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## FISCAL IMPACT REPORT

SPONSOR: Foley DATE TYPED: 2/21/03 HB 581

SHORT TITLE: Student Athlete College Entrance Requirements SB \_\_\_\_\_

ANALYST: L. Baca

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC files

Responses Received From  
Commission on Higher Education (CHE)

### SUMMARY

#### Synopsis of Bill

House Bill 581 establishes in statute that boards of regents and boards of governors at certain post-secondary institutions shall not fix the standard of requirements for admission or ongoing academic eligibility for student athletes at a level greater than those of student athletes in a college or university in an athletic conference in which the respective state educational institution participates, or higher than in a national association in which the state educational institution participates if it is not a member of an athletic conference.

#### Significant Issues

HB 581 names the following institutions:

- The University of New Mexico
- New Mexico State University
- New Mexico Highlands University
- Western New Mexico University
- Eastern New Mexico University

New Mexico Military Institute  
New Mexico Institute of Mining and Technology  
Northern New Mexico State School  
New Mexico Junior College

### **ADMINISTRATIVE IMPLICATIONS**

If enacted, this bill could have administrative implications for each of the institutions listed. When surveyed by CHE regarding the impact of this bill, athletic directors at the respective institutions indicated institutions could comply with the provisions of law, but questioned whether capping maximum entrance requirements would compromise an institution's efforts to improve the graduation rate of student athletes. This could require evidence of ability to balance both college-level work and the time demands of inter-collegiate athletics.

### **TECHNICAL ISSUES**

HB 581 conflicts with Section 21-1-1.A. NMSA 1978 which stipulates that boards of regents at New Mexico State University, New Mexico Institute of Mining and Technology and the New Mexico Military Institute shall determine and fix standards of admission for their respective institutions.

### **OTHER SUBSTANTIVE ISSUES**

If enacted, this bill could be in violation of federal law by requiring two sets of admission. Moreover, boards of regents of post-secondary institutions, other than those named in 22-1-1A, have traditionally set admission requirements.

### **POSSIBLE QUESTIONS**

1. Will this be in violation of any federal statutes?
2. If this bill is signed into law, will any New Mexico statutes have to be amended?
3. Do you know whether other states are considering this type of legislation?
4. Have you received any reaction from representatives from the institutions affected?
5. How would enacting this bill help student athletes?
6. Has any inter-collegiate conference gone on record supporting this type of legislation? Opposing this type of legislation?

**LRB/ls**