



Office of the Governor

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## **SJR6 | Early Childhood Trust Fund Constitutional Amendment (CA)**

### **SB167 | Supporting Statute for Early Childhood Trust Fund CA**

**Sponsored by Sen. Michael Padilla**

## **Overview:**

SJR6 will send a proposed constitutional amendment to New Mexico voters to constitutionally protect the Early Childhood Education and Care Fund by placing the fund in the New Mexico constitution as the Early Childhood Trust Fund (ECTF). SJR6 will constitutionally mandate the fund to be spent only on prenatal and early childhood programs and services that serve children until they are eligible for kindergarten.

SB167 supports SJR6 by amending statutes related to the Early Childhood Education and Care Fund to ensure they are consistent with the constitutional protection for the ECTF proposed by SJR6. These statutory amendments will only go into effect if the constitutional amendment is approved by the voters. Together, SJR6 and SB167 will ensure that critical investments for young children are constitutionally protected for generations to come.

## **Quick facts:**

- The ECTF is a stable and predictable source of funding to scale critical early childhood programs and services.
- SJR6 makes the ECTF a permanent trust fund in the Constitution, creating a foundation for long-term success for future generations of children.
- SB167 renames the Early Childhood Education and Care Fund to the Early Childhood Trust Fund.
- SJR6 and SB167 limit the fund's use to prenatal and early childhood programs and services, and their administration, supporting New Mexico's goal of universal, high quality, and affordable prenatal to five services.
- SJR6 sets the annual distribution amount to the Early Childhood Trust Fund to the greater of five hundred million dollars or five percent of the average of the year-end market values of the fund for the immediately preceding three calendar years.

## **Importance:**

Improving the quality of life for every New Mexican begins with a world-class cradle-to-career education system. Investments in early childhood education and care yield substantial long-term benefits for individuals and society—a 13% annual return on investment through improved outcomes in education, health, and economic productivity. Constitutionally protecting the fund will ensure the Early Childhood Education and Care Department (ECECD) can deliver a high-quality, universal early childhood system that ensures all New Mexico families and young children are thriving.

## How it works:

The constitutional amendment proposed by SJR6 incorporates the Early Childhood Trust Fund into the Constitution and mandates the distribution of the greater of \$500 million or five percent of the ECTF's three-year average market value each year to prenatal and early childhood programs and services. In the event the constitutional amendment is approved by the voters, SB167 updates the statutory structure of the Early Childhood Trust Fund and Together, this legislation ensures that the fund would only be used for prenatal and early childhood programs and services that serve children until they are eligible for kindergarten.

If passed, SJR6 would be included on the ballot in the 2026 general election, or any special election held prior to the 2026 general election, for the people to vote to approve or reject the amendment. SB167 would go into effect only if the public votes to amend the constitution.

## Financial information:

The amendment proposed by SJR6 creates a constitutionally mandated distribution of the greater of \$500 million or five percent of the ECTF's three-year year-end average market value to be used only for the prenatal and early childhood programs and services that serve children until they are eligible for kindergarten and the administration of those programs and services. ECTF's money may otherwise only be used to address a state deficit as a fund of last resort.