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SENATE BILL 234

**55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

INTRODUCED BY

Cliff R. Pirtle

AN ACT

RELATING TO HIGHER EDUCATION; ALLOWING HOME SCHOOL STUDENTS TO  
QUALIFY FOR LEGISLATIVE LOTTERY TUITION SCHOLARSHIPS.

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

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

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

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

B. "comprehensive institution" means eastern  
New Mexico university, western New Mexico university, New

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1 Mexico highlands university or northern New Mexico college;

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

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

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

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

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

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

23 I. "qualified student" means a full-time student  
24 who graduated from a public ~~[or accredited private New Mexico]~~  
25 high school in the state or ~~[who]~~ completed the requirements of

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1 a home-based or non-public-school primary educational program  
2 in the state or received a high school equivalency credential  
3 while maintaining residency in New Mexico and who:

4 (1) either:

5 (a) within sixteen months of graduation  
6 from a public school in this state or completion of the  
7 requirements of a home-based or non-public-school primary  
8 educational program or receipt of a high school equivalency  
9 credential, was accepted for entrance to and attended a public  
10 post-secondary educational institution; or

11 (b) within four months of graduation  
12 from a public school in this state or completion of the  
13 requirements of a home-based or non-public-school primary  
14 educational program or receipt of a high school equivalency  
15 credential, began service in the United States armed forces and  
16 within sixteen months of completion of honorable service or  
17 medical discharge from the service, attended a public post-  
18 secondary educational institution; and

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

23 J. "research institution" means the university of  
24 New Mexico, New Mexico state university or New Mexico institute  
25 of mining and technology;

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