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HOUSE BILL 421

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

James Roger Madalena

AN ACT

RELATING TO HIGHER EDUCATION; AMENDING SECTIONS OF THE NMSA  
1978 TO ENABLE STUDENTS AT TRIBAL COLLEGES TO RECEIVE  
SCHOLARSHIPS UNDER THE COLLEGE AFFORDABILITY ACT.

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

Section 1. Section 21-21L-1 NMSA 1978 (being Laws 2005,  
Chapter 192, Section 1) is amended to read:

"21-21L-1. SHORT TITLE.--~~[This act]~~ Chapter 21, Article  
21L NMSA 1978 may be cited as the "College Affordability Act".

Section 2. Section 21-21L-3 NMSA 1978 (being Laws 2005,  
Chapter 192, Section 3) is amended to read:

"21-21L-3. DEFINITIONS.--As used in the College  
Affordability Act:

A. [~~"commission" means the commission on]~~  
"department" means the higher education department;

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1           B. "returning adult" means a student enrolling in a  
2 public post-secondary educational institution at any time later  
3 than the first semester following high school graduation or the  
4 award of a general educational development certificate; ~~and~~

5           C. "student" means a resident of New Mexico who is  
6 enrolled or will be enrolled, at the time the scholarship is  
7 awarded, in a public post-secondary educational institution or  
8 tribal college in New Mexico; and

9           D. "tribal college" means:

- 10                   (1) the southwestern Indian polytechnic  
11 institute;  
12                   (2) the Crownpoint institute of technology;  
13                   (3) the institute of American Indian arts; and  
14                   (4) the New Mexico campus of Dineh college."

15           Section 3. Section 21-21L-5 NMSA 1978 (being Laws 2005,  
16 Chapter 192, Section 5) is amended to read:

17           "21-21L-5. SCHOLARSHIP AUTHORIZED--ADMINISTRATION--  
18 PREFERENCE IN SCHOLARSHIP AWARDS.--

19           A. The [~~commission~~] department shall administer the  
20 College Affordability Act and shall promulgate rules to carry  
21 out the provisions of that act.

22           B. Scholarships shall be awarded to qualified  
23 applicants. Qualifications shall be determined by rule of the  
24 [~~commission~~] department.

25           C. The [~~commission~~] department shall allocate money

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1 to public post-secondary educational institutions or tribal  
2 colleges based on a student need formula calculated according  
3 to income reported on the free application for federal student  
4 aid and on the percentage of the institution's or college's  
5 students classified as returning adults who are otherwise  
6 ineligible for state financial aid.

7 D. Public post-secondary educational institutions  
8 or tribal colleges shall make awards to qualifying students  
9 based on financial need in an amount not to exceed one thousand  
10 dollars (\$1,000) per semester as determined by rule of the  
11 [~~commission~~] department.

12 E. Money for an awarded scholarship shall be placed  
13 in an account at the public post-secondary educational  
14 institution or tribal college in the name of the student, and  
15 the money may be drawn upon to pay educational expenses charged  
16 by the institution, including tuition, fees, books and course  
17 supplies."

18 Section 4. Section 21-21L-6 NMSA 1978 (being Laws 2005,  
19 Chapter 192, Section 6) is amended to read:

20 "21-21L-6. DURATION OF SCHOLARSHIP.--Each scholarship is  
21 for a period of one semester. A scholarship may be renewed,  
22 provided the recipient continues to meet the conditions of  
23 eligibility, until the award recipient has received eight  
24 consecutive semester scholarship awards or until the student  
25 graduates from an eligible four-year public post-secondary

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1 educational institution or from a tribal college, whichever  
2 occurs first."

3 Section 5. Section 21-21L-7 NMSA 1978 (being Laws 2005,  
4 Chapter 192, Section 7) is amended to read:

5 "21-21L-7. TERMINATION OF SCHOLARSHIP.--A scholarship is  
6 terminated upon occurrence of one or more of the following:

7 A. withdrawal of the award recipient from the  
8 public post-secondary educational institution or tribal college  
9 or failure to remain as at least a half-time student;

10 B. failure of the award recipient to achieve  
11 satisfactory academic progress; or

12 C. substantial noncompliance by the award recipient  
13 with the College Affordability Act or the rules promulgated  
14 pursuant to that act."

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