

1 AN ACT
2 RELATING TO LEGAL SERVICES; AMENDING SECTIONS OF THE
3 COMMUNITY GOVERNANCE ATTORNEY ACT; TRANSFERRING THE DUTIES TO
4 PUBLICIZE AND ADMINISTER CONTRACTS FOR THE COMMUNITY
5 GOVERNANCE ATTORNEY AND CONDITIONAL TUITION WAIVER PROGRAM
6 FROM THE HIGHER EDUCATION DEPARTMENT TO THE UNIVERSITY OF NEW
7 MEXICO SCHOOL OF LAW; ALLOWING COUNTIES AND MUNICIPALITIES
8 WITH AT LEAST ONE DESIGNATED COLONIA WITHIN THEIR BOUNDARIES
9 AND STATE AGENCIES TO HIRE COMMUNITY GOVERNANCE ATTORNEYS.

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

12 SECTION 1. Section 21-21Q-3 NMSA 1978 (being Laws 2019,
13 Chapter 43, Section 3, as amended) is amended to read:

14 "21-21Q-3. COMMUNITY GOVERNANCE ATTORNEY AND
15 CONDITIONAL TUITION WAIVER PROGRAM CREATED--ADMINISTRATION--
16 RULEMAKING SELECTION PROCESS--REPAYMENT.--

17 A. The "community governance attorney and
18 conditional tuition waiver program" is created and shall be
19 administered by the department. The department shall:

20 (1) promulgate rules to implement and
21 administer the program and for a reasonable living stipend in
22 consultation with the university; provided that the maximum
23 living stipend shall be based upon the availability of funds
24 and information provided by the university regarding the
25 current cost of attendance at the university;

1 (2) collect and manage repayment from
2 students who do not meet their obligations under the program;
3 and

4 (3) accept funds for the program, including
5 grants and donations.

6 B. The university shall publicize the program to
7 law students and prospective law students.

8 C. Participants shall enter the program in their
9 final year of law school. The commission shall select
10 participants according to program rules and shall create a
11 standard process for law students to apply to participate in
12 the program.

13 D. The department shall award no more than two new
14 waivers a year, in addition to renewing existing waivers for
15 eligible participants, subject to the availability of
16 funding.

17 E. Participation in the program shall be evidenced
18 by a contract between the participant and the department.
19 The contract shall provide for the payment of a participant's
20 waiver and shall be conditioned upon the participant
21 fulfilling the program obligations and meeting the
22 university's standards for satisfactory academic progress.
23 An applicant to the program shall sign the contract prior to
24 being accepted into the program.

25 F. The contract shall include the following terms

1 for repayment of the waiver:

2 (1) interest shall accrue upon termination
3 of the participant's course of study at the following
4 interest rates:

5 (a) eighteen percent per year if the
6 participant completes a course of study and no portion of the
7 principal and interest is forgiven pursuant to Subsection G
8 of this section; and

9 (b) seven percent per year in all other
10 cases; and

11 (2) the maximum period for repayment shall
12 be ten years, commencing six months from the date the
13 participant completes or discontinues the course of study.

14 G. The contract shall provide that the department
15 forgive fifty percent of a waiver for each year that a
16 participant is employed full time as a community governance
17 attorney with a maximum salary not to exceed the entry-level
18 salary rate paid by the legal service provider."

19 **SECTION 2.** Section 21-21Q-4 NMSA 1978 (being Laws 2019,
20 Chapter 43, Section 4) is amended to read:

21 "21-21Q-4. COMMISSION--DUTIES.--

22 A. The "community governance attorney commission"
23 is created. The commission shall be composed of five members
24 as follows:

25 (1) the secretary or the secretary's

1 designee;

2 (2) the dean of the university or the dean's
3 designee; and

4 (3) three members appointed by the governor;
5 provided that one member shall be a:

6 (a) current or past member of the
7 acequia commission;

8 (b) current or past member of the land
9 grant council; and

10 (c) current or past member of the
11 colonias infrastructure board and a resident of a colonia.

12 B. Staff and meeting space for the commission
13 shall be provided by the university. The commission shall
14 elect a chair and such other officers as it deems appropriate
15 and shall meet at the call of the chair. Members of the
16 commission shall receive per diem and mileage pursuant to the
17 Per Diem and Mileage Act and shall receive no other
18 compensation.

19 C. The commission shall:

20 (1) make recommendations to the department
21 on applicants for the program;

22 (2) advise the department on the adoption of
23 rules to implement the provisions of the Community Governance
24 Attorney Act; and

25 (3) pursuant to the Procurement Code,

1 solicit proposals for disbursement from the fund for legal
2 services.

3 D. The university shall, with the approval of the
4 commission, enter into contracts for expenditure of the fund
5 for the purpose of providing free community governance
6 attorney services for acequias, land grants-mercedes and low-
7 income residents of colonias on issues regarding the
8 governance of colonias. The contracts shall be entered into
9 with the university, counties or municipalities that have
10 designated at least one colonia within their boundaries,
11 state agencies or nonprofit organizations whose mission
12 includes providing a range of legal services to low-income
13 New Mexicans. No contract shall provide funding in excess of
14 one-half of a full-time community governance attorney
15 position and each contract shall be executed only with
16 service providers that have secured sufficient matching
17 funding to provide a full-time position."

18 SECTION 3. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2025. _____