

1 HOUSE BILL 586

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 James E. Smith and Timothy M. Keller

5
6
7
8
9
10 AN ACT

11 RELATING TO HIGHER EDUCATION; PROVIDING FOR ADDITIONAL GRADE
12 POINT AVERAGE REQUIREMENTS, MEANS TESTING AND ATTENDANCE AT AND
13 GRADUATION FROM A NEW MEXICO HIGH SCHOOL TO RECEIVE A
14 LEGISLATIVE LOTTERY SCHOLARSHIP.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 21-1-4.3 NMSA 1978 (being Laws 1996,
18 Chapter 71, Section 3, as amended) is amended to read:

19 "21-1-4.3. LEGISLATIVE LOTTERY SCHOLARSHIPS
20 AUTHORIZED--CERTAIN EDUCATIONAL INSTITUTIONS.--

21 A. To the extent that funds are made available by
22 the legislature from the lottery tuition fund, the boards of
23 regents of New Mexico state university, New Mexico institute of
24 mining and technology, eastern New Mexico university, western
25 New Mexico university, the university of New Mexico, New Mexico

.192645.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 highlands university and northern New Mexico college shall
2 award legislative lottery scholarships for tuition for
3 qualified resident students attending their respective
4 institutions and branches of those institutions.

5 B. Except as otherwise authorized in this section,
6 the legislative lottery scholarships authorized in this section
7 shall apply only to full-time resident students who:

8 ~~[immediately upon completion of a high school curriculum at a
9 public or accredited private New Mexico high school or upon
10 receiving a graduate equivalent diploma, are accepted for
11 entrance to and attend one of the state educational
12 institutions set forth in this section or one of the branches
13 of those institutions]~~

14 (1) completed a high school curriculum at a
15 public or accredited private New Mexico high school and
16 maintained a grade point average of 2.7 or higher on a 4.0
17 scale, unless the student first attended a two-year public
18 post-secondary educational institution;

19 (2) maintain residency in New Mexico; and

20 (3) attend one of the state educational
21 institutions set forth in this section or one of the branches
22 of those institutions:

23 (a) immediately upon completion of a
24 high school curriculum at a public or accredited private New
25 Mexico high school;

.192645.1

underscored material = new
[bracketed material] = delete

1 (b) within two years after attending a
2 two-year public post-secondary educational institution in New
3 Mexico or immediately upon completion of a two-year curriculum
4 at a two-year public post-secondary educational institution in
5 New Mexico, whichever is sooner; provided that the student
6 attended a two-year public post-secondary educational
7 institution immediately upon completion of a high school
8 curriculum at a public or accredited private New Mexico high
9 school and maintained a grade point average of 2.7 on a 4.0
10 scale; or

11 (c) within one year of completion of
12 honorable service or medical discharge from service in the
13 United States armed forces; provided that the student began
14 service within one hundred twenty days of completion of a high
15 school curriculum at a public or accredited private New Mexico
16 high school.

17 C. The higher education department shall provide
18 for the payment by the state of full or partial tuition
19 assistance, as determined annually by the department in
20 accordance with money available from the lottery tuition fund
21 and appropriated by the legislature, of a full-time resident
22 student; provided that:

23 (1) a student with a family income of one
24 hundred thousand dollars (\$100,000) or more shall receive
25 seventy percent of the tuition assistance otherwise available

.192645.1

underscored material = new
[bracketed material] = delete

1 to a full-time resident student;

2 (2) a student with a family income of fifty-
3 four thousand dollars (\$54,000) or more, but less than one
4 hundred thousand dollars (\$100,000), shall receive eighty-five
5 percent of the tuition assistance otherwise available to a
6 full-time resident student; and

7 (3) a student with a family income of less
8 than fifty-four thousand dollars (\$54,000) shall receive one
9 hundred percent of the payment of full or partial tuition
10 assistance, as determined annually by the department.

11 D. Each legislative lottery scholarship shall be
12 awarded for up to four consecutive years, beginning the second
13 semester of the recipient's first year of enrollment if the
14 recipient has maintained residency in New Mexico and maintained
15 a grade point average of 2.5 or higher on a 4.0 scale during
16 the first semester of full-time enrollment.

17 ~~[G. The legislative lottery scholarships authorized~~
18 ~~in this section shall also apply to full-time resident students~~
19 ~~who, immediately upon completion of a high school curriculum at~~
20 ~~a public or accredited private New Mexico high school or upon~~
21 ~~receiving a graduate equivalent diploma, attend a two-year~~
22 ~~public post-secondary educational institution in New Mexico and~~
23 ~~who, upon the completion of that curriculum or at the end of~~
24 ~~two years, whichever is sooner, transfer to one of the post-~~
25 ~~secondary state educational institutions set forth in this~~

.192645.1

underscored material = new
[bracketed material] = delete

1 ~~section. Those students shall be eligible for a legislative~~
2 ~~lottery scholarship for two consecutive years if they maintain~~
3 ~~residency in New Mexico, maintain a grade point average of 2.5~~
4 ~~or higher on a 4.0 scale and attend the institution full time~~
5 ~~during the regular academic year.~~

6 ~~D. The legislative lottery scholarships authorized~~
7 ~~in this section shall also apply to full-time resident students~~
8 ~~who:~~

9 ~~(1) within one hundred twenty days of~~
10 ~~completion of a high school curriculum at a public or~~
11 ~~accredited private New Mexico high school, or of receiving a~~
12 ~~graduate equivalent diploma, begin service in the United States~~
13 ~~armed forces; and~~

14 ~~(2) within one year of completion of honorable~~
15 ~~service or medical discharge from the service, attend one of~~
16 ~~the state educational institutions set forth in this section.]~~

17 E. The higher education department shall prepare
18 guidelines setting forth explicit student continuing
19 eligibility criteria and guidelines for administration of the
20 legislative lottery scholarship program. Guidelines shall be
21 distributed to the board of regents of each institution to
22 enable a uniform availability of the resident student
23 legislative lottery scholarships.

24 F. For purposes of the legislative lottery
25 scholarship program as it applies to students with

.192645.1

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

1 disabilities who may require special accommodations, the
2 higher education department, in consultation with the student
3 and the office at the institution that serves students with
4 disabilities, shall review both the definition of "full time"
5 and the maximum number of consecutive semesters of
6 eligibility and adjust either or both as deemed reasonable
7 and appropriate, based on the student's disability needs. In
8 no case, however, shall "full time" mean fewer than six
9 credit hours per semester, and in no case shall eligibility
10 extend beyond fourteen consecutive semesters."

11 SECTION 2. Section 21-13-10 NMSA 1978 (being Laws 1963,
12 Chapter 17, Section 9, as amended) is amended to read:

13 "21-13-10. BOARD DUTIES.--

14 A. It is the duty of the community college board
15 to determine financial and educational policies of the
16 community college. The community college board shall provide
17 for the management of the community college and execution of
18 these policies by selecting a competent president for the
19 community college, and, upon the president's recommendation,
20 the board shall employ other administrative personnel,
21 instructional staff or other personnel as may be needed for
22 the operation, maintenance and administration of the
23 community college.

24 B. The community college board shall have the
25 power to fix tuition and fee rates for resident and

.192645.1

underscored material = new
[bracketed material] = delete

1 nonresident students of the community college district; to
2 accept gifts; to accept federal aid; to purchase, hold, sell
3 and rent property and equipment; and to promote the general
4 welfare of the institution for the best interest of
5 educational service to the people of the community college
6 district.

7 C. To the extent that funds are made available by
8 the legislature from the lottery tuition fund, the community
9 college board shall award legislative lottery scholarships
10 for qualified resident students attending their respective
11 institutions.

12 D. The legislative lottery scholarships
13 authorized in this section shall apply only to full-time
14 resident students who: [~~immediately upon completion of a
15 high school curriculum at a public or accredited private New
16 Mexico high school or upon receiving a graduate equivalent
17 diploma, are accepted for entrance to and attend a community
18 college]~~

19 (1) received a graduate equivalent diploma
20 or completed a high school curriculum at a public or
21 accredited private New Mexico high school and maintained a
22 grade point average of 2.5 or higher on a 4.0 scale;

23 (2) maintain residency in New Mexico; and

24 (3) immediately upon completion of a high
25 school curriculum at a public or accredited private New

.192645.1

underscored material = new
[bracketed material] = delete

1 Mexico high school, or upon receiving a graduate equivalent
2 diploma, are accepted for entrance to and attend a community
3 college.

4 E. The higher education department shall provide
5 for the payment by the state of full or partial tuition
6 assistance, as determined annually by the department in
7 accordance with money available from the lottery tuition fund
8 and appropriated by the legislature, of a full-time resident
9 student; provided that:

10 (1) a student with a family income of one
11 hundred thousand dollars (\$100,000) or more shall receive
12 seventy percent of the tuition assistance otherwise available
13 to a full-time resident student;

14 (2) a student with a family income of fifty-
15 four thousand dollars (\$54,000) or more, but less than one
16 hundred thousand dollars (\$100,000), shall receive eighty-
17 five percent of the tuition assistance otherwise available to
18 a full-time resident student; and

19 (3) a student with a family income of less
20 than fifty-four thousand dollars (\$54,000) shall receive one
21 hundred percent of the payment of full or partial tuition
22 assistance, as determined annually by the department.

23 F. Each legislative lottery scholarship shall be
24 awarded for up to two consecutive years beginning the second
25 semester of the recipient's first year of enrollment,

.192645.1

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

1 provided that the recipient has maintained residency in New
2 Mexico and maintained a grade point average of 2.5 or higher
3 on a 4.0 scale during the first semester of full-time
4 enrollment.

5 ~~[E-]~~ G. The higher education department shall
6 prepare guidelines setting forth explicit student continuing
7 eligibility criteria and guidelines for administration of the
8 legislative lottery scholarship program. Guidelines shall be
9 distributed to community college boards to enable a uniform
10 availability of the resident student lottery tuition
11 scholarships.

12 ~~[F-]~~ H. For purposes of the legislative lottery
13 scholarship program as it applies to students with
14 disabilities who may require special accommodations, the
15 higher education department, in consultation with the student
16 and the office at the community college that serves students
17 with disabilities, shall review both the definition of "full
18 time" and the maximum number of consecutive semesters of
19 eligibility and adjust either or both as deemed reasonable
20 and appropriate, based on the student's disability needs. In
21 no case, however, shall "full time" mean fewer than six
22 credit hours per semester, and in no case shall eligibility
23 extend beyond fourteen consecutive semesters."

24 **SECTION 3.** Section 21-16-10.1 NMSA 1978 (being Laws
25 1996, Chapter 71, Section 6, as amended) is amended to read:

.192645.1

1 "21-16-10.1. LEGISLATIVE LOTTERY SCHOLARSHIPS

2 AUTHORIZED.--

3 A. To the extent that funds are made available by
4 the legislature from the lottery tuition fund, the board of a
5 technical and vocational institute shall award legislative
6 lottery scholarships for qualified resident students
7 attending a technical and vocational institute.

8 B. The legislative lottery scholarships
9 authorized in this section shall apply only to full-time
10 resident students who: [~~immediately upon completion of a
11 high school curriculum at a public or accredited private New
12 Mexico high school or upon receiving a graduate equivalent
13 diploma, are accepted for entrance to and attend a technical
14 and vocational institute]~~

15 (1) received a graduate equivalent diploma
16 or completed a high school curriculum at a public or
17 accredited private New Mexico high school and maintained a
18 grade point average of 2.5 or higher on a 4.0 scale;

19 (2) maintain residency in New Mexico; and

20 (3) immediately upon completion of a high
21 school curriculum at a public or accredited private New
22 Mexico high school, or upon receiving a graduate equivalent
23 diploma, are accepted for entrance to and attend a technical
24 and vocational institute.

25 C. The higher education department shall provide

.192645.1

underscored material = new
[bracketed material] = delete

1 for the payment by the state of full or partial tuition
2 assistance, as determined annually by the department in
3 accordance with money available from the lottery tuition fund
4 and appropriated by the legislature, of a full-time resident
5 student; provided that:

6 (1) a student with a family income of one
7 hundred thousand dollars (\$100,000) or more shall receive
8 seventy percent of the tuition assistance otherwise available
9 to a full-time resident student;

10 (2) a student with a family income of fifty-
11 four thousand dollars (\$54,000) or more, but less than one
12 hundred thousand dollars (\$100,000), shall receive eighty-
13 five percent of the tuition assistance otherwise available to
14 a full-time resident student; and

15 (3) a student with a family income of less
16 than fifty-four thousand dollars (\$54,000) shall receive one
17 hundred percent of the payment of full or partial tuition
18 assistance, as determined annually by the department.

19 D. Each legislative lottery scholarship shall be
20 awarded for up to two consecutive years beginning the second
21 semester of the recipient's first year of enrollment,
22 provided that the recipient has maintained residency in New
23 Mexico and maintained a grade point average of 2.5 or higher
24 on a 4.0 scale during the first semester of full-time
25 enrollment, with renewal of an additional two years upon

.192645.1

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

1 transfer.

2 ~~[G-]~~ E. The higher education department shall
3 prepare guidelines setting forth explicit student continuing
4 eligibility criteria and guidelines for administration of the
5 legislative lottery scholarship program. Guidelines shall be
6 distributed to the boards of technical and vocational
7 institutes to enable a uniform availability of the resident
8 student legislative lottery scholarships.

9 ~~[D-]~~ F. For purposes of the legislative lottery
10 scholarship program as it applies to students with
11 disabilities who may require special accommodations, the
12 higher education department, in consultation with the student
13 and the office at the technical and vocational institute that
14 serves students with disabilities, shall review both the
15 definition of "full time" and the maximum number of
16 consecutive semesters of eligibility and adjust either or
17 both as deemed reasonable and appropriate, based on the
18 student's disability needs. In no case, however, shall "full
19 time" mean fewer than six credit hours per semester, and in
20 no case shall eligibility extend beyond fourteen consecutive
21 semesters."

22 **SECTION 4. APPLICABILITY.**--The provisions of this act
23 apply to students enrolling in the fall 2014 semester of a
24 public post-secondary educational institution as their
25 qualifying semester.

.192645.1

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SECTION 5. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2013.