



State of New Mexico

Office of the Governor

Bill Richardson
Governor

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Governor Richardson Signs Bill Prohibiting Discrimination in Admission and Tuition Policy of New Mexico Post Secondary Educational Institutions Based on Student's Immigration Status

Santa Fe - Governor Bill Richardson today signed Senate Bill 582 sponsored by Senate President Pro Tem, Senator Ben Altamirano, Senate Majority Leader Michael Sanchez and others that prohibits institutions of higher learning from discriminating against students for admission based on immigration status. This action combined to signing Senate bill 482, goes a long way in providing educational opportunities for hard working New Mexico students.

“This is an issue that has been neglected for too many years. Children who lack status and are attending New Mexico schools, Native Americans who may live across the state line but who belong to tribes in New Mexico and military personnel ordered overseas, should have access to in-state tuition rates and state financial aid. This session I signed legislation, Senate bill 482 that provides for eligibility for in-state tuition and aid for members of New Mexico Nations, Tribes and Pueblos. I am disappointed that legislation was not passed that granted eligibility to New Mexico military personnel serving out of state on active duty. My program to expand lottery scholarships is based on the simple fact that every New Mexican deserves the opportunity for a college education,” Governor Richardson said.

New Mexico will join eight other states that have passed laws permitting certain undocumented students who have attended and graduated from their primary and secondary schools to pay the same tuition as their classmates at public institutions of higher education. The states are Texas, California, Utah, Washington, New York, Oklahoma, Illinois, and Kansas.

“This legislation received strong bipartisan support in the Senate including support from Republican Senators Adair, Duran, Ingle, Snyder, Komadino and Asbill. Border states like New Mexico continue to bear the financial burden caused by failed federal policies. We now, by signing this bill into law have chosen to reward children who, through no fault of their own, lack legal status for their hard work, increased graduation rates and end discrimination in our admission and tuition aid policies,” Governor Richardson said.

The Council of University Presidents endorsed this legislation along with the New Mexico Voices for Children, New Mexico Association of Community Colleges, Eastern New Mexico University Dr. Steve Gumble, Albuquerque and Santa Fe School Boards, New Mexico Conference of Churches, the American Federation of Teachers and the National Education Association.

Decades of inaction by the federal government have resulted in millions of undocumented workers living in the United States. Under existing federal law public schools are required to accept undocumented students. Failure to enact federal legislation to deal with status issues means thousands of students across America, children of undocumented workers have spent years attending public schools only to be denied entry into state colleges. Now, all students who have attended a secondary educational institution in New Mexico for at least one year and who have graduated from a New Mexico High School or received a certificate of general educational development in New Mexico are now eligible for in state tuition rates and state-funded financial aid.

More than 60 percent of America’s undocumented immigrants live in the eight states that have passed similar legislation, and several other states are considering a similar change.

Requirements of the Law

To qualify, the law requires the students to have:

1. Attended a secondary institution in New Mexico for at least one year; and
2. Graduated from a New Mexico High School; or
3. Received a general education development certificate in New Mexico