexities of weapons detection and response, expertise which may not be common among school district and charter school personnel. Hiring or contracting with experts may impose an undetermined administrative burden on schools using this technology.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

Some software systems have been trained to detect only guns: "They do not perform any facial recognition, so there is no risk of bias based on skin color or other personal characteristics. Some

systems do not receive, record, store, or share personal or biometric data, videos or images of any kind. Some systems receive images only when a gun has been identified; at all other times, the monitoring screens remain blank."

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.