



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2025 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 02/06 /25
Bill No: SB256

Agency Name and Code: PED - 924

Sponsor: Thornton/Paul

PED Lead Analyst: -

Phone: - Email: -

Short Title: SCHOOL TEACHERS ON-SITE PROTECTION ACT

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

| Appropriation | | Recurring or Nonrecurring | Fund Affected |
|---------------|------|---------------------------|---------------|
| FY26 | FY27 | | |
| None | None | N/A | N/A |

REVENUE (dollars in thousands)

| Estimated Revenue | | | Recurring or Nonrecurring | Fund Affected |
|-------------------|------|------|---------------------------|---------------|
| FY26 | FY27 | FY28 | | |
| None | None | None | N/A | N/A |

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 | N/A |

Duplicates/Relates to Appropriation in the General Appropriation Act: [House Bill 141](#), the current version of the General Appropriation Act, proposes to appropriate \$1 million to the Public Education Department for the statewide deployment of mobile panic buttons at public schools, and approximately \$200 thousand for regional and statewide school safety summits.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: Senate Bill 256 (SB256) would establish a licensure program to allow certain school employees to carry handguns on school premises after completing a state-administered training program. The bill proposes to make the Department of Public Safety (DPS) responsible for conducting a 40-hour firearm training to include legal education, active shooter response, and a psychological evaluation. School employees who obtain a school employee firearm license would be appointed by school administrators to carry a concealed handgun, following specific security protocols. Appointed employees would only be permitted to use their firearm in situations that would justify deadly force. Their identities would be kept confidential and not subject to the Inspection of Public Records Act, and school districts could reimburse them for training costs. The act would also amend existing law to include these licensed school employees as exceptions to the prohibition against carrying weapons on school grounds.

FISCAL IMPLICATIONS

SB256 does not contain an appropriation.

A “reasonable fee” would be charged to each trainee. This cost would need to be covered by the school or school district.

School districts and charter schools may incur increased insurance and liability costs associated with arming schoolteachers and other personnel with firearms (see, “Other Substantive Issues,” below.).

SIGNIFICANT ISSUES

Arming teachers creates the impression for students of impending danger, heightening student anxiety and feelings of being unsafe. Multiple studies confirm the “weapons effect,” where the presence of a gun increases aggressive behavior, both for the armed and unarmed person (Carlson, Marcus-Newhall, & Miller, 1990). These negative impacts to school climate interfere with the learning environment that they are designed to protect.

According to a June 2024 National Education Association (NEA) publication, [Arming Teachers Still a Terrible Idea](#), introducing firearms into the school environment may inadvertently increase the risk of accidental discharges or unauthorized access to weapons. NEA emphasizes that arming teachers could pose significant safety risks and detract from the learning environment.

The [National School Safety and Security Services](#) advises that arming persons in public schools should be left to professional school public safety officials, such as school resource officers (SROs) and school police department officers. According to a Teach Plus survey in an [article in EdWeek](#), nearly 80 percent of teachers strongly oppose arming educators, expressing concerns about the potential negative impact on the educational environment.

The American Civil Liberties Union also argues that arming teachers will not make students safer and that increasing the number of guns in schools could lead to more incidents of gun violence, in the article [Four Reasons Why Arming Schoolteachers Won't Make Schools Safer](#).

These concerns suggest that the implementation of the act could introduce new risks and challenges, potentially outweighing its intended benefits.

PERFORMANCE IMPLICATIONS

The bill would likely negatively impact student academic performance by increasing anxiety, stress, and classroom distractions while potentially damaging student-teacher relationships. Additionally, marginalized students and staff may experience disproportionate effects, leading to further disparities in academic achievement. Rather than improving school outcomes, the presence of armed staff could create an environment of fear that hinders learning and engagement.

ADMINISTRATIVE IMPLICATIONS

SB256 would place significant administrative, legal, and financial responsibilities on school districts and public safety agencies. While intended to enhance security, it introduces complex challenges related to liability, policy enforcement, coordination with law enforcement, and the overall impact on school environments.

SB256 would require DPS to create and administer a psychological evaluation for school employees who are to be designated an “appointed school employee” as defined by the bill.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to:

- House Bill 31, Fourth Degree Felony for Shooting Threat, which proposes to raise shooting threats from a misdemeanor to a fourth-degree felony.
- Senate Bill 136, Firearm Detection Software Fund, which proposes to create the fund to provide grants for school districts and charter schools to contract for such software.

TECHNICAL ISSUES

The bill may create conflicts with Sections [22-5-18](#) and [22-8B-5.4](#) NMSA 1978, on the reservation of authority for allowing firearms on traditional public school and charter school premises, respectively. The sponsors may wish to consider amending these sections to address the proposed School Teachers On-Site Protection Act.

Section 4 of the bill, in Subsection A, permits local superintendents and charter school head administrators to, “appoint one or more school employees to carry handguns for each school campus.” However, this provision does not clearly use the previously defined term, “appointed school employee,” which may create confusion as to the mandatory nature of the appointed employee’s duties and qualifications. The sponsor may wish to amend this language to clarify that the appointed employee must fulfill the requirements of appointment prior to their designation.

OTHER SUBSTANTIVE ISSUES

[Section 22-10A-40 NMSA 1978](#) and [6.12.12 NMAC](#), establishing requirements for armed school

security personnel, requires such personnel to pass a physical and a psychological evaluation prior to being certified as armed school security personnel.

According to United Educators, arming educators is an emerging risk, and some insurance carriers will not insure armed educators, so schools should seek advice from their insurance carrier regarding liability coverage. Further, armed school personnel will be responsible for ensuring they are complying with all laws regarding licensure and carry permits for firearms, including permits for concealed carry. School personnel who employ their firearm may also be personally liable for any injuries caused by those personnel when carrying or using their firearm.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.