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SENATE BILL 151

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

INTRODUCED BY
Harold Pope

AN ACT

RELATING TO HIGHER EDUCATION; AMENDING AND ENACTING SECTIONS OF
THE GRADUATE SCHOLARSHIP ACT; MAKING AN APPROPRIATION.

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

SECTION 1. Section 21-21G-3 NMSA 1978 (being Laws 1988,
Chapter 111, Section 3, as amended) is amended to read:

"21-21G-3. DEFINITIONS.--As used in the Graduate
Scholarship Act:

A. "academic year" means any consecutive period of
two semesters [~~three quarters~~] or other comparable units
[~~commencing with the fall term each year~~];

B. "award recipient" means a student awarded a
graduate scholarship;

C. "department" means the higher education
department;

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1 D. "eligible institution" means any graduate-
2 degree-granting New Mexico state university accredited by the
3 [~~north central association of colleges and secondary schools~~]
4 higher learning commission;

5 E. "graduate and professional field" means any
6 program of study intended to result in a master's or doctoral
7 degree, excluding [~~the degree~~] degrees in medicine, law and
8 nursing; and

9 F. "groups underrepresented in graduate education"
10 means women, minorities, persons with a visual impairment or
11 other physical disability and other groups who have
12 traditionally been underrepresented in the specific area of
13 graduate study or profession for which the scholarship is
14 awarded."

15 SECTION 2. Section 21-21G-5 NMSA 1978 (being Laws 1988,
16 Chapter 111, Section 5, as amended) is amended to read:

17 "21-21G-5. CONDITIONS FOR FIRST-YEAR ELIGIBILITY.--
18 Priority will be given to [~~New Mexico students from those~~
19 ~~groups with the most severe underrepresentation and~~] students
20 who are New Mexico residents with the greatest financial need
21 and students from those groups underrepresented in graduate
22 education. A scholarship may be awarded to an individual who:

23 A. [~~is a citizen of the United States or who has a~~
24 ~~permanent resident visa~~] has earned a bachelor's degree from an
25 eligible institution and maintained a grade point average of

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1 3.0 or higher on a 4.0 scale or who holds a paid position
2 supporting faculty teaching or research activities;

3 B. has met the admission requirements, [~~and~~] is
4 accepted for enrollment [~~as a full-time student in an~~
5 ~~underrepresented~~] and enrolls in at least six credit hours in a
6 graduate or professional field of study, as determined by the
7 institution; and

8 C. has complied with all the rules [~~and~~
9 ~~regulations~~] adopted by the [~~commission~~] department for award
10 of the scholarship and the provisions regarding the
11 administration of state graduate scholarships adopted pursuant
12 to the Graduate Scholarship Act [~~and~~

13 ~~D. agrees to serve in an unpaid internship or~~
14 ~~assistantship at the eligible institution, a government agency~~
15 ~~or private industry approved by his major department for ten~~
16 ~~hours per week during the academic year]."~~

17 SECTION 3. Section 21-21G-6 NMSA 1978 (being Laws 1988,
18 Chapter 111, Section 6, as amended) is amended to read:

19 "21-21G-6. CONDITIONS FOR CONTINUING ELIGIBILITY.--

20 A. Except as provided in Subsection B of this
21 section, a scholarship may be reawarded to a student who:

22 [~~A.~~] (1) has been an award recipient of a New
23 Mexico graduate scholarship the previous year;

24 [~~B.~~] (2) remains in good academic standing as
25 determined by the institution and maintains a grade point

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1 average of 2.5 or higher on a 4.0 scale; and

2 ~~[G.] (3) is enrolled [as a full-time graduate~~
3 ~~student as determined by the institution]~~ in at least six
4 credit hours in a graduate or professional field of study.

5 ~~[D. is pursuing the second year of a master's~~
6 ~~degree or the second or third year of a doctoral degree; and~~

7 ~~E. agrees to serve in an unpaid internship or~~
8 ~~assistantship at the eligible institution, a government agency~~
9 ~~or private industry approved by his major department for ten~~
10 ~~hours per week during the academic year.]~~

11 B. A graduate scholarship shall not be granted on
12 behalf of an award recipient who has received a professional or
13 graduate degree or has received the graduate scholarship four
14 times."

15 SECTION 4. Section 21-21G-7 NMSA 1978 (being Laws 1988,
16 Chapter 111, Section 7, as amended) is amended to read:

17 "21-21G-7. AMOUNT OF SCHOLARSHIPS.--~~[Scholarship awards~~
18 ~~shall be for seven thousand two hundred dollars (\$7,200) per~~
19 ~~year to be disbursed in equal installments over the period of~~
20 ~~an academic year.]~~ Scholarship award amounts shall not exceed
21 one hundred percent of tuition and fees for the graduate or
22 professional program at the eligible institution."

23 SECTION 5. Section 21-21G-10 NMSA 1978 (being Laws 1988,
24 Chapter 111, Section 10, as amended) is amended to read:

25 "21-21G-10. TERMINATION OF SCHOLARSHIPS.--A scholarship

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1 is terminated upon the occurrence of:

2 A. withdrawal from the institution by the award
3 recipient or failure to reenroll for consecutive academic years
4 [~~or failure to be a full-time graduate student~~]; or

5 B. substantial noncompliance by the award recipient
6 with the Graduate Scholarship Act or the rules [~~regulations~~] or
7 procedures promulgated by the [~~commission~~] department."

8 SECTION 6. A new section of the Graduate Scholarship Act,
9 Section 21-21G-12 NMSA 1978, is enacted to read:

10 "21-21G-12. [NEW MATERIAL] GRADUATE SCHOLARSHIP CONTRACTS
11 AND TERMS.--

12 A. A state graduate scholarship shall be evidenced
13 by a contract between the award recipient and the department
14 and shall be signed by the award recipient and an authorized
15 representative of the department.

16 B. The contract shall provide that, in
17 consideration for the department's payment of a state graduate
18 scholarship, the award recipient shall be employed in New
19 Mexico in the field in which the award recipient received a
20 graduate degree for a minimum of one year.

21 C. Scholarship funds received by an award recipient
22 who fails to complete the contract terms shall be converted to
23 a loan with an applied annual interest rate equal to the
24 treasury note rate in existence at the time the contract is
25 entered into plus two percent. The loan shall become due to

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1 the department on behalf of the state immediately upon the
2 award recipient's termination or breach of the contract.

3 D. The department is vested with full and complete
4 authority and power to sue in its own name for any balance due
5 it and the state from an award recipient violating the terms of
6 a contract under the Graduate Scholarship Act."

7 SECTION 7. APPROPRIATION.--Five million dollars
8 (\$5,000,000) is appropriated from the general fund to the
9 higher education department for expenditure in fiscal year 2024
10 to fund the Graduate Scholarship Act. Any unexpended or
11 unencumbered balance remaining at the end of fiscal year 2024
12 shall revert to the general fund.

13 SECTION 8. EFFECTIVE DATE.--The effective date of the
14 provisions of this act is July 1, 2023.