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HOUSE BILL 20

**52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016**

INTRODUCED BY

Jimmie C. Hall

AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING THAT THE PROCEEDS OF A LEVY IN A BRANCH COMMUNITY COLLEGE DISTRICT BE USED FOR PROPERTY ACQUISITION FOR OR OPERATIONAL EXPENSES OF THE BRANCH COMMUNITY COLLEGE; PROVIDING THAT SUCH PROPERTY REMAIN IN THE DISTRICT; REQUIRING ANNUAL REPORTING, ACCOUNTING AND CERTIFICATION BY THE BOARD OF REGENTS OF THE PARENT INSTITUTION.

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

SECTION 1. Section 21-14-14 NMSA 1978 (being Laws 1965, Chapter 162, Section 3, as amended) is amended to read:

"21-14-14. [~~TITLE TO PROPERTY ACQUIRED FROM~~] USE OF PROCEEDS OF [~~BOND ISSUE~~] A LEVY IN A BRANCH COMMUNITY COLLEGE DISTRICT--PROPERTY TITLE--ANNUAL REPORTING, ACCOUNTING AND CERTIFICATION BY BOARD OF REGENTS.--~~[All property acquired from~~

underscored material = new  
[bracketed material] = delete

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1 ~~the proceeds of a bond issue shall be taken in the name of the~~  
2 ~~board of education or the board of regents of the parent~~  
3 ~~institution.]~~

4 A. The proceeds of a levy in a branch community  
5 college district shall be used to acquire property for the use  
6 of the branch community college or to finance the operational  
7 expenses of the branch community college.

8 B. Title to property acquired from the proceeds of  
9 a levy in a branch community college district shall be taken in  
10 the name of the branch community college board, the local  
11 school boards within the branch community college district or  
12 the board of regents of the parent institution. In the event  
13 ~~[an independent public college entity evolves from the]~~ that a  
14 branch community college:

15 (1) discontinues operations under the  
16 provisions of Chapter 21, Article 14 NMSA 1978 and operates as  
17 a public independent community college, the property [se] held  
18 by the [board of education] branch community college board, the  
19 local school boards or the board of regents of the parent  
20 institution on behalf of the branch community college shall be  
21 transferred and conveyed to the governing body of the [new  
22 ~~independent]~~ public independent community college [entity. No  
23 ~~transfer or conveyance shall take place without the express~~  
24 ~~approval of the board of educational finance]; or~~

25 (2) ceases operations, the property held by

underscoring material = new  
~~[bracketed material] = delete~~

1 the branch community college board or the board of regents of  
2 the parent institution on behalf of the branch community  
3 college shall be transferred and conveyed to the local school  
4 boards within the branch community college district and the  
5 property so transferred and otherwise held by the local school  
6 boards for the former branch community college shall be used  
7 for local school district purposes.

8 C. By September 30 of each year, the board of  
9 regents of the parent institution shall report to the secretary  
10 of higher education and the legislative finance committee with:

11 (1) an accounting of the expenditure in the  
12 prior fiscal year of proceeds of a levy in a branch community  
13 college district; and

14 (2) a certification that the proceeds of a  
15 levy in a branch community college district were used pursuant  
16 to the provisions of Subsection A of this section."