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HOUSE BILL 426

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

INTRODUCED BY  
Brian K. Moore

AN ACT

RELATING TO HIGHER EDUCATION; EXTENDING THE ELIGIBILITY FOR  
TUITION SCHOLARSHIPS TO CERTAIN NEW MEXICO RESIDENTS.

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  
mining and technology, eastern New Mexico university, western  
New Mexico university, the university of New Mexico, New Mexico  
highlands university and northern New Mexico state school shall  
award tuition scholarships for qualified resident students

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1 attending their respective institutions and branches of those  
2 institutions.

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

20 C. The tuition scholarships authorized in this  
21 section shall also apply to full-time resident students who,  
22 [~~immediately upon completion of~~] within eighteen months of  
23 completing a high school curriculum at a public or accredited  
24 private New Mexico high school or, while a resident of New  
25 Mexico, at a public high school located within one hundred

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1 miles of New Mexico or [~~upon~~] within eighteen months of  
2 receiving a graduate equivalent diploma, attend a two-year  
3 public post-secondary educational institution in New Mexico and  
4 who, upon the completion of that curriculum or at the end of  
5 two years, whichever is sooner, transfer to one of the post-  
6 secondary state educational institutions set forth in this  
7 section. Those students shall be eligible for a tuition  
8 scholarship for two consecutive years, provided that those  
9 students maintain residency in New Mexico, maintain a grade  
10 point average of 2.5 or higher on a 4.0 scale and attend the  
11 institution full time during the regular academic year.

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

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

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

25 E. 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 board of regents of each institution to enable a uniform  
5 availability of the resident student tuition scholarships."

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

8 "21-13-10. BOARD DUTIES.--

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

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

25 C. To the extent that funds are made available by

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1 the legislature from the lottery tuition fund, the community  
2 college board shall award tuition scholarships for qualified  
3 resident students attending their respective institutions.

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

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

25 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws 1996,

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1 Chapter 71, Section 6, as amended) is amended to read:

2 "21-16-10.1. TUITION SCHOLARSHIPS 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 tuition  
6 scholarships for qualified resident students attending a  
7 technical and vocational institute.

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

23 C. The commission on higher education shall prepare  
24 guidelines setting forth explicit student continuing  
25 eligibility criteria and guidelines for administration of the

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1 tuition scholarship program. Guidelines shall be distributed  
2 to the boards of technical and vocational institutes to enable  
3 a uniform availability of the resident student tuition  
4 scholarships."

5 Section 4. TEMPORARY PROVISION--APPLICABILITY.--The  
6 provisions of this act apply to students who complete a high  
7 school curriculum or receive a graduate equivalent diploma on  
8 or after May 1, 2003.

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