

1 HOUSE BILL 336

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

3 INTRODUCED BY

4 Daymon Ely

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10 AN ACT

11 RELATING TO HIGHER EDUCATION; REMOVING THE MAXIMUM ANNUAL LOAN
12 REPAYMENT AMOUNT PAYABLE UNDER THE PUBLIC SERVICE LAW LOAN
13 REPAYMENT ACT.

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

16 SECTION 1. Section 21-22F-6 NMSA 1978 (being Laws 2005,
17 Chapter 83, Section 6) is amended to read:

18 "21-22F-6. LOAN REPAYMENT CONTRACT TERMS--PAYMENT.--

19 A. The loan repayment award shall be evidenced by a
20 contract between the participating attorney and the
21 [~~commission~~] department acting on behalf of the state. The
22 contract shall state the amount of the award and the
23 obligations of the participating attorney under the public
24 service law loan repayment program, including a minimum three-
25 year period of service, quarterly reporting requirements and

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1 other policies established by the [~~commission~~] department.

2 B. A participating attorney shall serve a complete
3 year in order to receive credit for that year. The maximum and
4 minimum credit for a year shall be established by the
5 [~~commission. The maximum credit for a year shall not exceed~~
6 ~~seven thousand two hundred dollars (\$7,200)] department.~~

7 C. If a participating attorney does not comply with
8 the terms of the contract, the [~~commission~~] department shall
9 require immediate repayment of the award plus eighteen percent
10 interest and may assess a penalty of up to three times the
11 amount of award disbursed, unless the [~~commission~~] department
12 finds acceptable extenuating circumstances for why the
13 participating attorney cannot serve or comply with the terms of
14 the contract. If the [~~commission~~] department does not find
15 acceptable extenuating circumstances for the participating
16 attorney's failure to comply with the contract, the
17 [~~commission~~] department shall require immediate repayment of
18 the award plus the amount of the penalty.

19 D. The [~~commission~~] department, in consultation
20 with the committee, shall adopt rules to implement the
21 provisions of this section. The rules may provide for the
22 disbursement of loan repayment awards in annual or other
23 periodic installments."

24 SECTION 2. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2019.

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