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HOUSE BILL 197

**56TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2024**

INTRODUCED BY

Eleanor Chávez

AN ACT

RELATING TO HIGHER EDUCATION; EXPANDING THE SCOPE OF  
NONDISCRIMINATION IN ELIGIBILITY FOR EDUCATION BENEFITS.

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

**SECTION 1.** Section 21-1-4.6 NMSA 1978 (being Laws 2005,  
Chapter 348, Section 1, as amended) is amended to read:

"21-1-4.6. NONDISCRIMINATION POLICY FOR ADMISSION TO ANY  
PUBLIC POST-SECONDARY EDUCATIONAL INSTITUTION--  
NONDISCRIMINATION IN ELIGIBILITY FOR EDUCATION BENEFITS.--

A. A public post-secondary educational institution  
shall not deny admission to a student on account of the  
student's immigration status.

B. Any tuition rate or state-funded financial aid  
that is granted to residents of New Mexico shall also be  
granted on the same terms to all persons, regardless of

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1 immigration status, who have:

2                   (1) attended a secondary educational  
3 institution in New Mexico for at least one year and ~~[who have]~~  
4 either graduated from a New Mexico high school or received a  
5 high school equivalency credential in New Mexico;

6                   (2) attended at least one year of adult  
7 education courses accredited by the adult basic education  
8 division of the higher education department or one year at a  
9 New Mexico community college;

10                   (3) submitted documentation showing that the  
11 person or the person's parent or legal guardian has filed a New  
12 Mexico personal income tax return once in the immediately  
13 preceding two years; or

14                   (4) submitted an application to the United  
15 States citizenship and immigration services for special  
16 immigrant juvenile classification as provided in 8 U.S.C.  
17 Section 1101(a)(27)(J)."

18                   SECTION 2. EFFECTIVE DATE.--The effective date of the  
19 provisions of this act is July 1, 2024.