

HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR
HOUSE BILL 27

51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013

AN ACT

RELATING TO HIGHER EDUCATION; EXTENDING LOTTERY SCHOLARSHIP
ELIGIBILITY TO STUDENTS WHO, WITHIN TWO YEARS OF COMPLETION OF
A HIGH SCHOOL CURRICULUM OR RECEIPT OF A HIGH SCHOOL
EQUIVALENCY DIPLOMA ARE ACCEPTED TO AND ATTEND A TWO-YEAR
PUBLIC HIGHER EDUCATIONAL INSTITUTION; EXTENDING LOTTERY
SCHOLARSHIP ELIGIBILITY TO STUDENTS WHO, WITHIN TWO YEARS OF
HONORABLE OR MEDICAL DISCHARGE FROM SERVICE IN THE UNITED
STATES ARMED FORCES, ARE ACCEPTED TO AND ATTEND ANY PUBLIC
HIGHER EDUCATIONAL INSTITUTION.

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

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

"21-1-4.3. LEGISLATIVE LOTTERY SCHOLARSHIPS
AUTHORIZED--CERTAIN EDUCATIONAL INSTITUTIONS.--

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1 A. To the extent that funds are made available by
2 the legislature from the lottery tuition fund, the boards of
3 regents of New Mexico state university, New Mexico institute of
4 mining and technology, eastern New Mexico university, western
5 New Mexico university, the university of New Mexico, New Mexico
6 highlands university and northern New Mexico college shall
7 award legislative lottery scholarships for tuition for
8 qualified [~~resident~~] students attending their respective
9 institutions and branches of those institutions.

10 B. Except as otherwise authorized in this section,
11 the legislative lottery scholarships authorized in this section
12 shall apply only to full-time resident students who,
13 immediately upon completion of a high school curriculum at a
14 public or accredited private New Mexico high school or upon
15 receiving a graduate equivalent diploma, are accepted for
16 entrance to and attend one of the state educational
17 institutions set forth in this section or one of the branches
18 of those institutions. Each legislative lottery scholarship
19 shall be awarded for up to four consecutive years beginning the
20 second semester of the recipient's first year of enrollment if
21 the recipient has maintained residency in New Mexico and
22 maintained a grade point average of 2.5 or higher on a 4.0
23 scale during the first semester of full-time enrollment.

24 C. The legislative lottery scholarships authorized
25 in this section shall also apply to full-time resident students

1 who, [~~immediately upon~~] within two years of completion of a
2 high school curriculum at a public or accredited private New
3 Mexico high school or upon receiving a graduate equivalent
4 diploma, attend a two-year public post-secondary educational
5 institution in New Mexico and who, upon the completion of that
6 curriculum or at the end of two years, whichever is sooner,
7 transfer to one of the post-secondary state educational
8 institutions set forth in this section. Those students shall
9 be eligible for a legislative lottery scholarship for two
10 consecutive years if they maintain residency in New Mexico,
11 maintain a grade point average of 2.5 or higher on a 4.0 scale
12 and attend the institution full-time during the regular
13 academic year.

14 D. The legislative lottery scholarships authorized
15 in this section shall also apply to full-time resident students
16 who:

17 (1) within one hundred twenty days of
18 completion of a high school curriculum at a public or
19 accredited private New Mexico high school, or of receiving a
20 graduate equivalent diploma, begin service in the United States
21 armed forces; and

22 (2) within [~~one year~~] two years of completion
23 of honorable service or medical discharge from the service,
24 attend one of the state educational institutions set forth in
25 this section.

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1 E. The higher education department shall prepare
2 guidelines setting forth explicit student continuing
3 eligibility criteria and guidelines for administration of the
4 legislative lottery scholarship program. Guidelines shall be
5 distributed to the board of regents of each institution to
6 enable a uniform availability of the resident student
7 legislative lottery scholarships.

8 F. For purposes of the legislative lottery
9 scholarship program as it applies to qualified students with
10 disabilities who may require special accommodations, the
11 higher education department, in consultation with the student
12 and the office at the institution that serves qualified
13 students with disabilities, shall review both the definition
14 of "full-time" and the maximum number of consecutive
15 semesters of eligibility and adjust either or both as deemed
16 reasonable and appropriate, based on the qualified student's
17 disability needs. In no case, however, shall "full-time"
18 mean fewer than six credit hours per semester, and in no case
19 shall eligibility extend beyond fourteen consecutive
20 semesters."

21 **SECTION 2.** Section 21-13-10 NMSA 1978 (being Laws 1963,
22 Chapter 17, Section 9, as amended) is amended to read:

23 "21-13-10. BOARD DUTIES.--

24 A. It is the duty of the community college board
25 to determine financial and educational policies of the

1 community college. The community college board shall provide
2 for the management of the community college and execution of
3 these policies by selecting a competent president for the
4 community college, and, upon the president's recommendation,
5 the board shall employ other administrative personnel,
6 instructional staff or other personnel as may be needed for
7 the operation, maintenance and administration of the
8 community college.

9 B. The community college board shall have the
10 power to fix tuition and fee rates for resident and
11 nonresident students of the community college district, to
12 accept gifts, to accept federal aid, to purchase, hold, sell
13 and rent property and equipment and to promote the general
14 welfare of the institution for the best interest of
15 educational service to the people of the community college
16 district.

17 C. To the extent that funds are made available by
18 the legislature from the lottery tuition fund, the community
19 college board shall award legislative lottery scholarships
20 for qualified resident students attending their respective
21 institutions.

22 D. The legislative lottery scholarships
23 authorized in this section shall apply only to full-time
24 resident students who, [~~immediately upon~~] within two years of
25 completion of a high school curriculum at a public or

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1 accredited private New Mexico high school or upon receiving a
2 [~~graduate equivalent~~] high school equivalency diploma, are
3 accepted for entrance to and attend a community college.

4 Each legislative lottery scholarship shall be awarded for up
5 to two consecutive years beginning the second semester of the
6 recipient's first year of enrollment; provided that the
7 recipient [~~has maintained~~] maintains residency in New Mexico
8 [~~and maintained~~], maintains a grade point average of 2.5 or
9 higher on a 4.0 scale [~~during the first semester of full-time~~
10 ~~enrollment~~] while enrolled at the community college and
11 attends the community college on a full-time basis during the
12 regular academic year.

13 E. The higher education department shall prepare
14 guidelines setting forth explicit student continuing
15 eligibility criteria and guidelines for administration of the
16 legislative lottery scholarship program. Guidelines shall be
17 distributed to community college boards to enable a uniform
18 availability of the resident student lottery tuition
19 scholarships.

20 F. For purposes of the legislative lottery
21 scholarship program as it applies to students with
22 disabilities who may require special accommodations, the
23 higher education department, in consultation with the student
24 and the office at the community college that serves students
25 with disabilities, shall review both the definition of "full-

1 time" and the maximum number of consecutive semesters of
 2 eligibility and adjust either or both as deemed reasonable
 3 and appropriate, based on the student's disability needs. In
 4 no case, however, shall "full-time" mean fewer than six
 5 credit hours per semester, and in no case shall eligibility
 6 extend beyond fourteen consecutive semesters."

7 SECTION 3. Section 21-16-10.1 NMSA 1978 (being Laws
 8 1996, Chapter 71, Section 6, as amended) is amended to read:

9 "21-16-10.1. LEGISLATIVE LOTTERY SCHOLARSHIPS

10 AUTHORIZED.--

11 A. To the extent that funds are made available by
 12 the legislature from the lottery tuition fund, the board of a
 13 technical and vocational institute shall award legislative
 14 lottery scholarships for qualified resident students
 15 attending a technical and vocational institute.

16 B. The legislative lottery scholarships
 17 authorized in this section shall apply only to full-time
 18 resident students who, [~~immediately upon~~] within two years of
 19 completion of a high school curriculum at a public or
 20 accredited private New Mexico high school or upon receiving a
 21 [~~graduate equivalent~~] high school equivalency diploma, are
 22 accepted for entrance to and attend a technical and
 23 vocational institute. Each legislative lottery scholarship
 24 shall be awarded for up to two consecutive years beginning
 25 the second semester of the recipient's first year of

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1 enrollment; provided that the recipient [~~has maintained~~
2 maintains residency in New Mexico [~~and maintained~~], maintains
3 a grade point average of 2.5 or higher on a 4.0 scale [~~during~~
4 ~~the first semester of full-time enrollment with renewal of an~~
5 ~~additional two years upon transfer~~] while enrolled at the
6 technical and vocational institute and attends the technical
7 and vocational institute on a full-time basis during the
8 regular academic year.

9 C. The higher education department shall prepare
10 guidelines setting forth explicit student continuing
11 eligibility criteria and guidelines for administration of the
12 legislative lottery scholarship program. Guidelines shall be
13 distributed to the boards of technical and vocational
14 institutes to enable a uniform availability of the resident
15 student legislative lottery scholarships.

16 D. For purposes of the legislative lottery
17 scholarship program as it applies to students with
18 disabilities who may require special accommodations, the
19 higher education department, in consultation with the student
20 and the office at the technical and vocational institute that
21 serves students with disabilities, shall review both the
22 definition of "full-time" and the maximum number of
23 consecutive semesters of eligibility and adjust either or
24 both as deemed reasonable and appropriate, based on the
25 student's disability needs. In no case, however, shall

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1 "full-time" mean fewer than six credit hours per semester,
2 and in no case shall eligibility extend beyond fourteen
3 consecutive semesters."

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