



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: 02/21 /25
Bill No: HB489

Sponsor: Torres-Velásquez/Herndon/Pope/
Anyanonu

Agency Name and Code: PED - 924

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Short Title: BLACK EDUCATION LIAISON
PORTAL

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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	NFA

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: The [House Appropriation and Finance Committee amendment to House Bill 2](#) (HB2/aHAFC), the General Appropriation Act, contains an appropriation of \$500 thousand to the Public Education Department (PED) for the Black Education Act.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 489 (HB489) would amend the [Black Education Act](#) (BEA) to remove requirements for the BEA Liaison to maintain a website with links to a hotline for reporting racially charged incidents. Rather than a hotline, the website would now be required to link to an online portal for reporting school-based incidents of racism or racial discrimination. HB489 would also redefine the type of incidents reported to the anti-racism online portal, from “racially charged incidents,” to “incidents of racism or racial discrimination,” and would exempt all portal submissions from the [Inspection of Public Records Act](#) (IPRA).

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

HB489 does not contain an appropriation.

SIGNIFICANT ISSUES

The BEA was enacted by the legislature in 2021 to provide for the Black Education Advisory Council, the annual Black Education Status Report, and the Black Education Liaison at the Public Education Department (PED).

An online portal in place of a hotline may offer greater anonymity and accessibility to those who submit incident reports, and exemption from IPRA requests would also protect their privacy and confidentiality. A 2014 [meta-analysis of voluntary reporting of error incidents](#) in the health profession, for example, concluded that submissions given on a computer, such as those submitted by the online portal specified in HB489, and that offer anonymity, such as the exemption to IPRA would offer for online portal submissions, result in more truthful disclosures.

The proposed exemption expands upon existing IPRA exceptions protecting sensitive information. IPRA already exempts records pertaining to physical or mental examinations and medical treatment of persons confined to an institution, as well as letters of reference concerning employment, licensing, or permits. The bill would protect all submissions to the online portal, preventing the agency from providing even deidentified or aggregated records in response to IPRA requests.

PERFORMANCE IMPLICATIONS

The exemption to IPRA for reports of school-based incidents of racism or racial discrimination would protect the privacy of individuals reporting sensitive incidents, thereby encouraging more constituents to come forward without fear of public exposure. Maintaining access to a means of reporting incidents of racial discrimination is important, as the federal administration is permitting investigations of discrimination by the United States Department of Education only with regard to disability-related discrimination, according to [ProPublica, leaving cases related to racial or gender discrimination in limbo.](#)

ADMINISTRATIVE IMPLICATIONS

None.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB489 relates to:

- House Bill 467, which proposes to amend, among other sections, Section 22-23C-5 NMSA 1978 of the Black Education Act with language identical to that proposed by HB489, changing the pertinent language in the BEA from “hotline” to “online portal” and exempting submissions from IPRA.
- House Bill 139, which would make several substantive changes to the Inspection of Public Records Act.
- House Bill 283, which would make several substantive changes to the Inspection of Public Records Act.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.