



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: HB523

Agency Name and Code: PED - 924

Sponsor: Lara/Gurrola/Silva/Rubio

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Short Title: LIMIT DISRUPTIONS IN SCHOOLS

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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: None

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 523 (HB523) would create a new section of statute to stipulate that a federal immigration agent possessing a judicial warrant for an individual believed to be present within a public school may request entry from the local superintendent or charter school's head administrator. The superintendent or head administrator would then assess the request to determine if granting access is permitted by law.

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

HB523 does not contain an appropriation.

SIGNIFICANT ISSUES

HB523 raises concerns regarding the [Supremacy Clause of the U.S. Constitution](#) and separation of powers, as it purports to give state-level officials the authority to potentially interfere with federal law enforcement in the execution of federal warrants. A judicial warrant is a court order, and property owners are typically required to comply without their consent being necessary. The New Mexico Department of Justice (DOJ) recently released [guidance](#) on immigration issues and federal law enforcement access to the public schools in the state. Noting that the Constitution of New Mexico and its laws unequivocally guarantee even undocumented children a right to a public education, DOJ noted, "New Mexico requires each district superintendent or charter school administrator to be accountable for student safety," including ensuring "that all buildings, grounds and facilities provide a safe and orderly environment for public use." However, immigration officers may lawfully be present in any publicly accessible place on school grounds and ask questions of staff and students without basis to believe that immigration laws have been violated. The guidance indicates, "School administrators wishing to foster a learning environment that limits the fear of immigration enforcement on school grounds can establish policies restricting public access and requiring visitor authorization before entering school grounds. Police officers may access non-public areas of a school if they have the school's prior consent, a judicial warrant authorizing entry, or a genuine public safety emergency."

Nevertheless, assigning school administrators the responsibility to determine the legality of access requests could lead to conflicts with federal authority and potential criminal liability for obstructing federal law enforcement. Additionally, as a practical matter, school and district administrators likely lack the necessary legal knowledge or training to properly assess judicial warrants, putting them in the difficult position of potentially reviewing matters with which they lack familiarity and making incorrect determinations and facing legal consequences as a result.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None for the PED.

School districts would need to develop protocols to evaluate warrants from federal immigration agents, potentially requiring legal consultation to ensure compliance with both state and federal laws.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

HB523 is related to other pending legislation concerning state and local involvement in federal immigration enforcement. It is similar in scope to House Bill 9, Immigration Safety Act, and Senate Bill 250, State Enforcement of Immigration Law, both of which also seek to limit state cooperation with federal immigration enforcement.

HB523 conflicts with Senate Bill 87, Use of Resources & Fed. Immigration Law, and House Bill 316, Interference with Federal Immigration Law, identical bills that propose to prohibit the adoption or continuation in effect of any law, ordinance, rule, or regulation that would prohibit or restrict the use of personnel or resources to assist in the enforcement of federal immigration law, or interfere with that enforcement by the state or a political subdivision thereof.

TECHNICAL ISSUES

The bill does not differentiate between search warrants and arrest warrants; without further direction, HB523 would apply to both.

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 specify whether it applies to search or arrest warrants, or both.