

1 HOUSE BILL 344

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

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10 AN ACT

11 RELATING TO HIGHER EDUCATION; PROVIDING FOR THE LEGISLATIVE  
12 LOTTERY TUITION SCHOLARSHIP TO BE A FULL SCHOLARSHIP BASED ON  
13 FINANCIAL NEED.  
14

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

16 SECTION 1. Section 21-21N-2 NMSA 1978 (being Laws 2014,  
17 Chapter 80, Section 2, as amended) is amended to read:

18 "21-21N-2. DEFINITIONS.--As used in the Legislative  
19 Lottery Tuition Scholarship Act:

20 A. "community college" means a branch community  
21 college of a four-year state educational institution, a two-  
22 year state educational institution or a community college or  
23 technical and vocational institute established pursuant to  
24 Chapter 21, Article 13 or 16 NMSA 1978, respectively;

25 B. "comprehensive institution" means eastern New

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1 Mexico university, western New Mexico university, New Mexico  
2 highlands university or northern New Mexico college;

3 C. "department" means the higher education  
4 department;

5 D. "full time" means fifteen or more credit hours  
6 each semester of the regular academic year in state educational  
7 institutions and twelve or more credit hours each semester of  
8 the regular academic year in community colleges or for legacy  
9 students in any program semester;

10 E. "fund" means the lottery tuition fund;

11 F. "legacy student" means a full-time resident  
12 student who has received for three or more program semesters by  
13 the end of fiscal year [~~2014~~] 2017 the legislative lottery  
14 scholarship awarded pursuant to the former provisions of  
15 Sections 21-1-4.3, 21-13-10 and 21-16-10.1 NMSA 1978 prior to  
16 the enactment of the Legislative Lottery Tuition Scholarship  
17 Act;

18 G. "program semesters" means those semesters for  
19 which a legacy or qualified student may receive a tuition  
20 scholarship and excludes the first semester of attendance at a  
21 public post-secondary educational institution;

22 H. "public post-secondary educational institution"  
23 means a four-year state educational institution or a community  
24 college;

25 I. "qualified student" means a full-time student

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1 who demonstrates financial need by means of the expected family  
2 contribution, who has graduated from a public or accredited  
3 private New Mexico high school or who received a high school  
4 equivalency credential while maintaining residency in New  
5 Mexico and who:

6 (1) either:  
7 (a) immediately upon graduation or  
8 receipt of a credential was accepted for entrance to and  
9 attended a public post-secondary educational institution; or

10 (b) within one hundred twenty days of  
11 completion of a high school curriculum or receipt of a high  
12 school equivalency credential began service in the United  
13 States armed forces and within one year of completion of  
14 honorable service or medical discharge from the service,  
15 attended a public post-secondary educational institution; and

16 (2) successfully completed the first semester  
17 at a public post-secondary educational institution with a grade  
18 point average of 2.5 or higher on a 4.0 scale during the first  
19 semester of full-time enrollment;

20 J. "research institution" means the university of  
21 New Mexico, New Mexico state university or New Mexico institute  
22 of mining and technology;

23 K. "state educational institution" means an  
24 institution of higher education enumerated in Article 12,  
25 Section 11 of the constitution of New Mexico; and

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1           L. "tuition scholarship" means the scholarship that  
2 provides tuition assistance per program semester for a  
3 qualified student or legacy student attending a public post-  
4 secondary educational institution."

5           **SECTION 2.** Section 21-21N-3 NMSA 1978 (being Laws 2014,  
6 Chapter 80, Section 3, as amended) is amended to read:

7           "21-21N-3. TUITION SCHOLARSHIPS AUTHORIZED--QUALIFIED  
8 STUDENTS.--

9           A. To the extent that funds are made available by  
10 the legislature from the fund, the boards of regents or  
11 governing bodies of public post-secondary educational  
12 institutions shall award tuition scholarships in department-  
13 approved amounts to qualified students and legacy students  
14 attending their respective public post-secondary educational  
15 institutions.

16           B. Beginning in fiscal year [~~2015~~] 2018:

17           (1) a legacy student is eligible to receive a  
18 tuition scholarship until the total number of program semesters  
19 for which the legislative lottery scholarship is received  
20 pursuant to the former provisions of Sections 21-1-4.3,  
21 21-13-10 and 21-16-10.1 NMSA 1978 or the Legislative Lottery  
22 Tuition Scholarship Act reaches eight; provided that the legacy  
23 student maintains residency in New Mexico, maintains a grade  
24 point average of 2.5 or higher on a 4.0 scale and completes  
25 twelve or more credit hours per program semester; and

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1 (2) a qualified student who is not a legacy  
2 student is eligible to receive the tuition scholarship for a  
3 maximum of seven program semesters and in an amount determined  
4 pursuant to the provisions of Section 21-21N-4 NMSA 1978.

5 C. Except as otherwise provided in this section, a  
6 tuition scholarship may be awarded to a qualified student  
7 [~~who~~]:

8 (1) who maintains residency in New Mexico;

9 (2) who maintains a grade point average of 2.5  
10 or higher on a 4.0 scale; [~~and~~]

11 (3) who completes:

12 (a) for a student attending a four-year  
13 public post-secondary educational institution, fifteen or more  
14 credit hours per program semester; and

15 (b) for a student attending a two-year  
16 public post-secondary educational institution, twelve or more  
17 credit hours per program semester; and

18 (4) whose expected family contribution is less  
19 than one hundred fifty percent of the total cost of attendance  
20 as calculated by the financial aid officer of the public post-  
21 secondary educational institution.

22 D. For students with disabilities who may require  
23 accommodations, the department, in consultation with the  
24 student and the office at the public post-secondary educational  
25 institution that serves students with disabilities, shall

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

8 SECTION 3. A new section of the Legislative Lottery  
9 Tuition Scholarship Act is enacted to read:

10 "[NEW MATERIAL] LOTTERY TUITION SCHOLARSHIP--APPLICATION  
11 BY STUDENT.--Prior to consideration for a lottery tuition  
12 scholarship each year, a student shall submit to the intended  
13 public post-secondary educational institution a completed:

14 A. lottery tuition scholarship application form  
15 developed by the public post-secondary educational institution  
16 or the department; or

17 B. free application for federal student aid  
18 provided pursuant to the federal Higher Education Act of 1965."