

HOUSE RURAL DEVELOPMENT, LAND GRANTS AND CULTURAL AFFAIRS  
COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 24

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

AN ACT

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

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

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

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

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underscored material = new  
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1           A. The "community governance attorney and  
2 conditional tuition waiver program" is created and shall be  
3 administered by the department. The department shall:

4                   (1) promulgate rules [~~for implementing~~] to  
5 implement and administer the program and for a reasonable  
6 living stipend in consultation with the university; provided  
7 that the maximum living stipend shall be based upon the  
8 availability of funds and information provided by the  
9 university regarding the current cost of attendance at the  
10 university;

11                   ~~[(2) publicize the program to law students and~~  
12 ~~to prospective law students;~~

13                   ~~(3)]~~ (2) collect and manage repayment from  
14 students who do not meet their obligations under the program;  
15 and

16                   ~~[(4) solicit and]~~ (3) accept funds for the  
17 program, including grants and donations.

18           B. The university shall publicize the program to  
19 law students and prospective law students.

20           ~~[B.]~~ C. Participants shall enter the program in  
21 their final year of law school. The ~~[department]~~ commission  
22 shall select participants according to ~~[rules it promulgates~~  
23 ~~and, in consultation with the commission]~~ program rules and  
24 shall create a standard process for law students to apply to  
25 participate in the program.

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1           ~~[G.]~~ D. The department shall award no more than two  
2 new waivers a year, in addition to renewing existing waivers  
3 for eligible participants, subject to the availability of  
4 funding.

5           ~~[D.]~~ E. Participation in the program shall be  
6 evidenced by a contract between the participant and the  
7 department. The contract shall provide for the payment of a  
8 participant's waiver and shall be conditioned upon the  
9 participant fulfilling the program obligations and meeting the  
10 university's standards for satisfactory academic progress. An  
11 applicant to the program shall sign the contract prior to being  
12 accepted into the program.

13           ~~[E.]~~ F. The contract shall include the following  
14 terms for repayment of the waiver:

15                   (1) interest shall accrue upon termination of  
16 the participant's course of study at the following interest  
17 rates:

18                           (a) eighteen percent per year if the  
19 participant completes a course of study and no portion of the  
20 principal and interest is forgiven pursuant to Subsection ~~[F]~~ G  
21 of this section; and

22                           (b) seven percent per year in all other  
23 cases; and

24                   (2) the maximum period for repayment shall be  
25 ten years, commencing six months from the date the participant

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1 completes or discontinues the course of study.

2 ~~[F.]~~ G. The contract shall provide that the  
3 department forgive fifty percent of a waiver for each year that  
4 a participant is employed full time as a community governance  
5 attorney with a maximum salary ~~[of not more than fifty thousand~~  
6 ~~dollars (\$50,000) per year, subject to adjustment by the~~  
7 ~~commission pursuant to Subsection G of this section.~~

8 ~~G.~~ The commission may approve subsequent increases  
9 in the maximum salary established pursuant to Subsection F of  
10 this section; provided that the maximum salary shall not exceed  
11 the salary rate for entry-level attorneys paid by legal service  
12 assistance entities in New Mexico that receive funding from the  
13 federally established legal services corporation] not to exceed  
14 the entry-level salary rate paid by the legal service  
15 provider."

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

18 "21-21Q-4. COMMISSION--DUTIES.--

19 A. The "community governance attorney commission"  
20 is created. The commission shall be composed of ~~[five members~~  
21 ~~as follows:~~

22 ~~(1) the secretary or the secretary's designee;~~

23 ~~(2) the dean of the university or the dean's~~

24 ~~designee; and~~

25 ~~(3)]~~ three members appointed by the governor;

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[bracketed material] = delete

1 provided that one member shall be a:

2                   (1) member of an acequia [~~one member shall be~~  
3 a];

4                   (2) current or past member of the land grant  
5 council; and [~~one member shall be a~~]

6                   (3) current or past member of the colonias  
7 infrastructure board and a resident of a colonia.

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

14                   C. The commission shall:

15                   (1) make recommendations to the department on  
16 applicants for the program;

17                   (2) advise the department on the adoption of  
18 rules to implement the provisions of the Community Governance  
19 Attorney Act; and

20                   (3) pursuant to the Procurement Code, solicit  
21 proposals for disbursement from the fund for legal services.

22                   [~~(4)~~] D. The university shall, with the approval of  
23 the commission, enter into contracts for expenditure of the  
24 fund for the purpose of providing free community governance  
25 attorney services for acequias, land grants-mercedes and low-

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1 income residents of colonias on issues regarding the governance  
2 of colonias. The contracts shall be entered into with the  
3 university, counties or municipalities that have designated at  
4 least one colonia within their boundaries, state agencies or  
5 ~~[with]~~ nonprofit organizations whose mission ~~[is to provide]~~  
6 includes providing a range of ~~[free]~~ legal services to low-  
7 income New Mexicans. No contract shall provide funding in  
8 excess of one-half of a full-time community governance attorney  
9 position and each contract shall be executed only with service  
10 providers that have secured sufficient matching ~~[nonstate]~~  
11 funding to provide a full-time position ~~[and~~

12 ~~(5) adopt such rules as are necessary to carry~~  
13 ~~out the provisions of this section.~~

14 ~~D. The department, pursuant to rules of the~~  
15 ~~commission, shall administer the contracts and programs~~  
16 ~~provided for in this section]."~~

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