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AN ACT  
RELATING TO PUBLIC SCHOOLS; MAKING LOCALLY CHARTERED AND  
STATE-CHARTERED CHARTER SCHOOLS ELIGIBLE TO RECEIVE A  
PRORATED SHARE OF EDUCATION TECHNOLOGY EQUIPMENT PURCHASED BY  
A SCHOOL DISTRICT THROUGH A LEASE-PURCHASE ARRANGEMENT UNDER  
PROVISIONS OF THE EDUCATION TECHNOLOGY EQUIPMENT ACT;  
ALLOWING LOCAL SCHOOL BOARDS TO SUBMIT TO LOCAL VOTERS THE  
QUESTION OF CREATING DEBT; REQUIRING LOCAL SCHOOL BOARDS TO  
ABIDE BY THE MAJORITY VOTE ON THE QUESTION.

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

SECTION 1. Section 6-15A-1 NMSA 1978 (being Laws 1997,  
Chapter 193, Section 1) is amended to read:

"6-15A-1. SHORT TITLE.--Chapter 6, Article 15A  
NMSA 1978 may be cited as the "Education Technology Equipment  
Act"."

SECTION 2. Section 6-15A-3 NMSA 1978 (being Laws 1997,  
Chapter 193, Section 3, as amended) is amended to read:

"6-15A-3. DEFINITIONS.--As used in the Education  
Technology Equipment Act:

A. "debt" means an obligation payable from  
ad valorem property tax revenues or the general fund of a  
school district and that may be secured by the full faith and  
credit of a school district and a pledge of its taxing  
powers;

1           B. "department" means the public education  
2 department;

3           C. "education technology equipment" means tools  
4 used in the educational process that constitute learning and  
5 administrative resources and may include:

6                   (1) closed-circuit television systems;  
7 educational television and radio broadcasting; cable  
8 television, satellite, copper and fiber-optic transmission;  
9 computer, network connection devices; digital communications  
10 equipment (voice, video and data); servers; switches;  
11 portable media such as discs and drives to contain data for  
12 electronic storage and playback; and purchase or lease of  
13 software licenses or other technologies and services,  
14 maintenance, equipment and computer infrastructure  
15 information, techniques and tools used to implement  
16 technology in schools and related facilities;

17                   (2) improvements, alterations and  
18 modifications to, or expansions of, existing buildings or  
19 personal property necessary or advisable to house or  
20 otherwise accommodate any of the tools listed in  
21 Paragraph (1) of this subsection; and

22                   (3) expenditures for technical support and  
23 training expenses of school district employees who administer  
24 education technology projects funded by a lease-purchase  
25 arrangement and may include training by contractors;

1 D. "eligible charter school" means a locally  
2 chartered or state-chartered charter school located within  
3 the geographic boundaries of a school district:

4 (1) that timely provides the information  
5 necessary to identify the lease-purchase education technology  
6 equipment needed in the charter school to be included in the  
7 local school board resolution for lease-purchase of education  
8 technology equipment; and

9 (2) for which the proposed lease-purchase of  
10 education technology equipment is included in the school  
11 district's approved technology master plan;

12 E. "lease-purchase arrangement" means a financing  
13 arrangement constituting debt of a school district pursuant  
14 to which periodic lease payments composed of principal and  
15 interest components are to be paid to the holder of the  
16 lease-purchase arrangement and pursuant to which the owner of  
17 the education technology equipment may retain title to or a  
18 security interest in the equipment and may agree to release  
19 the security interest or transfer title to the equipment to  
20 the school district for nominal consideration after payment  
21 of the final periodic lease payment. "Lease-purchase  
22 arrangement" also means any debt of the school district  
23 incurred for the purpose of acquiring education technology  
24 equipment pursuant to the Education Technology Equipment Act  
25 whether designated as a general obligation lease, note or

1 other instrument evidencing a debt of the school district;

2 F. "local school board" means the governing body  
3 of a school district; and

4 G. "school district" means an area of land  
5 established as a political subdivision of the state for the  
6 administration of public schools and segregated  
7 geographically for taxation and bonding purposes."

8 SECTION 3. A new section of the Education Technology  
9 Equipment Act is enacted to read:

10 "CHARTER SCHOOLS--RECEIPT OF EDUCATION TECHNOLOGY  
11 EQUIPMENT.--On or after July 1, 2015, a school district that  
12 assumes a debt through a lease-purchase arrangement under the  
13 provisions of the Education Technology Equipment Act shall  
14 provide, to each eligible charter school in the school  
15 district, education technology equipment equal in value to  
16 an amount based upon the net proceeds from the debt after  
17 payment of the cost of issuing the debt through a  
18 lease-purchase arrangement prorated by the number of students  
19 enrolled in the school district and in eligible charter  
20 schools as reported on the first reporting date of the prior  
21 school year; provided that, in the case of an approved  
22 eligible charter school that had not commenced classroom  
23 instruction in the prior school year, the estimated  
24 full-time-equivalent enrollment in the first year of  
25 instruction, as shown in the approved charter school

1 application, shall be used to determine the amount, subject  
2 to adjustment after the first reporting date."

3 SECTION 4. Section 6-15A-14 NMSA 1978 (being Laws 1997,  
4 Chapter 193, Section 14) is amended to read:

5 "6-15A-14. CUMULATIVE AND COMPLETE AUTHORITY.--The  
6 Education Technology Equipment Act shall be deemed to provide  
7 an additional and alternative method for acquiring education  
8 technology equipment and shall be regarded as supplemental  
9 and additional to powers conferred by other laws and shall  
10 not be regarded as a derogation of any powers now existing.  
11 The Education Technology Equipment Act shall be deemed to  
12 provide complete authority for acquiring education technology  
13 equipment and entering into lease-purchase arrangements. No  
14 other approval of any state agency or officer, except as  
15 provided in that act, shall be required with respect to any  
16 lease-purchase arrangements, and the local school board  
17 acting pursuant to provisions of that act need not comply  
18 with the requirements of any other law applicable to the  
19 issuance of debt by school districts; provided, however, that  
20 a local school board may submit to a vote of qualified  
21 electors of the school district the question of creating debt  
22 by entering into a lease-purchase arrangement; and provided  
23 further that the local school board shall abide by the vote  
24 of the majority of those persons voting on the question."

25 SECTION 5. EFFECTIVE DATE.--The effective date of

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the provisions of this act is July 1, 2015. \_\_\_\_\_