

NM LEGIS 155 (2005)
2005 New Mexico Laws Ch. 155 (S.B. 482)

NEW MEXICO 2005 SESSION LAWS
FIRST REGULAR SESSION OF THE 47TH LEGISLATURE (2005)

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Ch. 155
S.B. No. 482
HIGHER EDUCATION--INDIAN NATIONS

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:

<< NM ST <section> 21-1-3 >>

<section> 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 assigned.

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

D. For the purposes of tuition payment and budget and revenue calculations,

the board of regents of any post-secondary, state educational institution enumerated in Article 12, Section 11 of the constitution of New Mexico may determine that "resident student" includes any Texas resident who resides within a one hundred thirty-five mile radius of that institution.

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

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

Approved April 5, 2005.

NM LEGIS 155 (2005)

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