

FISCAL IMPLICATIONS

The impact of HB64 on the collected tuition revenue received by the members of NMICC is indeterminate but estimated to be minimal.

It is estimated that HB64 would apply to no more than 60 - 200 students attending an NMICC institution. Based upon the requirements of HB64, the actual number of qualifying students would be significantly less.

SIGNIFICANT ISSUES

New Mexico Independent Community Colleges (NMICC) consists of New Mexico's 8 independent community colleges (Central New Mexico Community College, Clovis Community College, Luna Community College, Mesalands Community College, New Mexico Junior College, San Juan College, Santa Fe Community College, Southeast New Mexico College), New Mexico Military Institute, Northern New Mexico College, and Western New Mexico University.

The range of 60 - 200 students was determined as follows:

- New Mexico post-secondary education institutions may waive nonresident tuition for students enrolling in no more than six semester hours in a regular term (5.7.18.10 NMAC). This analysis assumes all part-time students are charged resident tuition regardless of their resident status.
- In Fall 2023 excluding NM Military Institute, just under 42,000 students attended an NMICC institution. NM Military Institute was excluded from this analysis as their incoming freshmen are recent high school graduates.
- Over 72% of community college students are part-time.(U.S. Department of Education).
- This analysis assumes WNMU and NNMC institutions' students are evenly split between full-time and part-time.
- Between 25,000 and 75,000 New Mexico residents are without documentation (Pew Research). This translates to between 1.2% and 3.5% of New Mexico's residents (U.S. Census Bureau population statistics).

While mathematically it appears HB64 could apply to between 60 – 200 NMICC students, any undocumented, nontraditional student would also need to meet one of two other qualifications:

- (1) attended adult education courses recognized by the higher education department for the equivalent of two semesters; or
- (2) in the immediately preceding two years the student would have had to have earned income in New Mexico and filed New Mexico income tax.

Meeting these qualifications will further reduce the number of students to which HB64 would apply.

HB64 also requires institutions charge resident tuition to individuals who have been granted special immigrant juvenile status.

In addition to receiving resident tuition, HB64 provides eligibility to the Opportunity Scholarship for the identified population. Students must meet the Opportunity Scholarship requirements.

ADMINISTRATIVE IMPLICATIONS

The Higher Education Department will need to create administrative rules and department processes to address the provisions of HB64. Post-secondary education institutions will be required to implement processes to comply.