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HOUSE BILL 375

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Andy Nunez

AN ACT

RELATING TO HIGHER EDUCATION; DEFINING AND DISTINGUISHING
BRANCH COMMUNITY COLLEGES FOR DETERMINING DISTRIBUTION AND
AWARD AMOUNTS FOR THE TUITION SCHOLARSHIP PROGRAM.

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

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

"21-21N-1. SHORT TITLE.--~~[Sections 1 through 6 of this
act]~~ Chapter 21, Article 21N NMSA 1978 may be cited as the
"Legislative Lottery Tuition Scholarship Act"."

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

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

A. "branch community college" means a public post-

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1 secondary educational institution established pursuant to
2 Chapter 21, Article 16 NMSA 1978;

3 ~~[A.]~~ B. "community college" means a ~~[branch~~
4 ~~community college of a state]~~ public post-secondary educational
5 institution ~~[or a community college or technical and vocational~~
6 ~~institute]~~ established pursuant to Chapter 21, Article 13 ~~[or~~
7 ~~16]~~ NMSA 1978 ~~[respectively];~~

8 ~~[B.]~~ C. "comprehensive institution" means eastern
9 New Mexico university, western New Mexico university, New
10 Mexico highlands university or northern New Mexico college;

11 ~~[C.]~~ D. "department" means the higher education
12 department;

13 ~~[D.]~~ E. "full time" means fifteen or more credit
14 hours each semester of the regular academic year in state
15 educational institutions and twelve or more credit hours each
16 semester of the regular academic year in community colleges or
17 for legacy students in any program semester;

18 ~~[E.]~~ F. "fund" means the lottery tuition fund;

19 ~~[F.]~~ G. "legacy student" means a full-time resident
20 student who has received for three or more program semesters by
21 the end of fiscal year 2014 the legislative lottery scholarship
22 awarded pursuant to the former provisions of Sections 21-1-4.3,
23 21-13-10 and 21-16-10.1 NMSA 1978 prior to the enactment of the
24 Legislative Lottery Tuition Scholarship Act;

25 ~~[G.]~~ H. "program semesters" means those semesters

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1 for which a legacy or qualified student may receive a tuition
2 scholarship and excludes the first semester of attendance at a
3 public post-secondary educational institution;

4 [H.] I. "public post-secondary educational
5 institution" means a branch community college, community
6 college, comprehensive institution, research institution or
7 state educational institution;

8 [F.] J. "qualified student" means a full-time
9 student who graduated from a public or accredited private New
10 Mexico high school or who received a high school equivalency
11 credential while maintaining residency in New Mexico and who:

12 (1) either:

13 (a) immediately upon graduation or
14 receipt of a credential was accepted for entrance to and
15 attended a public post-secondary educational institution; or

16 (b) within one hundred twenty days of
17 completion of a high school curriculum or receipt of a high
18 school equivalency credential began service in the United
19 States armed forces and within one year of completion of
20 honorable service or medical discharge from the service,
21 attended a public post-secondary educational institution; and

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

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1 ~~[J-]~~ K. "research institution" means the university
2 of New Mexico, New Mexico state university or New Mexico
3 institute of mining and technology;

4 ~~[K-]~~ L. "state educational institution" means an
5 institution of higher education enumerated in Article 12,
6 Section 11 of the constitution of New Mexico and excludes a
7 research institution; and

8 ~~[L-]~~ M. "tuition scholarship" means the scholarship
9 that provides tuition assistance per semester for a qualified
10 student or legacy student attending a public post-secondary
11 educational institution."

12 **SECTION 3.** Section 21-21N-4 NMSA 1978 (being Laws 2014,
13 Chapter 80, Section 4) is amended to read:

14 "21-21N-4. TUITION SCHOLARSHIP AMOUNT--FUND.--

15 A. Prior to June 1 of each year, based on the
16 amount appropriated by the legislature from the fund and on the
17 projected enrollment at all public post-secondary educational
18 institutions, the department shall:

19 (1) determine the total amount of money
20 available for all tuition scholarships for qualified students;

21 (2) determine the uniform percentage by which
22 to calculate tuition scholarships for qualified students
23 attending any public post-secondary educational institution;
24 and

25 (3) notify all public post-secondary

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1 educational institutions of the determinations made pursuant to
2 Paragraphs (1) and (2) of this subsection.

3 B. In determining distribution and award amounts
4 for the tuition scholarship program, the department shall:

5 (1) maintain the minimum fund balance pursuant
6 to Section [~~5 of the Legislative Lottery Tuition Scholarship~~
7 ~~Act~~] 21-21N-5 NMSA 1978;

8 (2) distribute to all public post-secondary
9 educational institutions an amount not to exceed the remaining
10 balance in the fund; and

11 (3) subject to the provisions of Paragraphs
12 (1) and (2) of this subsection, distribute to each public post-
13 secondary educational institution an amount based on:

14 (a) the projected enrollment at each
15 comprehensive institution, research institution and state
16 educational institution of qualified students in their second
17 through eighth semesters, including qualified students in their
18 fifth through eighth semesters who transferred from community
19 colleges;

20 (b) the projected enrollment at each
21 community college of qualified students in their second through
22 fourth semesters; and

23 (c) a uniform percentage of the average
24 of in-state tuition costs charged by: 1) research institutions
25 for each research institution; 2) comprehensive institutions

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1 for each comprehensive institution; ~~and~~ 3) community colleges
2 for each community college; and 4) branch community colleges
3 for each branch community college."

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