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SENATE BILL 374

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

INTRODUCED BY

Shannon Robinson

AN ACT

RELATING TO POST-SECONDARY EDUCATION; PROVIDING FOR RESIDENT  
TUITION AND FEES TO BE CHARGED TO MEXICAN CITIZENS AND LATIN  
AMERICAN CITIZENS FROM COUNTRIES PARTICIPATING IN THE  
ORGANIZATION OF AMERICAN STATES EDUCATIONAL PORTAL.

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

1 residence who is a member of the armed forces of the United  
2 States or armed forces of a foreign country assigned to active  
3 duty within the exterior boundaries of this state; and

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

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

10 C. For the purpose of tuition payment at resident  
11 student rates at New Mexico highlands university, "resident  
12 student" may include any person who is a Native American and a  
13 citizen of the United States.

14 D. For the purposes of tuition payment and budget  
15 and revenue calculations, the board of regents of any post-  
16 secondary, state educational institution enumerated in Article  
17 12, Section 11 of the constitution of New Mexico may determine  
18 that "resident student" includes any Texas resident who resides  
19 within a one hundred thirty-five mile radius of that  
20 institution.

21 E. For the purpose of tuition payment and budget  
22 and revenue calculations, "resident student" includes any  
23 student receiving an athletic scholarship from a post-secondary  
24 educational institution set forth in Article 12, Section 11 of  
25 the constitution of New Mexico.

underscoring material = new  
[bracketed material] = delete

1           F. For the purpose of tuition payment and budget  
2 and revenue calculations, "resident student" includes a  
3 member of an Indian nation, tribe or pueblo located wholly or  
4 partially in New Mexico, regardless of the residence of the  
5 member prior to acceptance at a post-secondary educational  
6 institution enumerated in Article 12, Section 11 of the  
7 constitution of New Mexico for either undergraduate or  
8 post-graduate enrollment.

9           G. For the purpose of tuition payment at resident  
10 student rates and budget and revenue calculations at state  
11 educational institutions enumerated in Article 12, Section 11  
12 of the constitution of New Mexico, "resident student"  
13 includes a student who is a citizen of Mexico, Latin America  
14 or the Iberian peninsula and who attends a state four-year  
15 institution under the organization of American states'  
16 educational portal of the Americas program, is a Fulbright  
17 scholar or is a consejo nacional de ciencia y tecnologia  
18 scholar."