

New Immigration Law

Visitante (visitor) permits are valid for a maximum stay of 180 days. During that period the holder is allowed to open a bank account, make investments, purchase real property or get married in Mexico without special permission. Persons who are granted shorter stays when they enter the country may apply for an extension for the full 180 at any INM office.

Once that time is up, most individuals will have to leave the country. Applications for a new type of permit must be submitted to Mexican consulate offices abroad. Foreigners who have married or established family ties to Mexican citizens are exempt and can request a switch in status through INM.

Residente Temporal (temporary resident) permits are good for up to four years. All persons living here under no-inmigrante or inmigrante status granted before the law changed now automatically fall into that category.

The status expires definitively 12 months after the holder obtains the third renewal permitted under the new law, or a fourth renewal as allowed under the prior system. In the 30 days before its lapses, there is an opportunity to apply for permanent status without proving investments or pension income levels that were bumped up considerably as of last November. Otherwise they are obligated to leave the country, with options to apply for a new four-year permit through a consulate or return under 180-day visitor status.

Those who already have temporary resident permits are not required to meet the new financial solvency bar when filing for their remaining renewals. However, it is taken into account if they decide to start over as retirees or pensioners in the same category once their four years run out.

In that case, the requirement at 2013 rates is an average monthly balance of 1,295,200 pesos in investment holdings over the last 12 months or real estate ownership deeds valued at \$2,590,400 pesos or statements proving monthly income of \$25,904 pesos. Regulations do lay out alternative pathways that may be followed in lieu of the retiree qualification route, such as job offers, investment in a Mexican enterprise or proof of family ties in Mexico.

Temporary residents may apply for permanent status at INM at any time without having to leave the country. Individuals who choose to wait out the full four years of their permits can qualify automatically for the switch. Those who apply for the change beforehand are generally subject to meeting the new investment or income standards. (At current rates, average monthly balance of 1,619,000 pesos in investment holdings over the last 12 months or statements proving monthly income of \$32,380 pesos.)

Couples can get around the income/investment guidelines for each party if one obtains permanent status first and the spouse subsequently applies under the family tie pathway.

Those who previously obtained inmigrado status automatically rank as permanent residents. For the time being INM booklets and ID cards issued prior to November remain valid, although notifications requiring exchange of those documents for new cards may be issued down the road.