

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**HOUSE BILL 56**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**William W. Fuller**

**AN ACT**

**RELATING TO LOTTERY SCHOLARSHIPS; INCREASING ELIGIBILITY  
REQUIREMENTS; USING A PORTION OF GAMING TAX REVENUE TO PROVIDE  
ADDITIONAL FUNDING FOR LOTTERY SCHOLARSHIPS.**

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

**Section 1. Section 7-1-6.1 NMSA 1978 (being Laws 1983,  
Chapter 211, Section 6, as amended by Laws 1990, Chapter 6,  
Section 19 and also by Laws 1990, Chapter 86, Section 3) is  
amended to read:**

**"7-1-6.1. IDENTIFICATION OF MONEY IN TAX ADMINISTRATION  
SUSPENSE FUND--DISTRIBUTION.--After the necessary  
disbursements have been made from the tax administration  
suspense fund, the money remaining, except for remittances  
received within the previous sixty days that are unidentified  
as to source or disposition, in the suspense fund as of the**

**. 134709. 1**

underscored material = new  
[bracketed material] = delete

underscored material = new  
[bracketed material] = delete

1 last day of the month shall be identified by tax source and  
2 distributed or transferred in accordance with the provisions  
3 of Sections 7-1-6.2 through 7-1-6.19, 7-1-6.24 through  
4 7-1-6.26 and 7-1-6.28 through [~~7-1-6.40~~] 7-1-6.42 NMSA 1978.  
5 After the necessary distributions and transfers, any balance  
6 shall be distributed to the general fund. "

7 Section 2. A new section of the Tax Administration Act,  
8 Section 7-1-6.42 NMSA 1978 is enacted to read:

9 "7-1-6.42. [NEW MATERIAL] DISTRIBUTION--LOTTERY TUITION  
10 FUND.--A distribution pursuant to Section 7-1-6.1 NMSA 1978  
11 shall be made to the lottery tuition fund in an amount equal  
12 to twenty percent of the net receipts attributable to the  
13 gaming tax. "

14 Section 3. Section 21-1-4.3 NMSA 1978 (being Laws 1996,  
15 Chapter 71, Section 3, as amended) is amended to read:

16 "21-1-4.3. TUITION SCHOLARSHIPS AUTHORIZED--CERTAIN  
17 EDUCATIONAL INSTITUTIONS.--

18 A. To the extent that funds are made available by  
19 the legislature from the lottery tuition fund, the boards of  
20 regents of New Mexico state university, New Mexico institute  
21 of mining and technology, eastern New Mexico university,  
22 western New Mexico university, the university of New Mexico,  
23 New Mexico highlands university and northern New Mexico state  
24 school shall award tuition scholarships for qualified resident  
25 students attending their respective institutions and branches

. 134709.1

underscored material = new  
[bracketed material] = delete

1 of those institutions.

2 B. Except as authorized in Subsection C of this  
3 section, the tuition scholarships authorized in this section  
4 shall apply only to full-time resident students who,  
5 immediately upon completion of a high school curriculum at a  
6 public or accredited private New Mexico high school or upon  
7 receiving a graduate equivalent diploma, are accepted for  
8 entrance to and attend one of the state educational  
9 institutions set forth in this section or one of the branches  
10 of those institutions. Each tuition scholarship shall be  
11 awarded for up to four consecutive years beginning the second  
12 semester of the recipient's first year of enrollment, provided  
13 that the recipient has maintained residency in New Mexico and  
14 maintained a grade point average of [~~2.5~~] 3.0 or higher on a  
15 4.0 scale during his first semester of full-time enrollment.

16 C. The tuition scholarships authorized in this  
17 section shall also apply to full-time resident students who,  
18 immediately upon completion of a high school curriculum at a  
19 public or accredited private New Mexico high school or upon  
20 receiving a graduate equivalent diploma, attend a two-year  
21 public post-secondary educational institution in New Mexico  
22 and who, upon the completion of that curriculum or at the end  
23 of two years, whichever is sooner, transfer to one of the  
24 post-secondary state educational institutions set forth in  
25 this section. Those students shall be eligible for a tuition

. 134709. 1

underscored material = new  
[bracketed material] = delete

1 scholarship for two consecutive years, provided that those  
2 students maintain residency in New Mexico, maintain a grade  
3 point average of [~~2.5~~] 3.0 or higher on a 4.0 scale and attend  
4 the institution full time during the regular academic year.

5 D. The tuition scholarships authorized in this  
6 section shall also apply to full-time resident students who:

7 (1) within one hundred twenty days of  
8 completion of a high school curriculum at a public or  
9 accredited private New Mexico high school, or of receiving a  
10 graduate equivalent diploma, begin service in the United  
11 States armed forces; and

12 (2) within one hundred twenty days of  
13 completion of honorable service or medical discharge from the  
14 service are accepted for entrance to and attend one of the  
15 state educational institutions set forth in this section.

16 E. The commission on higher education shall  
17 prepare guidelines setting forth explicit student continuing  
18 eligibility criteria and guidelines for administration of the  
19 tuition scholarship program. Guidelines shall be distributed  
20 to the board of regents of each institution to enable a  
21 uniform availability of the resident student tuition  
22 scholarships.

23 F. For the purposes of this section, "full time"  
24 means at least fifteen credit hours per semester."