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SENATE BILL 387

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Sue Wilson Beffort

AN ACT

RELATING TO LOTTERY TUITION SCHOLARSHIPS; REQUIRING PERSONS WHO GRADUATE FROM HIGH SCHOOL OR RECEIVE A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE WHILE INCARCERATED IN A CHILDREN, YOUTH AND FAMILIES DEPARTMENT FACILITY TO HAVE A CLEAN CRIMINAL RECORD FOR ONE YEAR BETWEEN INCARCERATION AND COLLEGE ATTENDANCE.

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 .159166.1

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

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

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

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

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

22 E. The tuition scholarships authorized in this
23 section shall be available to full-time resident students who
24 were youthful offenders or serious youthful offenders when they
25 graduated from high schools operated by or under the direction

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1 of the children, youth and families department or received
2 general educational development certificates while incarcerated
3 in a facility operated by or under the direction of that
4 department only after the students have demonstrated that they
5 have been rehabilitated by not being convicted of criminal acts
6 for the twelve-month period between the end of incarceration
7 and enrollment in the educational institutions named in
8 Subsection A of this section.

9 [E-] F. The [~~commission on~~] higher education
10 department shall prepare guidelines setting forth explicit
11 student continuing eligibility criteria and guidelines for
12 administration of the tuition scholarship program. Guidelines
13 shall be distributed to the board of regents of each
14 institution to enable a uniform availability of the resident
15 student tuition scholarships."

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

18 "21-13-10. BOARD DUTIES.--

19 A. It is the duty of the community college board to
20 determine financial and educational policies of the community
21 college. The community college board shall provide for the
22 management of the community college and execution of these
23 policies by selecting a competent president for the community
24 college, and, upon the president's recommendation, the board
25 shall employ other administrative personnel, instructional

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1 staff or other personnel as may be needed for the operation,
2 maintenance and administration of the community college.

3 B. The community college board shall have the power
4 to fix tuition and fee rates for resident and nonresident
5 students of the community college district, to accept gifts, to
6 accept federal aid, to purchase, hold, sell and rent property
7 and equipment and to promote the general welfare of the
8 institution for the best interest of educational service to the
9 people of the community college district.

10 C. To the extent that funds are made available by
11 the legislature from the lottery tuition fund, the community
12 college board shall award tuition scholarships for qualified
13 resident students attending their respective institutions.

14 D. Except as provided in Subsection E of this
15 section, the tuition scholarships authorized in this section
16 shall apply only to full-time resident students who,
17 immediately upon completion of a high school curriculum at a
18 public or accredited private New Mexico high school or upon
19 receiving a graduate equivalent diploma, are accepted for
20 entrance to and attend a community college. Each tuition
21 scholarship shall be awarded for up to two consecutive years
22 beginning the second semester of the recipient's first year of
23 enrollment, provided that the recipient has maintained
24 residency in New Mexico and maintained a grade point average of
25 2.5 or higher on a 4.0 scale during [~~his~~] the first semester of

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1 full-time enrollment.

2 E. The tuition scholarships authorized in this
3 section shall be available to full-time resident students who
4 were youthful offenders or serious youthful offenders when they
5 graduated from high schools operated by or under the direction
6 of the children, youth and families department or received
7 general educational development certificates in a facility
8 operated by or under the direction of that department only
9 after the students have demonstrated that they have been
10 rehabilitated by not being convicted of criminal acts for the
11 twelve-month period between the end of incarceration and
12 enrollment in a community college.

13 [~~E.~~] F. The [~~commission on~~] higher education
14 department shall prepare guidelines setting forth explicit
15 student continuing eligibility criteria and guidelines for
16 administration of the tuition scholarship program. Guidelines
17 shall be distributed to community college boards to enable a
18 uniform availability of the resident student tuition
19 scholarships."

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

22 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED.--

23 A. To the extent that funds are made available by
24 the legislature from the lottery tuition fund, the board of a
25 technical and vocational institute shall award tuition

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1 scholarships for qualified resident students attending a
2 technical and vocational institute.

3 B. Except as provided 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 a high school curriculum at a
7 public or accredited private New Mexico high school or upon
8 receiving a graduate equivalent diploma, are accepted for
9 entrance to and attend a technical and vocational institute.
10 Each tuition scholarship shall be awarded for up to two
11 consecutive years beginning the second semester of the
12 recipient's first year of enrollment, provided that the
13 recipient has maintained residency in New Mexico and maintained
14 a grade point average of 2.5 or higher on a 4.0 scale during
15 [his] the first semester of full-time enrollment with renewal
16 of an additional two years upon transfer.

17 C. The tuition scholarships authorized in this
18 section shall be available to full-time resident students who
19 were youthful offenders or serious youthful offenders when they
20 graduated from high schools operated by or under the direction
21 of the children, youth and families department or received
22 general educational development certificates while incarcerated
23 in a facility operated by or under the direction of that
24 department only after the students have demonstrated that they
25 have been rehabilitated by not being convicted of criminal acts

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1 for the twelve-month period between the end of incarceration
2 and enrollment in a technical and vocational institute.

3 [G.] D. The [~~commission on~~] higher education
4 department shall prepare guidelines setting forth explicit
5 student continuing eligibility criteria and guidelines for
6 administration of the tuition scholarship program. Guidelines
7 shall be distributed to the boards of technical and vocational
8 institutes to enable a uniform availability of the resident
9 student tuition scholarships."

10 Section 4. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2006.

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