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SENATE BILL 521

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

INTRODUCED BY  
Cliff R. Pirtle

AN ACT

RELATING TO HIGHER EDUCATION; ALLOWING HOME SCHOOL STUDENTS TO  
QUALIFY FOR LEGISLATIVE LOTTERY TUITION SCHOLARSHIPS.

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

**SECTION 1.** Section 21-21N-1 NMSA 1978 (being Laws 2014,  
Chapter 80, Section 1) is amended to read:

"21-21N-1. SHORT TITLE.--~~[Sections 1 through 6 of this  
act]~~ Chapter 21, Article 21N NMSA 1978 may be cited as the  
"Legislative Lottery Tuition Scholarship Act"."

**SECTION 2.** Section 21-21N-2 NMSA 1978 (being Laws 2014,  
Chapter 80, Section 2) is amended to read:

"21-21N-2. DEFINITIONS.--As used in the Legislative  
Lottery Tuition Scholarship Act:

A. "community college" means a branch community  
college of a state educational institution or a community

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1 college or technical and vocational institute established  
2 pursuant to Chapter 21, Article 13 or 16 NMSA 1978,  
3 respectively;

4 B. "comprehensive institution" means eastern  
5 New Mexico university, western New Mexico university,  
6 New Mexico highlands university or northern New Mexico college;

7 C. "department" means the higher education  
8 department;

9 D. "full time" means fifteen or more credit hours  
10 each semester of the regular academic year in state educational  
11 institutions and twelve or more credit hours each semester of  
12 the regular academic year in community colleges or for legacy  
13 students in any program semester;

14 E. "fund" means the lottery tuition fund;

15 F. "legacy student" means a full-time resident  
16 student who has received for three or more program semesters by  
17 the end of fiscal year 2014 the legislative lottery scholarship  
18 awarded pursuant to the former provisions of Sections 21-1-4.3,  
19 21-13-10 and 21-16-10.1 NMSA 1978 prior to the enactment of the  
20 Legislative Lottery Tuition Scholarship Act;

21 G. "program semesters" means those semesters for  
22 which a legacy or qualified student may receive a tuition  
23 scholarship and excludes the first semester of attendance at a  
24 public post-secondary educational institution;

25 H. "public post-secondary educational institution"

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1 means a community college, comprehensive institution, research  
2 institution or state educational institution;

3 I. "qualified student" means a full-time student  
4 who graduated from a public ~~[or accredited private New Mexico]~~  
5 high school in the state or ~~[who]~~ completed the requirements of  
6 a home-based or non-public school primary educational program  
7 in the state or received a high school equivalency credential  
8 while maintaining residency in New Mexico and who:

9 (1) either:

10 (a) immediately upon graduation or  
11 completion of the requirements of a home-based or non-public  
12 school primary educational program or receipt of a high school  
13 equivalency credential was accepted for entrance to and  
14 attended a public post-secondary educational institution; or

15 (b) within one hundred twenty days of  
16 completion of a public high school curriculum or completion of  
17 the requirements of a home-based or non-public school primary  
18 educational program or receipt of a high school equivalency  
19 credential began service in the United States armed forces and  
20 within one year of completion of honorable service or medical  
21 discharge from the service, attended a public post-secondary  
22 educational institution; and

23 (2) successfully completed the first semester  
24 at a public post-secondary educational institution with a grade  
25 point average of 2.5 or higher on a 4.0 scale during the first

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1 semester of full-time enrollment;

2 J. "research institution" means the university of  
3 New Mexico, New Mexico state university or New Mexico institute  
4 of mining and technology;

5 K. "state educational institution" means an  
6 institution of higher education enumerated in Article 12,  
7 Section 11 of the constitution of New Mexico and excludes a  
8 research institution; and

9 L. "tuition scholarship" means the scholarship that  
10 provides tuition assistance per semester for a qualified  
11 student or legacy student attending a public post-secondary  
12 educational institution."