

2025 LEGISLATIVE SESSION

SB58: Child Care Facility Licensing Act

Sponsor:
Sen. Michael Padilla



Enhancing and Aligning New Mexico's Early Childhood Education and Care System

SB58 strengthens the statutory framework for a universal, high-quality early childhood system, reduces administrative burden for providers, and improves access to services for families through the following:

- Creates an exemption from the Procurement Code to allow ECECD to reduce barriers for providers in expanding infant and toddler care and aligns payment practices with the private market.
- Updates the Pre-Kindergarten (PreK) Act to codify existing standards for NM PreK educator qualifications, aligns eligibility across public PreK programs, and updates NM PreK application requirements.
- Clarifies through definition that ECECD is the department to which the Early Childhood Care Accountability Act applies.

Impact of SB58 on New Mexico's Early Childhood Education and Care System

Affected Statute: Pre-Kindergarten Act

Location in SB58	Proposed Changes	Impact
Section 2 (pgs. 8-9)	Amends the definition of eligible child in early PreK.	Aligns eligibility with Part B, Section 619 of the federal Individuals with Disabilities Education Act (IDEA) and Head Start and ensures continuity of services for children transitioning from Part B services to Head Start programs.
Section 3 (pg. 11)	Requires rules related to PreK be created in consultation with the affected community through an advisory council.	Increased community engagement.
Section 4 (pgs. 12-15)	Codifies NM PreK educator qualifications. Updates NM PreK application requirements.	Elevates existing high-quality standards for educators within the NM PreK program by making them law. Aligns the application requirements with current standards and removes unnecessary application requirements thereby reducing the administrative burden.

Impact of SB58 on New Mexico’s Early Childhood Education and Care System



Affected Statute: Procurement Code

Location in SB58	Proposed Changes	Impact
Section 1 (pg. 7)	Creates an exemption from the Procurement Code for the purchasing of child care by ECECD.	<p>Reduces barriers in the process for funding infant and toddler contracted slots, for children with disabilities, and children in underserved geographic areas.</p> <p>Allows ECECD to pay child care providers for child care assistance in advance, reducing financial burden on providers.</p>

Affected Statute: Early Childhood Care Accountability Act

Location in SB58	Proposed Changes	Impact
Sections 5–7 (pgs. 15–21)	Defines ECECD as the department responsible for the Early Childhood Care Accountability Act.	This section of the Children’s Code was overlooked when ECECD was incorporated into the Children’s Code.
Section 7 (pgs. 20–21)	Clarifies immunization requirements and exemptions for enrolled children by mirroring the Immunization Act when ensuring that enrolled children are up-to-date with immunizations.	Ensures clear requirements and exemptions for immunizations of children in licensed child care.



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