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HOUSE BILL 139

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Rick Miera

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO INSTRUCTIONAL MATERIAL; CREATING A DUAL CREDIT  
TEXTBOOK FUND; PROVIDING FOR ALLOCATIONS AND DISTRIBUTIONS;  
MAKING AN APPROPRIATION.

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

Section 1. A new section of the Public School Code is  
enacted to read:

"~~[NEW MATERIAL] DUAL CREDIT TEXTBOOK FUND--CREATED--  
ADMINISTRATION--ALLOCATION AND DISTRIBUTION--UNEXPENDED FUNDS--  
RECOVERED FUNDS.--~~

A. The "dual credit textbook fund" is created as a  
nonreverting fund in the state treasury. The fund shall  
consist of appropriations, gifts, grants, donations and  
bequests. The instructional material bureau shall administer  
the fund, and money in the fund is appropriated to the

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1 department to distribute to school districts, charter schools  
2 and state-supported schools each year to provide textbooks and  
3 course supplies for students participating in the dual credit  
4 program pursuant to Section 21-1-1.2 NMSA 1978. Money from the  
5 fund shall be disbursed by warrant of the secretary of finance  
6 and administration upon vouchers signed by the secretary or the  
7 secretary's designated representative.

8 B. As used in this section, "textbook" includes  
9 other educational media as provided by department rule. The  
10 cost of shipping and handling charges may be included in the  
11 cost of dual credit textbooks and course supplies.

12 C. The instructional material bureau shall allocate  
13 to each school district, charter school and state-supported  
14 school a specific dollar amount for each dual credit course  
15 completed by an eligible student during the prior calendar  
16 year. The specific dollar amount of the allocation shall be  
17 determined annually by the department and the higher education  
18 department according to cost data collected by the departments  
19 pursuant to rules promulgated by the departments. On or before  
20 April 1 of each year, the bureau shall determine each school  
21 district's, charter school's and state-supported school's  
22 allocation for dual credit textbooks and course supplies for  
23 the upcoming fiscal year.

24 D. To the extent that money is available and except  
25 as provided in Subsection G of this section, the instructional

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1 material bureau shall distribute directly to school districts,  
2 charter schools and state-supported schools one hundred percent  
3 of their allocations by July 31 of each year. The bureau shall  
4 establish procedures for the distribution of money directly to  
5 school districts, charter schools and state-supported schools.

6 E. School districts, charter schools and state-  
7 supported schools that have money remaining at the end of a  
8 fiscal year for the purchase of dual credit textbooks and  
9 course supplies may retain that money for expenditures for the  
10 purchase of dual credit textbooks and course supplies in  
11 subsequent fiscal years.

12 F. By July 1 of each year, each school district,  
13 charter school and state-supported school shall report to the  
14 instructional material bureau any money received from students  
15 participating in the dual credit program to pay for lost or  
16 damaged textbooks or unused course supplies and any money  
17 received through the sale of textbooks and unused course  
18 supplies. The bureau shall reduce the school district's,  
19 charter school's or state-supported school's distribution for  
20 the dual credit program by that amount in the succeeding fiscal  
21 year.

22 G. The instructional material bureau may reallocate  
23 and distribute any money remaining in the dual credit textbook  
24 fund at the end of a fiscal year.

25 H. The instructional material bureau shall enforce

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1 accounting procedures to be followed by school districts,  
2 charter schools and state-supported schools."

3 Section 2. APPROPRIATION.--One million five hundred  
4 thousand dollars (\$1,500,000) is appropriated from the general  
5 fund to the dual credit textbook fund for expenditure in fiscal  
6 year 2010 and subsequent fiscal years to carry out the purpose  
7 of the fund. Any unexpended or unencumbered balance remaining  
8 at the end of a fiscal year shall not revert to the general  
9 fund.

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