

HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR
HOUSE BILLS 109 & 426

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING TUITION SCHOLARSHIPS
FOR QUALIFIED INDIVIDUALS WHO ATTEND A STATE EDUCATIONAL
INSTITUTION WITHIN ONE ACADEMIC YEAR AFTER COMPLETING HIGH
SCHOOL OR RECEIVING A GRADUATE EQUIVALENT DIPLOMA; CHANGING THE
QUALIFICATIONS FOR CERTAIN HIGH SCHOOL GRADUATES; PROVIDING
TUITION SCHOLARSHIPS FOR UP TO TWO AND ONE-HALF YEARS TO
QUALIFIED INDIVIDUALS WHO ATTEND CERTAIN TWO-YEAR INSTITUTIONS.

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

Section 1. Section 21-1-4.3 NMSA 1978 (being Laws 1996,
Chapter 71, Section 3, as amended) is amended to read:

"21-1-4.3. TUITION SCHOLARSHIPS AUTHORIZED--CERTAIN
EDUCATIONAL INSTITUTIONS.--

A. To the extent that funds are made available by
the legislature from the lottery tuition fund, the boards of

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underscored material = new
[bracketed material] = delete

1 regents of New Mexico state university, New Mexico institute of
2 mining and technology, eastern New Mexico university, western
3 New Mexico university, the university of New Mexico, New Mexico
4 highlands university and northern New Mexico state school shall
5 award tuition scholarships for qualified resident students
6 attending their respective institutions and branches of those
7 institutions.

8 B. Except as authorized in Subsection C of this
9 section, the tuition scholarships authorized in this section
10 shall apply only to full-time resident students who,
11 [~~immediately upon completion of~~] within one academic year of
12 completing a high school curriculum at a public or accredited
13 private New Mexico high school or, while being New Mexico
14 residents, at a public high school located within one hundred
15 miles of New Mexico or [~~upon~~] of receiving a graduate
16 equivalent diploma, are accepted for entrance to and attend one
17 of the state educational institutions set forth in this section
18 or one of the branches of those institutions. Each tuition
19 scholarship shall be awarded for up to four consecutive years
20 beginning the second semester of the recipient's first year of
21 full-time enrollment, provided that the recipient has
22 maintained residency in New Mexico and maintained a grade point
23 average of 2.5 or higher on a 4.0 scale during his first
24 semester of full-time enrollment.

25 C. The tuition scholarships authorized in this

1 section shall also apply to full-time resident students who,
 2 [~~immediately upon completion of~~] within one academic year of
 3 completing a high school curriculum at a public or accredited
 4 private New Mexico high school or, while being New Mexico
 5 residents, at a public high school located within one hundred
 6 miles of New Mexico or [~~upon~~] of receiving a graduate
 7 equivalent diploma, attend a two-year public post-secondary
 8 educational institution in New Mexico and who, upon the
 9 completion of that curriculum or at the end of two and one-half
 10 consecutive years, whichever is sooner, transfer to one of the
 11 post-secondary state educational institutions set forth in this
 12 section. Those students shall be eligible for a tuition
 13 scholarship for [~~two~~] up to a combined total of four
 14 consecutive years beginning the second semester of the
 15 recipient's first year of full-time enrollment; provided that
 16 those students maintain residency in New Mexico, maintain a
 17 grade point average of 2.5 or higher on a 4.0 scale and attend
 18 [~~the~~] each institution full time during the regular academic
 19 year.

20 D. The tuition scholarships authorized in this
 21 section shall also apply to full-time resident students who:

22 (1) within one hundred twenty days of
 23 completion of a high school curriculum at a public or
 24 accredited private New Mexico high school or, while being New
 25 Mexico residents, at a public high school located within one

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1 hundred miles of New Mexico or of receiving a graduate
2 equivalent diploma, begin service in the United States armed
3 forces; and

4 (2) within one hundred twenty days of
5 completion of honorable service or medical discharge from the
6 service are accepted for entrance to and attend one of the
7 state educational institutions set forth in this section.

8 E. The commission on higher education shall prepare
9 guidelines setting forth explicit student continuing
10 eligibility criteria and guidelines for administration of the
11 tuition scholarship program. Guidelines shall be distributed
12 to the board of regents of each institution to enable a uniform
13 availability of the resident student tuition scholarships."

14 Section 2. Section 21-13-10 NMSA 1978 (being Laws 1963,
15 Chapter 17, Section 9, as amended) is amended to read:

16 "21-13-10. BOARD DUTIES.--

17 A. It is the duty of the community college board to
18 determine financial and educational policies of the community
19 college. The community college board shall provide for the
20 management of the community college and execution of these
21 policies by selecting a competent president for the community
22 college, and, upon the president's recommendation, the board
23 shall employ other administrative personnel, instructional
24 staff or other personnel as may be needed for the operation,
25 maintenance and administration of the community college.

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1 B. The community college board shall have the power
 2 to fix tuition and fee rates for resident and nonresident
 3 students of the district, to accept gifts, to accept federal
 4 aid, to purchase, hold, sell and rent property and equipment
 5 and to promote the general welfare of the institution for the
 6 best interest of educational service to the people of the
 7 community college district.

8 C. To the extent that funds are made available by
 9 the legislature from the lottery tuition fund, the community
 10 college board shall award tuition scholarships for qualified
 11 resident students attending their respective institutions.

12 D. The tuition scholarships authorized in this
 13 section shall apply only to full-time resident students who,
 14 [~~immediately upon completion of~~] within one academic year of
 15 completing a high school curriculum at a public or accredited
 16 private New Mexico high school or, while being New Mexico
 17 residents, at a public high school located within one hundred
 18 miles of New Mexico or [~~upon~~] of receiving a graduate
 19 equivalent diploma, are accepted for entrance to and attend a
 20 community college. Each tuition scholarship shall be awarded
 21 for up to two and one-half consecutive years beginning the
 22 second semester of the recipient's first year of full-time
 23 enrollment; provided that the recipient has maintained
 24 residency in New Mexico and maintained a grade-point average of
 25 2.5 or higher on a 4.0 scale during his first semester of full-

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1 time enrollment and each semester thereafter and upon transfer
2 will be eligible for a combined total of four consecutive
3 years.

4 E. The commission on higher education shall prepare
5 guidelines setting forth explicit student continuing
6 eligibility criteria and guidelines for administration of the
7 tuition scholarship program. Guidelines shall be distributed
8 to community college boards to enable a uniform availability of
9 the resident student tuition scholarships."

10 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws 1996,
11 Chapter 71, Section 6, as amended) is amended to read:

12 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED.--

13 A. To the extent that funds are made available by
14 the legislature from the lottery tuition fund, the board of a
15 technical and vocational institute shall award tuition
16 scholarships for qualified resident students attending a
17 technical and vocational institute.

18 B. The tuition scholarships authorized in this
19 section shall apply only to full-time resident students who,
20 [~~immediately upon completion of~~] within one academic year of
21 completing a high school curriculum at a public or accredited
22 private New Mexico high school or, while being New Mexico
23 residents, at a public high school located within one hundred
24 miles of New Mexico or [~~upon~~] of receiving a graduate
25 equivalent diploma, are accepted for entrance to and attend a

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1 technical and vocational institute. Each tuition scholarship
 2 shall be awarded for up to two and one-half consecutive years
 3 beginning the second semester of the recipient's first year of
 4 full-time enrollment; provided that the recipient has
 5 maintained residency in New Mexico and maintained a grade-point
 6 average of 2.5 or higher on a 4.0 scale during his first
 7 semester of full-time enrollment [~~with renewal of an additional~~
 8 ~~two years upon transfer~~] and each semester thereafter and upon
 9 transfer will be eligible for a combined total of four
 10 consecutive years.

11 C. The commission on higher education shall prepare
 12 guidelines setting forth explicit student continuing
 13 eligibility criteria and guidelines for administration of the
 14 tuition scholarship program. Guidelines shall be distributed
 15 to the boards of technical and vocational institutes to enable
 16 a uniform availability of the resident student tuition
 17 scholarships."

18 Section 4. APPLICABILITY.--The provisions of this act
 19 extending eligibility for tuition scholarships to those
 20 students who attend a public post-secondary educational
 21 institution within one academic year of either completing a
 22 high school curriculum or receiving a graduate equivalent
 23 diploma apply to students who complete a high school curriculum
 24 or receive a graduate equivalent diploma on or after May 1,
 25 2003.

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