

1 SENATE BILL 19  
2 56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2024  
3 INTRODUCED BY  
4 David M. Gallegos and William E. Sharer  
5  
6  
7  
8  
9

10 AN ACT

11 RELATING TO SCHOOL SAFETY; CREATING THE SCHOOL SAFETY DIVISION  
12 OF THE DEPARTMENT OF PUBLIC SAFETY AND PRESCRIBING DUTIES;  
13 CREATING THE SCHOOL SAFETY DIVISION PROGRAM FUND; MAKING AN  
14 APPROPRIATION.  
15

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 9-19-4 NMSA 1978 (being Laws 1987,  
18 Chapter 254, Section 4, as amended) is amended to read:

19 "9-19-4. DEPARTMENT ESTABLISHED.--~~[There is created in~~  
20 ~~the executive branch]~~ The "department of public safety" is  
21 created in the executive branch. The department shall be a  
22 cabinet department and shall consist of, but not be limited to:

- 23 A. the New Mexico state police division;  
24 B. the New Mexico law enforcement academy;  
25 C. the technical support division;

underscoring material = new  
~~[bracketed material]~~ = delete

- 1 D. the administrative services division; ~~[and]~~
- 2 E. the information technology division; and
- 3 F. the school safety division."

4 SECTION 2. Section 9-19-7 NMSA 1978 (being Laws 1987,  
5 Chapter 254, Section 7, as amended) is amended to read:

6 "9-19-7. ORGANIZATIONAL UNITS OF DEPARTMENT--POWERS AND  
7 DUTIES SPECIFIED BY LAW--ACCESS TO INFORMATION.--

8 A. The organizational units of the department and  
9 the officers of those units specified by law shall have all the  
10 powers and duties enumerated in the specific laws involved;  
11 ~~[However]~~ provided that the carrying out of those powers and  
12 duties shall be subject to the direction and supervision of the  
13 secretary, who shall retain the final decision-making authority  
14 and responsibility for the administration of any such laws as  
15 provided in Subsection B of Section 9-19-6 NMSA 1978. The  
16 department shall have access to all records, data and  
17 information of other state departments, agencies and  
18 institutions, including its own organizational units, not  
19 specifically held confidential by law.

20 B. The New Mexico state police division ~~[shall~~  
21 ~~consist]~~ consists of the commissioned officers and civilian  
22 personnel of the New Mexico state police and ~~[such]~~ other  
23 personnel ~~[as may be]~~ assigned by the secretary or by the  
24 governor pursuant to an executive order as authorized in the  
25 Department of Public Safety Act. The New Mexico state police

.228522.1

underscored material = new  
[bracketed material] = delete

1 division [~~shall~~] also [~~include~~] includes:

2 (1) the special investigations unit, which  
3 [~~shall consist~~] consists of the enforcement personnel of the  
4 former special investigations division and civilian personnel  
5 [~~as may be~~] assigned by the secretary or by the governor  
6 pursuant to an executive order as authorized in the Department  
7 of Public Safety Act. The unit is responsible for the  
8 enforcement of the New Mexico Bingo and Raffle Act and the  
9 Liquor Control Act;

10 (2) the training and recruiting bureau, which  
11 [~~shall consist~~] consists of the personnel of the New Mexico  
12 state police training division and all civilian personnel and  
13 functions of the department [~~as~~] the secretary may transfer to  
14 the bureau;

15 (3) the motor transportation police bureau,  
16 which [~~shall consist~~] consists of the enforcement and civilian  
17 personnel of the former motor transportation division. The  
18 bureau is responsible for enforcing the Motor Carrier Act, the  
19 Motor Transportation Act, the Motor Vehicle Code and the  
20 Criminal Code; and

21 (4) civilian employees of the former motor  
22 transportation division or the former special investigations  
23 division, who [~~shall be~~] are subject to the provisions of the  
24 Personnel Act.

25 C. The New Mexico law enforcement academy [~~shall~~

.228522.1

underscored material = new  
[bracketed material] = delete

1 ~~consist~~] consists of personnel of the New Mexico law  
2 enforcement academy and [~~such~~] other functions [~~as~~] the  
3 secretary may transfer to it.

4 D. The technical support division [~~shall consist~~]  
5 consists of functions [~~such as~~] related to the crime laboratory  
6 and records and other functions the secretary may transfer to  
7 it.

8 E. The administrative services division [~~shall~~  
9 ~~consist~~] consists of the administrative services [~~as~~] the  
10 secretary deems necessary.

11 F. The information technology division [~~shall~~  
12 ~~consist~~] consists of [~~such~~] functions [~~as~~] related to computer  
13 and technology support [~~as~~] and other functions the secretary  
14 deems necessary.

15 G. The school safety division consists of  
16 personnel, commissioned officers, functions provided by law and  
17 other functions the secretary deems necessary."

18 SECTION 3. A new section of the Department of Public  
19 Safety Act is enacted to read:

20 "[NEW MATERIAL] SCHOOL SAFETY DIVISION CREATED--DIVISION  
21 DUTIES.--The "school safety division" is created in the  
22 department of public safety and, in coordination with the  
23 public education department, local school boards, charter  
24 school governing bodies, local law enforcement agencies, the  
25 New Mexico law enforcement academy and the New Mexico law

.228522.1

underscoring material = new  
~~[bracketed material] = delete~~

1 enforcement standards and training council, shall:

2 A. assist school districts and charter schools with  
3 developing safety policies;

4 B. assist school districts, charter schools and  
5 local law enforcement agencies with coordinating the placement  
6 of school resource officers and recruiting school security  
7 personnel;

8 C. develop training curricula in collaboration with  
9 the New Mexico law enforcement academy and the New Mexico law  
10 enforcement standards and training council for school resource  
11 officers and school security personnel; and

12 D. administer other programs the secretary may  
13 create to provide for the physical protection of students at  
14 public schools."

15 SECTION 4. A new section of the Department of Public  
16 Safety Act is enacted to read:

17 "[NEW MATERIAL] SCHOOL SAFETY DIVISION PROGRAM FUND  
18 CREATED.--

19 A. The "school safety division program fund" is  
20 created as a nonreverting fund in the state treasury. The fund  
21 consists of appropriations, grants, distributions and gifts  
22 made to the fund and income from investment of the fund. The  
23 school safety division of the department shall administer the  
24 fund, and disbursements shall be made by warrant of the  
25 secretary of finance and administration pursuant to vouchers

.228522.1

underscored material = new  
[bracketed material] = delete

1 signed by the secretary of public safety.

2 B. Money in the school safety division program fund  
3 is appropriated to the school safety division of the department  
4 to provide grants to school districts and charter schools to  
5 pay for personnel services and employee benefits for school  
6 resource officers and school security personnel and reasonable  
7 costs approved by the division for recruiting and retaining  
8 school resource officers and school security personnel.

9 C. The school safety division of the department  
10 shall promulgate rules for the form and manner of a grant  
11 application, criteria for reviewing an application, terms of a  
12 grant agreement and other rules necessary to administer the  
13 school safety division program fund."

14 SECTION 5. APPROPRIATION.--Fifty million dollars  
15 (\$50,000,000) is appropriated from the general fund to the  
16 school safety division program fund for expenditure in fiscal  
17 year 2025 and subsequent fiscal years to provide grants to  
18 school districts and charter schools pursuant to the purposes  
19 of the fund. Any unexpended or unencumbered balance remaining  
20 at the end of a fiscal year shall not revert to the general  
21 fund.