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SENATE BILL 121

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Mary Jane M Garcia

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AN ACT

RELATING TO LOTTERY SCHOLARSHIPS; ALLOWING SECOND CHANCE  
ELIGIBILITY FOR STUDENTS WHO STAY IN SCHOOL AFTER LOSING A  
LOTTERY SCHOLARSHIP.

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  
regents of New Mexico state university, New Mexico institute of  
mining and technology, eastern New Mexico university, western  
New Mexico university, the university of New Mexico, New Mexico  
highlands university and northern New Mexico state school shall

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1 award tuition scholarships for qualified resident students  
2 attending their respective institutions and branches of those  
3 institutions.

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

18 C. The tuition scholarships authorized in this  
19 section shall also apply to full-time resident students who,  
20 immediately upon completion of a high school curriculum at a  
21 public or accredited private New Mexico high school or upon  
22 receiving a graduate equivalent diploma, attend a two-year  
23 public post-secondary educational institution in New Mexico and  
24 who, upon the completion of that curriculum or at the end of  
25 two years, whichever is sooner, transfer to one of the post-

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1 secondary state educational institutions set forth in this  
2 section. Those students shall be eligible for a tuition  
3 scholarship for two consecutive years, provided that those  
4 students maintain residency in New Mexico, maintain a grade  
5 point average of 2.5 or higher on a 4.0 scale and attend the  
6 institution full time during the regular academic year.

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

9 (1) within one hundred twenty days of  
10 completion of a high school curriculum at a public or  
11 accredited private New Mexico high school, or of receiving a  
12 graduate equivalent diploma, begin service in the United States  
13 armed forces; and

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

18 E. The commission on higher education shall prepare  
19 guidelines setting forth explicit student continuing  
20 eligibility criteria and guidelines for administration of the  
21 tuition scholarship program. Guidelines shall be distributed  
22 to the board of regents of each institution to enable a uniform  
23 availability of the resident student tuition scholarships.

24 F. The tuition scholarships authorized in this  
25 section shall also apply to full-time resident students whose

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1 grade point average drops below 2.5 and who stay in school for  
2 the subsequent semester at their own expense and bring their  
3 cumulative grade point average up to 2.5 within that semester."

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

6 "21-13-10. BOARD DUTIES. --

7 A. It is the duty of the community college board to  
8 determine financial and educational policies of the community  
9 college. The community college board shall provide for the  
10 management of the community college and execution of these  
11 policies by selecting a competent president for the community  
12 college, and, upon the president's recommendation, the board  
13 shall employ other administrative personnel, instructional  
14 staff or other personnel as may be needed for the operation,  
15 maintenance and administration of the community college.

16 B. The community college board shall have the power  
17 to fix tuition and fee rates for resident and nonresident  
18 students of the community college district, to accept gifts, to  
19 accept federal aid, to purchase, hold, sell and rent property  
20 and equipment and to promote the general welfare of the  
21 institution for the best interest of educational service to the  
22 people of the community college district.

23 C. To the extent that funds are made available by  
24 the legislature from the lottery tuition fund, the community  
25 college board shall award tuition scholarships for qualified

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1 resident students attending their respective institutions.

2 D. The tuition scholarships authorized in this  
3 section shall apply only to full-time resident students who,  
4 immediately upon completion of a high school curriculum at a  
5 public or accredited private New Mexico high school or upon  
6 receiving a graduate equivalent diploma, are accepted for  
7 entrance to and attend a community college. Each tuition  
8 scholarship shall be awarded for up to two consecutive years  
9 beginning the second semester of the recipient's first year of  
10 enrollment, provided that the recipient has maintained  
11 residency in New Mexico and maintained a grade point average of  
12 2.5 or higher on a 4.0 scale during ~~[his]~~ the first semester of  
13 full-time enrollment.

14 E. The commission on higher education shall prepare  
15 guidelines setting forth explicit student continuing  
16 eligibility criteria and guidelines for administration of the  
17 tuition scholarship program. Guidelines shall be distributed  
18 to community college boards to enable a uniform availability of  
19 the resident student tuition scholarships.

20 F. The tuition scholarships authorized in this  
21 section shall also apply to full-time resident students whose  
22 grade point average drops below 2.5 and who stay in school for  
23 the subsequent semester at their own expense and bring their  
24 cumulative grade point average up to 2.5 within that semester."

25 Section 3. Section 21-16-10.1 NMSA 1978 (being Laws 1996,

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1 Chapter 71, Section 6, as amended) is amended to read:

2 "21-16-10.1. TUITION SCHOLARSHIPS AUTHORIZED. --

3 A. To the extent that funds are made available by  
4 the legislature from the lottery tuition fund, the board of a  
5 technical and vocational institute shall award tuition  
6 scholarships for qualified resident students attending a  
7 technical and vocational institute.

8 B. The tuition scholarships authorized in this  
9 section shall apply only to full-time resident students who,  
10 immediately upon completion of a high school curriculum at a  
11 public or accredited private New Mexico high school or upon  
12 receiving a graduate equivalent diploma, are accepted for  
13 entrance to and attend a technical and vocational institute.  
14 Each tuition scholarship shall be awarded for up to two  
15 consecutive years beginning the second semester of the  
16 recipient's first year of enrollment, provided that the  
17 recipient has maintained residency in New Mexico and maintained  
18 a grade point average of 2.5 or higher on a 4.0 scale during  
19 [his] the first semester of full-time enrollment with renewal  
20 of an additional two years upon transfer.

21 C. The commission on higher education shall prepare  
22 guidelines setting forth explicit student continuing  
23 eligibility criteria and guidelines for administration of the  
24 tuition scholarship program. Guidelines shall be distributed  
25 to the boards of technical and vocational institutes to enable

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1 a uniform availability of the resident student tuition  
2 scholarships.

3 D. The tuition scholarships authorized in this  
4 section shall also apply to full-time resident students whose  
5 grade point average drops below 2.5 and who stay in school for  
6 the subsequent semester at their own expense and bring their  
7 cumulative grade point average up to 2.5 within that semester."

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