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SENATE BILL 122

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Mary Jane M Garcia

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

**RELATING TO LOTTERY SCHOLARSHIPS; ALLOWING A "STOP OUT" PERIOD
FOR STUDENTS IN THE LOTTERY SCHOLARSHIP PROGRAM**

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

**Section 1. Section 21-1-4 NMSA 1978 (being Laws 1971,
Chapter 235, Section 1, as amended) is amended to read:**

"21-1-4. TUITION CHARGES--DEFINITIONS.--

**A. Except as provided in Section 21-1-4.3 NMSA
1978, the state educational institutions set forth in Article
12, Section 11 of the constitution of New Mexico shall charge
tuition, which is in addition to earmarked fees, at rates
provided by law.**

**B. During the regular academic year, "full-time
student" means a student who is taking twelve or more credit-
hours in one semester or quarter. Full-time students during**

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1 the academic year shall be charged tuition at rates provided by
2 law.

3 C. During the summer session, "full-time student"
4 means a student who is taking at least a minimum number of
5 credit-hours, which minimum is in the same proportion to twelve
6 credit-hours as the duration and normal credit-hour load of the
7 summer session in the particular institution is to the duration
8 and normal credit-hour load of the institution's regular
9 semester or quarter. Full-time students in the summer session
10 shall be charged tuition at resident and nonresident rates in
11 each institution, which rates shall be in the same proportion
12 to the full-time resident and nonresident rates of that
13 institution for the regular semester or quarter as the minimum
14 number of credit-hours is to twelve hours.

15 D. "Part-time student" means a student who is
16 taking ~~[less]~~ fewer than the minimum number of credit-hours in
17 a semester, quarter or summer session ~~[than that]~~ required for
18 full-time student status. Part-time students shall be charged
19 tuition at rates per semester- or quarter-credit-hour as
20 provided by law.

21 E. The commission on higher education shall define
22 resident and nonresident students for the purpose of
23 administering tuition charges in accordance with the
24 constitution and statutes of the state and after consultation
25 with the appropriate officials of the institutions concerned.

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1 Each institution shall use the uniform definitions so
2 established in assessing and collecting tuition charges from
3 students.

4 F. The tuition scholarships authorized in this
5 section shall apply to full-time resident students who suspend
6 the pursuit of a baccalaureate degree for up to two consecutive
7 semesters and return immediately while maintaining all other
8 requirements for eligibility. "

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

11 "21-13-10. BOARD DUTIES. --

12 A. It is the duty of the community college board to
13 determine financial and educational policies of the community
14 college. The community college board shall provide for the
15 management of the community college and execution of these
16 policies by selecting a competent president for the community
17 college, and, upon the president's recommendation, the board
18 shall employ other administrative personnel, instructional
19 staff or other personnel as may be needed for the operation,
20 maintenance and administration of the community college.

21 B. The community college board shall have the power
22 to fix tuition and fee rates for resident and nonresident
23 students of the community college district, to accept gifts, to
24 accept federal aid, to purchase, hold, sell and rent property
25 and equipment and to promote the general welfare of the

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1 institution for the best interest of educational service to the
2 people of the community college district.

3 C. To the extent that funds are made available by
4 the legislature from the lottery tuition fund, the community
5 college board shall award tuition scholarships for qualified
6 resident students attending their respective institutions.

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

19 E. The commission on higher education shall prepare
20 guidelines setting forth explicit student continuing
21 eligibility criteria and guidelines for administration of the
22 tuition scholarship program. Guidelines shall be distributed
23 to community college boards to enable a uniform availability of
24 the resident student tuition scholarships.

25 F. The tuition scholarships authorized in this

1 section shall apply to full-time resident students who suspend
2 the pursuit of an associate's degree for up to two consecutive
3 semesters and return immediately while maintaining all other
4 requirements for eligibility."

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

7 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED. --

8 A. To the extent that funds are made available by
9 the legislature from the lottery tuition fund, the board of a
10 technical and vocational institute shall award tuition
11 scholarships for qualified resident students attending a
12 technical and vocational institute.

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

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1 C. The commission on higher education shall prepare
2 guidelines setting forth explicit student continuing
3 eligibility criteria and guidelines for administration of the
4 tuition scholarship program. Guidelines shall be distributed
5 to the boards of technical and vocational institutes to enable
6 a uniform availability of the resident student tuition
7 scholarships.

8 D. The tuition scholarships authorized in this
9 section shall also apply to full-time resident students who
10 suspend the pursuit of an associate's degree for up to two
11 consecutive semesters and return immediately while maintaining
12 all other requirements for eligibility."

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