

The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 151

HOUSE BILL 427

Introduced by

REPRESENTATIVE STEPHANIE GARCIA RICHARD



CHAPTER 151

AN ACT

1
2 RELATING TO VETERANS; PROVIDING THAT A SPOUSE OR CHILD OF A
3 VETERAN IS ENTITLED TO PAY RESIDENT TUITION RATES IF THE
4 SPOUSE OR CHILD IS ELIGIBLE FOR EDUCATIONAL BENEFITS PURSUANT
5 TO FEDERAL LAW.

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 **SECTION 1.** Section 21-1-4.5 NMSA 1978 (being Laws 2005,
9 Chapter 168, Section 1, as amended) is amended to read:

10 "21-1-4.5. RESIDENT TUITION FOR VETERANS OF THE ARMED
11 FORCES OF THE UNITED STATES AND FAMILIES OF MEMBERS OF THE
12 ARMED FORCES.--

13 A. A veteran of the armed forces of the United
14 States shall be deemed an in-state resident for purposes of
15 determining tuition and fees at all state institutions of
16 higher learning, provided that the veteran is eligible for
17 veterans' education benefits under federal law. In order for
18 a veteran who is not a resident of New Mexico to receive in-
19 state tuition rates, the veteran shall use the veteran's
20 federal educational benefits at a state public post-secondary
21 institution.

22 B. A spouse or child of an active member of the
23 armed forces who is assigned to duty in New Mexico shall be
24 deemed an in-state resident for purposes of determining
25 tuition and fees at all state institutions of higher learning.

1 C. A spouse or child of an active member of the
2 armed forces who is assigned to duty elsewhere immediately
3 following assignment to duty in New Mexico shall be deemed an
4 in-state resident for purposes of determining tuition and fees
5 at all state institutions of higher learning as long as the
6 spouse or child resides continuously in New Mexico.

7 D. A spouse or child of an active member of the
8 armed forces who dies or is killed shall be deemed an in-state
9 resident for purposes of determining tuition and fees at all
10 state institutions of higher learning if the spouse or child
11 becomes a resident of New Mexico within sixty days of the date
12 of death.

13 E. A veteran of the armed forces who pays tuition
14 and fees at the rate provided for New Mexico residents under
15 this section is entitled to pay tuition and fees at the rate
16 provided for New Mexico residents in any subsequent term or
17 semester while the veteran is enrolled in a degree or
18 certificate program.


19 F. If an active member of the armed forces is
20 stationed outside New Mexico and the member's spouse or child
21 establishes residence in New Mexico and files with a state
22 institution of higher learning at which the spouse or child
23 plans to register a letter of intent to establish and continue
24 residing in New Mexico, the spouse or child shall be deemed an
25 in-state resident for purposes of determining tuition and fees


1 at that state institution of higher learning without regard to
2 length of time that the spouse or child has resided in the
3 state.

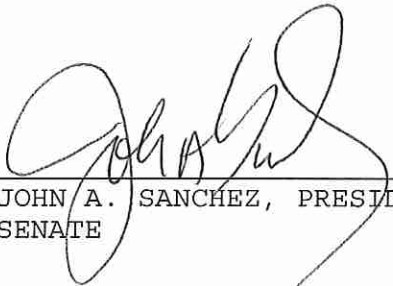
4 G. A spouse or child of an active member of the
5 armed forces who pays tuition and fees at the rate provided
6 for New Mexico residents under this section is entitled to pay
7 tuition and fees at the rate provided for New Mexico residents
8 in any subsequent term or semester while the person is
9 continuously enrolled in the same degree or certificate
10 program. For purposes of this subsection, a person is not
11 required to enroll in a summer term to remain continuously
12 enrolled in a degree or certificate program. A person's
13 eligibility to pay tuition and fees at the rate provided for
14 New Mexico residents under this subsection does not terminate
15 because the person is no longer a child or spouse of a member
16 of the armed forces.

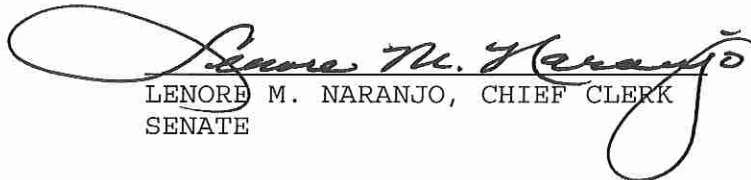
17 H. A spouse or child of a veteran of the armed
18 forces is entitled to pay tuition and fees at the rate
19 provided for New Mexico residents; provided that the spouse or
20 child is eligible for benefits pursuant to the federal Post-
21 9/11 Veterans Educational Assistance Act of 2008 or any other
22 federal law authorizing educational benefits for a veteran and
23 the dependents of a veteran.

24 I. As used in this section, "armed forces" means
25 the United States army, navy, air force, marine corps or coast


DON TRIPP, SPEAKER
HOUSE OF REPRESENTATIVES


DENISE RAMONAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES


JOHN A. SANCHEZ, PRESIDENT
SENATE


LENORE M. NARANJO, CHIEF CLERK
SENATE

Approved by me this 10th day of April, 2015


SUSANA MARTINEZ, GOVERNOR
STATE OF NEW MEXICO