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AN ACT

RELATING TO HIGHER EDUCATION; DEFINING "RESIDENT STUDENT" AT STATE POST-SECONDARY EDUCATIONAL INSTITUTIONS TO INCLUDE MEMBERS OF INDIAN NATIONS, TRIBES AND PUEBLOS LOCATED WHOLLY OR PARTIALLY IN NEW MEXICO.

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

Section 1. Section 21-1-3 NMSA 1978 (being Laws 1970, Chapter 47, Section 1, as amended) is amended to read:

"21-1-3. STATE EDUCATIONAL INSTITUTIONS--RESIDENT STUDENTS.--

A. For the purpose of tuition payment at the resident student rates at state educational institutions enumerated in Article 12, Section 11 of the constitution of New Mexico, "resident student" includes:

(1) any person not otherwise entitled to claim residence who is a member of the armed forces of the United States or armed forces of a foreign country assigned to active duty within the exterior boundaries of this state; and

(2) the spouse or dependent child of any person who qualifies under Paragraph (1) of this subsection.

B. Assignment to active duty within the exterior boundaries of this state may be established by a certificate of assignment from the commanding officer of the person so

1 assigned.

2 C. For the purpose of tuition payment at resident
3 student rates at New Mexico highlands university, "resident
4 student" may include any person who is a Native American and
5 a citizen of the United States.

6 D. For the purposes of tuition payment and budget
7 and revenue calculations, the board of regents of any
8 post-secondary, state educational institution enumerated in
9 Article 12, Section 11 of the constitution of New Mexico may
10 determine that "resident student" includes any Texas resident
11 who resides within a one hundred thirty-five mile radius of
12 that institution.

13 E. For the purpose of tuition payment and budget
14 and revenue calculations, "resident student" includes any
15 student receiving an athletic scholarship from a
16 post-secondary educational institution set forth in
17 Article 12, Section 11 of the constitution of New Mexico.

18 F. For the purpose of tuition payment and budget
19 and revenue calculations, "resident student" includes a member
20 of an Indian nation, tribe or pueblo located wholly or
21 partially in New Mexico, regardless of the residence of the
22 member prior to acceptance at a post-secondary educational
23 institution enumerated in Article 12, Section 11 of the
24 constitution of New Mexico for either undergraduate or
25 post-graduate enrollment."
