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**HOUSE BILL 109**

**46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004**

**INTRODUCED BY**

**Luciano "Lucky" Varela**

**FOR THE LEGISLATIVE FINANCE COMMITTEE**

**AN ACT**

**RELATING TO HIGHER EDUCATION; PROVIDING TUITION SCHOLARSHIPS FOR QUALIFIED INDIVIDUALS WHO ATTEND A STATE EDUCATIONAL INSTITUTION WITHIN ONE ACADEMIC YEAR AFTER COMPLETING HIGH SCHOOL OR RECEIVING A GRADUATE EQUIVALENT DIPLOMA; PROVIDING TUITION SCHOLARSHIPS FOR UP TO TWO AND ONE-HALF YEARS TO QUALIFIED INDIVIDUALS WHO ATTEND CERTAIN TWO-YEAR INSTITUTIONS.**

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

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

**"21-1-4.3. TUITION SCHOLARSHIPS AUTHORIZED-- CERTAIN EDUCATIONAL INSTITUTIONS. --**

**A. To the extent that funds are made available by the legislature from the lottery tuition fund, the boards of regents of New Mexico state university, New Mexico institute of**

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1 mining and technology, eastern New Mexico university, western  
2 New Mexico university, the university of New Mexico, New Mexico  
3 highlands university and northern New Mexico state school shall  
4 award tuition scholarships for qualified resident students  
5 attending their respective institutions and branches of those  
6 institutions.

7 B. Except as authorized in Subsection C of this  
8 section, the tuition scholarships authorized in this section  
9 shall apply only to full-time resident students who,  
10 [~~immediately upon completion of~~] within one academic year of  
11 completing a high school curriculum at a public or accredited  
12 private New Mexico high school or [~~upon~~] receiving a graduate  
13 equivalent diploma, are accepted for entrance to and attend one  
14 of the state educational institutions set forth in this section  
15 or one of the branches of those institutions. Each tuition  
16 scholarship shall be awarded for up to four consecutive years  
17 beginning the second semester of the recipient's first year of  
18 full-time enrollment, provided that the recipient has  
19 maintained residency in New Mexico and maintained a grade point  
20 average of 2.5 or higher on a 4.0 scale during his first  
21 semester of full-time enrollment.

22 C. The tuition scholarships authorized in this  
23 section shall also apply to full-time resident students who,  
24 [~~immediately upon completion of~~] within one academic year of  
25 completing a high school curriculum at a public or accredited

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1 private New Mexico high school or ~~[upon]~~ receiving a graduate  
2 equivalent diploma, attend a two-year public post-secondary  
3 educational institution in New Mexico and who, upon the  
4 completion of that curriculum or at the end of two and one-half  
5 consecutive years, whichever is sooner, transfer to one of the  
6 post-secondary state educational institutions set forth in this  
7 section. Those students shall be eligible for a tuition  
8 scholarship for ~~[two]~~ up to a combined total of four  
9 consecutive years beginning the second semester of the  
10 recipient's first year of full-time enrollment; provided that  
11 those students maintain residency in New Mexico, maintain a  
12 grade point average of 2.5 or higher on a 4.0 scale and attend  
13 ~~[the]~~ each institution full time during the regular academic  
14 year.

15 D. The tuition scholarships authorized in this  
16 section shall also apply to full-time resident students who:

17 (1) within one hundred twenty days of  
18 completion of a high school curriculum at a public or  
19 accredited private New Mexico high school, or of receiving a  
20 graduate equivalent diploma, begin service in the United States  
21 armed forces; and

22 (2) within one hundred twenty days of  
23 completion of honorable service or medical discharge from the  
24 service are accepted for entrance to and attend one of the  
25 state educational institutions set forth in this section.

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1           E. The commission on higher education shall prepare  
2 guidelines setting forth explicit student continuing  
3 eligibility criteria and guidelines for administration of the  
4 tuition scholarship program. Guidelines shall be distributed  
5 to the board of regents of each institution to enable a uniform  
6 availability of the resident student tuition scholarships. "

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

9           "21-13-10. BOARD DUTIES. --

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

19           B. The community college board shall have the power  
20 to fix tuition and fee rates for resident and nonresident  
21 students of the district, to accept gifts, to accept federal  
22 aid, to purchase, hold, sell and rent property and equipment  
23 and to promote the general welfare of the institution for the  
24 best interest of educational service to the people of the  
25 community college district.

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1           C. To the extent that funds are made available by  
2 the legislature from the lottery tuition fund, the community  
3 college board shall award tuition scholarships for qualified  
4 resident students attending their respective institutions.

5           D. The tuition scholarships authorized in this  
6 section shall apply only to full-time resident students who,  
7 ~~[immediately upon completion of]~~ within one academic year of  
8 completing a high school curriculum at a public or accredited  
9 private New Mexico high school or ~~[upon]~~ receiving a graduate  
10 equivalent diploma, are accepted for entrance to and attend a  
11 community college. Each tuition scholarship shall be awarded  
12 for up to two and one-half consecutive years beginning the  
13 second semester of the recipient's first year of full-time  
14 enrollment; provided that the recipient has maintained  
15 residency in New Mexico and maintained a grade-point average of  
16 2.5 or higher on a 4.0 scale during his first semester of full-  
17 time enrollment and each semester thereafter and upon transfer  
18 will be eligible for a combined total of four consecutive  
19 years.

20           E. The commission on higher education shall prepare  
21 guidelines setting forth explicit student continuing  
22 eligibility criteria and guidelines for administration of the  
23 tuition scholarship program. Guidelines shall be distributed  
24 to community college boards to enable a uniform availability of  
25 the resident student tuition scholarships. "

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

3           "21-16-10.1.   TUITION SCHOLARSHIPS AUTHORIZED. --

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

9           B.   The tuition scholarships authorized in this  
10 section shall apply only to full-time resident students who,  
11 [~~immediately upon completion of~~] within one academic year of  
12 completing a high school curriculum at a public or accredited  
13 private New Mexico high school or [~~upon~~] receiving a graduate  
14 equivalent diploma, are accepted for entrance to and attend a  
15 technical and vocational institute. Each tuition scholarship  
16 shall be awarded for up to two and one-half consecutive years  
17 beginning the second semester of the recipient's first year of  
18 full-time enrollment; provided that the recipient has  
19 maintained residency in New Mexico and maintained a grade-point  
20 average of 2.5 or higher on a 4.0 scale during his first  
21 semester of full-time enrollment [~~with renewal of an additional~~  
22 ~~two years upon transfer~~] and each semester thereafter and upon  
23 transfer will be eligible for a combined total of four  
24 consecutive years.

25           C.   The commission on higher education shall prepare

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1 guidelines setting forth explicit student continuing  
2 eligibility criteria and guidelines for administration of the  
3 tuition scholarship program. Guidelines shall be distributed  
4 to the boards of technical and vocational institutes to enable  
5 a uniform availability of the resident student tuition  
6 scholarships. "

7 Section 4. APPLICABILITY. --The provisions of this act  
8 extending eligibility for tuition scholarships to those  
9 students who attend a public post-secondary educational  
10 institution within one academic year of either completing a  
11 high school curriculum or receiving a graduate equivalent  
12 diploma apply to students who complete a high school curriculum  
13 or receive a graduate equivalent diploma on or after May 19,  
14 2004.

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