

1 AN ACT  
2 RELATING TO LEGAL SERVICES; AMENDING SECTIONS OF THE  
3 COMMUNITY GOVERNANCE ATTORNEY ACT; TRANSFERRING THE DUTIES TO  
4 PUBLICIZE AND ADMINISTER CONTRACTS FOR THE COMMUNITY  
5 GOVERNANCE ATTORNEY AND CONDITIONAL TUITION WAIVER PROGRAM  
6 FROM THE HIGHER EDUCATION DEPARTMENT TO THE UNIVERSITY OF NEW  
7 MEXICO SCHOOL OF LAW; ALLOWING COUNTIES AND MUNICIPALITIES  
8 WITH AT LEAST ONE DESIGNATED COLONIA WITHIN THEIR BOUNDARIES  
9 AND STATE AGENCIES TO HIRE COMMUNITY GOVERNANCE ATTORNEYS.

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

12 SECTION 1. Section 21-21Q-3 NMSA 1978 (being Laws 2019,  
13 Chapter 43, Section 3, as amended) is amended to read:

14 "21-21Q-3. COMMUNITY GOVERNANCE ATTORNEY AND  
15 CONDITIONAL TUITION WAIVER PROGRAM CREATED--ADMINISTRATION--  
16 RULEMAKING SELECTION PROCESS--REPAYMENT.--

17 A. The "community governance attorney and  
18 conditional tuition waiver program" is created and shall be  
19 administered by the department. The department shall:

20 (1) promulgate rules to implement and  
21 administer the program and for a reasonable living stipend in  
22 consultation with the university; provided that the maximum  
23 living stipend shall be based upon the availability of funds  
24 and information provided by the university regarding the  
25 current cost of attendance at the university;

1                   (2) collect and manage repayment from  
2 students who do not meet their obligations under the program;  
3 and

4                   (3) accept funds for the program, including  
5 grants and donations.

6                   B. The university shall publicize the program to  
7 law students and prospective law students.

8                   C. Participants shall enter the program in their  
9 final year of law school. The commission shall select  
10 participants according to program rules and shall create a  
11 standard process for law students to apply to participate in  
12 the program.

13                   D. The department shall award no more than two new  
14 waivers a year, in addition to renewing existing waivers for  
15 eligible participants, subject to the availability of  
16 funding.

17                   E. Participation in the program shall be evidenced  
18 by a contract between the participant and the department.  
19 The contract shall provide for the payment of a participant's  
20 waiver and shall be conditioned upon the participant  
21 fulfilling the program obligations and meeting the  
22 university's standards for satisfactory academic progress.  
23 An applicant to the program shall sign the contract prior to  
24 being accepted into the program.

25                   F. The contract shall include the following terms

1 for repayment of the waiver:

2 (1) interest shall accrue upon termination  
3 of the participant's course of study at the following  
4 interest rates:

5 (a) eighteen percent per year if the  
6 participant completes a course of study and no portion of the  
7 principal and interest is forgiven pursuant to Subsection G  
8 of this section; and

9 (b) seven percent per year in all other  
10 cases; and

11 (2) the maximum period for repayment shall  
12 be ten years, commencing six months from the date the  
13 participant completes or discontinues the course of study.

14 G. The contract shall provide that the department  
15 forgive fifty percent of a waiver for each year that a  
16 participant is employed full time as a community governance  
17 attorney with a maximum salary not to exceed the entry-level  
18 salary rate paid by the legal service provider."

19 **SECTION 2.** Section 21-21Q-4 NMSA 1978 (being Laws 2019,  
20 Chapter 43, Section 4) is amended to read:

21 "21-21Q-4. COMMISSION--DUTIES.--

22 A. The "community governance attorney commission"  
23 is created. The commission shall be composed of five members  
24 as follows:

25 (1) the secretary or the secretary's

1 designee;

2 (2) the dean of the university or the dean's  
3 designee; and

4 (3) three members appointed by the governor;  
5 provided that one member shall be a:

6 (a) current or past member of the  
7 acequia commission;

8 (b) current or past member of the land  
9 grant council; and

10 (c) current or past member of the  
11 colonias infrastructure board and a resident of a colonia.

12 B. Staff and meeting space for the commission  
13 shall be provided by the university. The commission shall  
14 elect a chair and such other officers as it deems appropriate  
15 and shall meet at the call of the chair. Members of the  
16 commission shall receive per diem and mileage pursuant to the  
17 Per Diem and Mileage Act and shall receive no other  
18 compensation.

19 C. The commission shall:

20 (1) make recommendations to the department  
21 on applicants for the program;

22 (2) advise the department on the adoption of  
23 rules to implement the provisions of the Community Governance  
24 Attorney Act; and

25 (3) pursuant to the Procurement Code,

1 solicit proposals for disbursement from the fund for legal  
2 services.

3 D. The university shall, with the approval of the  
4 commission, enter into contracts for expenditure of the fund  
5 for the purpose of providing free community governance  
6 attorney services for acequias, land grants-mercedes and low-  
7 income residents of colonias on issues regarding the  
8 governance of colonias. The contracts shall be entered into  
9 with the university, counties or municipalities that have  
10 designated at least one colonia within their boundaries,  
11 state agencies or nonprofit organizations whose mission  
12 includes providing a range of legal services to low-income  
13 New Mexicans. No contract shall provide funding in excess of  
14 one-half of a full-time community governance attorney  
15 position and each contract shall be executed only with  
16 service providers that have secured sufficient matching  
17 funding to provide a full-time position."

18 SECTION 3. EFFECTIVE DATE.--The effective date of the  
19 provisions of this act is July 1, 2025. \_\_\_\_\_

20  
21  
22  
23  
24  
25