

LESC bill analyses are available on the New Mexico Legislature website ([www.nmlegis.gov](http://www.nmlegis.gov)). Bill analyses are prepared by LESC staff for standing education committees of the New Mexico Legislature. LESC does not assume any responsibility for the accuracy of these reports if they are used for other purposes.

**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**53rd Legislature, 2nd Session, 2018**

<b>Bill Number</b>	<u>HB55</u>	<b>Sponsor</b>	<u>Lewis/Ruiloba/O'Neill</u>
<b>Tracking Number</b>	<u>.208695.4</u>	<b>Committee Referrals</b>	<u>HEC/HAFC</u>
<b>Short Title</b>	<u>Fire Fighter Survivor Scholarship Benefits</u>		
<b>Analyst</b>	<u>Terrazas</u>	<b>Original Date</b>	<u>1/23/18</u>
		<b>Last Updated</b>	<u>1/30/18</u>

---

---

**BILL SUMMARY**

Synopsis of Bill

House Bill 55 (HB55) expands the benefits and school options for recipients of the Fire Fighter and Peace Officer Survivors Scholarship by allowing eligible scholarship recipients to receive the scholarship for no more than six years and attend a public higher education institution anywhere in the United States.

**FISCAL IMPACT**

HB55 does not contain an appropriation.

**SUBSTANTIVE ISSUES**

The Fire Fighters and Peace Officer Survivors Scholarship is a state scholarship that recognizes the importance of the duties performed by fire fighters and peace officers who have lost their lives in the line of duty. Survivors, who can be spouses or adopted or natural children, must be 21 years of age or under at the time of death and be residents of New Mexico. HB55 expands the scholarship period from up to five academic years to six academic years.

HB55 expands the definition of “eligible institution” to include any public institution of higher education in the United States. If the eligible institution of the survivor’s choice is in New Mexico, the amount of the scholarship shall be equal to the amount of tuition, and room and board. If the eligible institution of the survivor’s choice is not in New Mexico, the amount of the scholarship shall not exceed the average cost of attendance at New Mexico research institutions. HB55 defines “cost of attendance” as “the price of attendance, the publication of which is required by federal law, and includes tuition and fees, books and supplies, room and board, transportation and any additional costs for a program in which a student is enrolled.” HB55 defines research institutions as the University of New Mexico, New Mexico State University, or New Mexico Tech.

The following table shows scholarship recipient cost actuals and estimates for FY16 to FY20. According to the Higher Education Department, fiscal impact was estimated using the FY18

average cost of attendance at resident tuition rates for the three New Mexico research universities with a 1.5 percent annual cost increase for FY19 and FY20, respectively. The calculation assumes five students will receive the out-of-state scholarship benefit. Calculating a benefit based on nonresident tuition rates would increase the cost for each out-of-state student by 70 percent.

**Survivor Scholarship Recipient Cost Actuals and Estimates  
FY16 – FY20**

<b>Fiscal Year</b>	<b>Number of Scholarships</b>	<b>Total Awarded</b>
FY16	3	\$7,293
FY17	5	\$23,308
FY18	7	\$27,000 (Estimated)*
FY19	5	\$107,500 (Estimated)
FY20	5	\$109,200 (Estimated)

\*Seven scholarships have been approved for FY18. HED has not received all FY18 invoices.

Source: HED

Between 1990 and 2017, 27 on-duty New Mexico firefighter fatalities from New Mexico were reported to the United States Fire Administration.

**Similar Scholarships in Other States.** A number of states provide similar scholarships. In Alabama, for example, the Police Officer’s and Firefighter’s Survivors Educational Assistance Program provides a grant covering tuition, fees, books and supplies for dependents and eligible spouses of Alabama police officers and firefighters killed in the line of duty. There is no limit on the amount awarded to recipients. Awards are available only for undergraduate study at public institutions in Alabama. In California, the John F. Duffy Scholarship Grant provides annual scholarships for dependents of California peace officers who have died in the line of duty. Eligible survivors, which includes stepchildren, can receive awards to attend any accredited trade schools, two-year colleges, four-year colleges, and graduate programs.

The following national scholarships are available for children of firefighters and police:

- Concerns of Police Survivors, Inc. (COPS) offers financial assistance to surviving children and to surviving spouses of law enforcement officers killed in the line of duty, according to COPS criteria, who wish to pursue a course of study beyond high school. Scholarships are not awarded to survivors who are entitled to a tuition-free education as a state death benefit.
- The W.H. “Howie” McClennan Scholarship provides financial assistance for children of firefighters killed in the line of duty and the firefighter must have been a member of the International Association of Fire Fighters.

**OTHER SIGNIFICANT ISSUES**

According to the National Center for Education Statistics, in 2013, 14.4 percent of first-time, full-time degree-seeking undergraduates seeking a bachelor’s degree at a four-year public institution graduated in four years; 41.7 percent graduated in six years.

Section 21-21F-3 NMSA 1978 defines “firefighter” as “any member of a fire department that is part of or administered by the state or any political subdivision of the state.”

Section 21-21F-3 NMSA 1978 defines “peace officer” as “any member of a police or sheriff’s department that is part of or administered by the state or any political subdivision of the state and officers in the department of corrections.”

**SOURCES OF INFORMATION**

- LESC Files

**DT/rab**