

HOUSE BILL 381

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO HISPANIC EDUCATION; CREATING THE HISPANIC EDUCATION FUND; AMENDING THE HISPANIC EDUCATION ACT TO ALLOW MEMBERS OF THE HISPANIC EDUCATION ADVISORY COUNCIL TO RECEIVE PER DIEM AND MILEAGE FOR THEIR SERVICES ~~HAF~~ ~~→~~; ~~MAKING~~ ~~←~~ ~~HAF~~ ~~→~~ ~~HEC~~ ~~→~~ ~~AN~~ ~~APPROPRIATION~~ ~~←~~ ~~HEC~~ ~~→~~ ~~APPROPRIATIONS~~ ~~←~~ ~~HEC~~ ~~←~~ ~~HAF~~ ~~→~~ ~~HAF~~ ~~→~~ ~~AN~~ ~~APPROPRIATION~~ ~~←~~ ~~HAF~~ ~~←~~ ~~HAF~~ .

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

.223999.1AIC March 2, 2023 (4:33pm)

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SECTION 1. Section 22-23B-1 NMSA 1978 (being Laws 2010, Chapter 108, Section 1 and Laws 2010, Chapter 114, Section 1) is amended to read:

"22-23B-1. SHORT TITLE.--~~[This act]~~ Chapter 22, Article 23B NMSA 1978 may be cited as the "Hispanic Education Act"."

SECTION 2. Section 22-23B-5 NMSA 1978 (being Laws 2010, Chapter 108, Section 5 and Laws 2010, Chapter 114, Section 5) is amended to read:

"22-23B-5. HISPANIC EDUCATION ADVISORY COUNCIL.--

A. The "Hispanic education advisory council" is created as an advisory council to the secretary. The council shall advise the secretary on matters related to improving public school education for Hispanic students, increasing parent involvement and community engagement in the education of Hispanic students and increasing the number of Hispanic high school graduates who succeed in post-secondary academic, professional or vocational education.

B. The secretary shall appoint no more than twenty-three members to the council who are knowledgeable about and interested in the education of Hispanic students, including representatives of public schools; post-secondary education and teacher preparation programs; parents; Hispanic cultural, community and business organizations; other community and business organizations; and other interested persons. The secretary shall give due regard to geographic representation. Members shall serve at the pleasure of the secretary.

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C. The council shall elect a chairperson and such other officers as it deems necessary.

D. The council shall meet as necessary, but at least twice each year.

E. The council shall advise the secretary on matters related to Hispanic education in New Mexico.

F. Members of the council [~~shall not~~] may receive per diem and mileage [~~or~~] as provided for nonsalaried public officers in the Per Diem and Mileage Act, but members of the council shall not receive any other compensation for their services."

SECTION 3. A new section of the Hispanic Education Act is enacted to read:

"[NEW MATERIAL] HISPANIC EDUCATION FUND CREATED.--

A. The "Hispanic education fund" is created as a nonreverting fund in the state treasury. The fund consists of appropriations, gifts, grants, and donations. Income from investment of the fund is credited to the general fund. The department shall administer the fund, and money in the fund is HAFC→~~appropriated~~←HAFC HAFC→subject to appropriation←HAFC to the department to be distributed as necessary to further the purposes of the Hispanic Education Act.

B. The department shall ensure that the Hispanic education fund is used for the purposes stated in the Hispanic Education Act and not to correct for previous reductions of

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program services.

C. The department shall develop procedures and rules for the disbursement of money from the fund. Disbursement of the fund shall be made by warrant of the secretary of finance and administration pursuant to vouchers signed by the secretary of public education."

H AFC → H EC → SECTION 4. APPROPRIATION. → One million dollars (\$1,000,000) is appropriated from the public education reform fund to the public education department for expenditure in fiscal year 2024 to support educators with teaching English to speakers of other languages. Any unexpended or unencumbered balance remaining at the end of fiscal year 2024 shall revert to the public education reform fund. ← H EC ← H AFC