

1 HOUSE BILL 381

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Christine Trujillo and Doreen Y. Gallegos and
5 Patricia Roybal Caballero and G. Andrés Romero and
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10 AN ACT

11 RELATING TO HISPANIC EDUCATION; CREATING THE HISPANIC EDUCATION
12 FUND; AMENDING THE HISPANIC EDUCATION ACT TO ALLOW MEMBERS OF
13 THE HISPANIC EDUCATION ADVISORY COUNCIL TO RECEIVE PER DIEM AND
14 MILEAGE FOR THEIR SERVICES; MAKING AN APPROPRIATION.

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

17 SECTION 1. Section 22-23B-1 NMSA 1978 (being Laws 2010,
18 Chapter 108, Section 1 and Laws 2010, Chapter 114, Section 1)
19 is amended to read:

20 "22-23B-1. SHORT TITLE.--~~[This act]~~ Chapter 22, Article
21 23B NMSA 1978 may be cited as the "Hispanic Education Act"."

22 SECTION 2. Section 22-23B-5 NMSA 1978 (being Laws 2010,
23 Chapter 108, Section 5 and Laws 2010, Chapter 114, Section 5)
24 is amended to read:

25 "22-23B-5. HISPANIC EDUCATION ADVISORY COUNCIL.--

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1 A. The "Hispanic education advisory council" is
2 created as an advisory council to the secretary. The council
3 shall advise the secretary on matters related to improving
4 public school education for Hispanic students, increasing
5 parent involvement and community engagement in the education of
6 Hispanic students and increasing the number of Hispanic high
7 school graduates who succeed in post-secondary academic,
8 professional or vocational education.

9 B. The secretary shall appoint no more than twenty-
10 three members to the council who are knowledgeable about and
11 interested in the education of Hispanic students, including
12 representatives of public schools; post-secondary education and
13 teacher preparation programs; parents; Hispanic cultural,
14 community and business organizations; other community and
15 business organizations; and other interested persons. The
16 secretary shall give due regard to geographic representation.
17 Members shall serve at the pleasure of the secretary.

18 C. The council shall elect a chairperson and such
19 other officers as it deems necessary.

20 D. The council shall meet as necessary, but at
21 least twice each year.

22 E. The council shall advise the secretary on
23 matters related to Hispanic education in New Mexico.

24 F. Members of the council [~~shall not~~] may receive
25 per diem and mileage [~~or~~] as provided for nonsalaried public

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1 officers in the Per Diem and Mileage Act, but members of the
2 council shall not receive any other compensation for their
3 services."

4 SECTION 3. A new section of the Hispanic Education Act is
5 enacted to read:

6 "[NEW MATERIAL] HISPANIC EDUCATION FUND CREATED.--

7 A. The "Hispanic education fund" is created as a
8 nonreverting fund in the state treasury. The fund consists of
9 appropriations, gifts, grants, and donations. Income from
10 investment of the fund is credited to the general fund. The
11 department shall administer the fund, and money in the fund is
12 appropriated to the department to be distributed as necessary
13 to further the purposes of the Hispanic Education Act.

14 B. The department shall ensure that the Hispanic
15 education fund is used for the purposes stated in the Hispanic
16 Education Act and not to correct for previous reductions of
17 program services.

18 C. The department shall develop procedures and
19 rules for the disbursement of money from the fund.
20 Disbursement of the fund shall be made by warrant of the
21 secretary of finance and administration pursuant to vouchers
22 signed by the secretary of public education."