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SENATE BILL 155

**47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

INTRODUCED BY

Michael S. Sanchez

FOR THE LOTTERY TUITION SCHOLARSHIP STUDY SUBCOMMITTEE

AN ACT

RELATING TO HIGHER EDUCATION; DEFINING TUITION AND FEES.

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

Section 1. Section 21-1-4 NMSA 1978 (being Laws 1971, Chapter 235, Section 1, as amended) is amended to read:

"21-1-4. TUITION AND GENERAL FEE CHARGES--DEFINITIONS.--

A. [~~Except as provided in Section 21-1-4.3 NMSA 1978~~] The state educational institutions set forth in Article 12, Section 11 of the constitution of New Mexico and their branches, community colleges as provided in Chapter 21, Article 13 NMSA 1978 and technical and vocational institutes as provided in Chapter 21, Article 16 NMSA 1978 shall charge tuition, which is in addition to general or other earmarked fees, [~~at rates~~] as provided by law.

B. "Tuition" means the amount of money charged to

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1 students for instructional services, which may be charged per  
2 term, per course or per credit. "Tuition" does not include  
3 required general or other fees.

4 C. "General fee" means a fixed sum charged to  
5 students for items not covered by tuition and required of such  
6 a proportion of all students that the student who does not pay  
7 the charge is an exception. General fees include fees for  
8 matriculation, library services, student activities, student  
9 union services, student health services, debt service and  
10 athletics. An institution may charge fees in addition to  
11 general fees that are course-specific or that pertain to a  
12 smaller proportion of students.

13 ~~[B.]~~ D. During the regular academic year, "full-  
14 time student" means a student who is taking twelve or more  
15 credit hours in one semester or quarter. Full-time students  
16 during the academic year shall be charged tuition at rates  
17 provided by law.

18 ~~[C.]~~ E. During the summer session, "full-time  
19 student" means a student who is taking at least a minimum  
20 number of credit hours, which minimum is in the same proportion  
21 to twelve credit hours as the duration and normal credit-hour  
22 load of the summer session in the particular institution is to  
23 the duration and normal credit-hour load of the institution's  
24 regular semester or quarter. Full-time students in the summer  
25 session shall be charged tuition at resident and nonresident

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1 rates in each institution, which rates shall be in the same  
2 proportion to the full-time resident and nonresident rates of  
3 that institution for the regular semester or quarter as the  
4 minimum number of credit hours is to twelve hours.

5 ~~[D.]~~ F. "Part-time student" means a student who is  
6 taking ~~[less]~~ fewer than the minimum number of credit hours in  
7 a semester, quarter or summer session ~~[than that]~~ required for  
8 full-time student status. Part-time students shall be charged  
9 tuition at rates per semester credit hour or quarter credit  
10 hour as provided by law.

11 ~~[E.]~~ G. The ~~[commission on]~~ higher education  
12 department shall define resident and nonresident students for  
13 the purpose of administering tuition charges in accordance with  
14 the constitution and statutes of the state and after  
15 consultation with the appropriate officials of the institutions  
16 concerned. Each institution shall use the uniform definitions  
17 so established in assessing and collecting tuition charges from  
18 students."