

**Opinion No. 36-1286**

January 31, 1936

**BY:** FRANK H. PATTON, Attorney General

**TO:** Mr. P. M. Baldwin, Dean School of General Science, New Mexico State College, State College, New Mexico.

{\*99} I have your letter of January 30, 1936, in which you state that there are some students whose parents are army officers residing at Fort Bliss, Texas, who claim exemption from the non-resident fee on the ground that "army people are not considered non-residents anywhere."

This is a novel proposition to me and rather startling. So far as I am informed, army people have a residence just like anyone else and are non-residents in all other places. In the case mentioned by you, if the parents mentioned have never resided in this state then it is my opinion that their minor children are non-residents.

By: QUINCY D. ADAMS,

Asst. Atty. General