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**HOUSE BILL 777**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Luciano "Lucky" Varela**

**AN ACT**

**RELATING TO HIGHER EDUCATION; DECOUPLING THE LOTTERY  
SCHOLARSHIPS FROM THE ACTUAL RATE OF TUITION CHARGED BY PUBLIC  
POST-SECONDARY INSTITUTIONS.**

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

**Section 1. Section 21-1-4.4 NMSA 1978 (being Laws 1996,  
Chapter 71, Section 4) is amended to read:**

**"21-1-4.4. COMMISSION ON HIGHER EDUCATION-- DETERMINATION  
OF [TUITION] SCHOLARSHIPS-- USE OF LOTTERY TUITION FUND. --**

**A. Prior to June 1 of each year, the commission on  
higher education shall determine the amount of money available  
for [tuition] scholarships at state public post-secondary  
educational institutions. Based on the amount appropriated by  
the legislature from the lottery tuition fund and on the  
projected enrollment at all public post-secondary educational**

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1 institutions, the commission on higher education shall  
2 [~~establish the percentage of tuition that shall be awarded for~~  
3 ~~qualified resident students attending New Mexico public post-~~  
4 ~~secondary educational institutions. The percentage of tuition~~  
5 ~~awarded shall be the same for each institution, regardless of~~  
6 ~~the actual cost of tuition at each institution]~~ recommend, as  
7 part of the annual budget recommendation for higher education,  
8 a tuition award amount that will determine the flat rate of  
9 tuition scholarship awards:

10 (1) a flat tuition scholarship award amount  
11 for a qualified student attending the New Mexico institute of  
12 mining and technology, New Mexico state university or the  
13 university of New Mexico;

14 (2) a flat scholarship award amount for a  
15 qualified student attending eastern New Mexico university, New  
16 Mexico highlands university or western New Mexico university;  
17 and

18 (3) a flat scholarship award amount for a  
19 qualified student attending northern New Mexico state school or  
20 a post-secondary educational institution created pursuant to  
21 Chapter 21, Article 13, 14, 14A or 16 NMSA 1978.

22 B. For fiscal year 2006:

23 (1) the scholarship award amount shall be one  
24 thousand four hundred dollars (\$1,400) for a qualified student  
25 attending the New Mexico institute of mining and technology,

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1 New Mexico state university or the university of New Mexico;

2 (2) the scholarship award amount shall be nine  
3 hundred dollars (\$900) for a qualified student attending  
4 eastern New Mexico university, New Mexico highlands university  
5 or western New Mexico university; and

6 (3) the scholarship award amount shall be five  
7 hundred dollars (\$500) for a qualified student attending  
8 northern New Mexico state school or a post-secondary  
9 educational institution created pursuant to Chapter 21, Article  
10 13, 14, 14A or 16 NMSA 1978.

11 C. For fiscal year 2007 and succeeding fiscal  
12 years, the legislature shall determine the amounts of tuition  
13 scholarship awards.

14 D. The scholarship award shall be placed in an  
15 account at the institution in the student's name and may be  
16 drawn upon to pay any educational expense charged by the  
17 institution, including tuition, fees, books and course  
18 supplies, but not including room and board."