

AN ACT  
RELATING TO PUBLIC SCHOOL FINANCE; CHANGING THE CALCULATION  
FOR DETERMINING ENROLLMENT GROWTH PROGRAM UNITS.

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

Section 1. Section 22-8-23.1 NMSA 1978 (being Laws 1990 (1st S.S.), Chapter 3, Section 7, as amended) is amended to read:

"22-8-23.1. ENROLLMENT GROWTH PROGRAM UNITS. --

A. A school district with an increase in MEM when compared with the immediately preceding year, is eligible for additional program units. The number of additional program units shall be calculated as follows:

(Current Year MEM - Previous Year MEM) X Adjusted  
Average Units Per MEM = Units.

B. In addition to the units calculated in Subsection A of this section, a school district with an increase in MEM equal to or greater than one percent, when compared with the immediately preceding year, is eligible for additional program units. The increase in MEM shall be calculated in the following manner:

$$\frac{(\text{Current Year MEM} - \text{Previous Year MEM})}{\text{Previous Year MEM}} \times 100 = \text{Percent Increase.}$$

The number of additional program units to which an eligible school district is entitled under this subsection is the

number of units computed in the following manner:

$$((\text{Current Year MEM} - \text{Previous Year MEM}) - (\text{Previous Year MEM} \times .01)) \times .50 = \text{Units}$$

C. As used in this section:

(1) "adjusted average units per MEM" means the statewide average number of units per current year MEM, excluding the units that are attributable to projected growth;

(2) "current year MEM" means MEM on the fortieth day of the current year;

(3) "MEM" means the total school district membership, including early childhood education full-time equivalent membership and special education membership, but excluding full-day kindergarten membership for the first year that full-day kindergarten is implemented in a school pursuant to Subsection D of Section 22-2-19 NMSA 1978; and

(4) "previous year MEM" means MEM on the fortieth day of the previous year."

Section 2. EFFECTIVE DATE--CONTINGENCY.--The effective date of the provisions of Section 1 of this act is July 1, 2003 if, before that date, the superintendent of public instruction certifies to the secretary of finance and administration that the first session of the forty-sixth legislature has appropriated sufficient additional funds to fund the increase in enrollment growth program units for school districts in the 2003-2004 school year as provided by

Section 1 of this act. If, by July 1, 2003, the  
superintendent has not made the certification, then Section  
1 of this act shall not become effective. \_\_\_\_\_

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