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**HOUSE BILL 375**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Terry T. Marquardt**

**AN ACT**

**RELATING TO POST-SECONDARY EDUCATION; CHANGING THE DEFINITION  
OF RESIDENT STUDENT.**

**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, as  
defined 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**

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1 active duty within the exterior boundaries of this state; and

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

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

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

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

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