

1 HOUSE BILL 146

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Debra M. Sariñana

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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:

13 (1) has received for ~~three~~ one or more  
14 program semesters by the end of fiscal year 2014 the  
15 legislative lottery scholarship awarded pursuant to the former  
16 provisions of Sections 21-1-4.3, 21-13-10 and 21-16-10.1 NMSA  
17 1978 prior to the enactment of the Legislative Lottery Tuition  
18 Scholarship Act; or

19 (2) has received for one or more program  
20 semesters by the end of fiscal year 2019 the legislative  
21 lottery scholarship awarded pursuant to the Legislative Lottery  
22 Tuition Scholarship Act;

23 G. "program semesters" means those semesters for  
24 which a legacy or qualified student may receive a tuition  
25 scholarship and excludes the first semester of attendance at a

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1 public post-secondary educational institution;

2 H. "public post-secondary educational institution"  
3 means a four-year state educational institution or a community  
4 college;

5 I. "qualified student" means a full-time student  
6 who demonstrates financial need by means of the expected family  
7 contribution, who has graduated from a public or accredited  
8 private New Mexico high school or who received a high school  
9 equivalency credential while maintaining residency in New  
10 Mexico and who:

11 (1) either:

12 (a) within sixteen months of graduation  
13 or receipt of a high school equivalency credential, was  
14 accepted for entrance to and attended a public post-secondary  
15 educational institution; or

16 (b) within four months of graduation or  
17 receipt of a high school equivalency credential, began service  
18 in the United States armed forces and within sixteen months of  
19 completion of honorable service or medical discharge from the  
20 service, attended a public post-secondary educational  
21 institution; and

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

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1           J. "research institution" means the university of  
2 New Mexico, New Mexico state university or New Mexico institute  
3 of mining and technology;

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

7           L. "tuition scholarship" means the scholarship that  
8 provides tuition assistance per program semester for a  
9 qualified student or legacy student attending a public post-  
10 secondary educational institution."

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

13           "21-21N-3. TUITION SCHOLARSHIPS AUTHORIZED--QUALIFIED  
14 STUDENTS.--

15           A. To the extent that funds are made available by  
16 the legislature from the fund, the boards of regents or  
17 governing bodies of public post-secondary educational  
18 institutions shall award tuition scholarships in department-  
19 approved amounts to qualified students and legacy students  
20 attending their respective public post-secondary educational  
21 institutions.

22           B. Beginning in fiscal year [~~2015~~] 2020:

23                 (1) a legacy student is eligible to receive a  
24 tuition scholarship until the total number of program semesters  
25 for which the legislative lottery scholarship is received

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1 pursuant to the former provisions of Sections 21-1-4.3,  
2 21-13-10 and 21-16-10.1 NMSA 1978 or the Legislative Lottery  
3 Tuition Scholarship Act reaches ~~[eight]~~ seven; provided that  
4 ~~[the legacy student maintains residency in New Mexico,~~  
5 ~~maintains a grade point average of 2.5 or higher on a 4.0 scale~~  
6 ~~and completes twelve or more credit hours per program semester;~~  
7 ~~and] a legacy student:~~

8 (a) attends a four-year, public post-  
9 secondary educational institution and successfully completes  
10 fifteen or more credit hours for each program semester;

11 (b) attends a two-year, public  
12 post-secondary educational institution and successfully  
13 completes twelve or more credit hours for each program  
14 semester; and

15 (c) maintains a grade-point average of  
16 2.5 on a 4.0 scale; and

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

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

24 (1) who maintains residency in New Mexico;

25 (2) who maintains a grade point average of 2.5

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1 or higher on a 4.0 scale; [~~and~~]

2 (3) who completes:

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

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

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

13 D. For students with disabilities who may require  
14 accommodations, the department, in consultation with the  
15 student and the office at the public post-secondary educational  
16 institution that serves students with disabilities, shall  
17 review both the definition of "full time" and the maximum  
18 number of consecutive program semesters of eligibility and  
19 adjust either or both as deemed reasonable and appropriate,  
20 based on the student's disability needs. In no case, however,  
21 shall "full time" mean fewer than six credit hours per  
22 semester, and in no case shall eligibility extend beyond  
23 fourteen consecutive program semesters."

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

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1           "[NEW MATERIAL] TUITION SCHOLARSHIP--APPLICATION BY  
2 STUDENT.--Prior to consideration for a tuition scholarship each  
3 year, a student shall submit to the intended public  
4 post-secondary educational institution a completed:

5           A. tuition scholarship application form developed  
6 by the public post-secondary educational institution or the  
7 department; or

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

10          SECTION 4. EFFECTIVE DATE.--The effective date of the  
11 provisions of this act is July 1, 2019.