

## CHAPTER 253

(Senate Bill 373)

AN ACT concerning

### **Higher Education – ~~Maryland National Guard Members~~ Public Institutions of Higher Education – Nonresident Tuition Exemption**

FOR the purpose of exempting certain members of the National Guard from paying nonresident tuition at public institutions of higher education; altering the type of individual who is exempt from paying nonresident tuition at public institutions of higher education; and generally relating to exemptions from paying nonresident tuition for military personnel at public institutions of higher education.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.4

Annotated Code of Maryland

(2008 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

#### **Article – Education**

15–106.4.

(a) This section applies to the following individuals:

- (1) An active duty member of the United States armed forces;
- (2) The spouse of an active duty member of the United States armed forces;
- (3) A financially dependent child of an active duty member of the United States armed forces; [or]
- (4) An honorably discharged veteran of the United States armed forces; **OR**

**(5) A MEMBER OF THE NATIONAL GUARD AS DEFINED IN § 13–405(A)(3) OF THE PUBLIC SAFETY ARTICLE.**

(b) Notwithstanding any other provision of this article, [beginning with the 2004 fall semester,] an individual described in subsection (a) of this section who ~~registers as an entering student in~~ **ATTENDS** a public institution of higher education in the State is exempt from paying nonresident tuition at a public institution of higher education in this State if:

(1) The active duty member referred to in subsection (a) of this section:

- (i) Is stationed in this State;
- (ii) Resides in this State; or
- (iii) Is domiciled in this State; [or]

(2) The honorably discharged veteran presents the following documentation within 1 year after the veteran's discharge:

(i) Evidence that the veteran attended a public or private secondary school in this State for at least 3 years; and

(ii) Documentation that the veteran graduated from a public or private secondary school in this State or received the equivalent of a high school diploma in this State; **OR**

**(3) THE NATIONAL GUARD MEMBER DESCRIBED IN SUBSECTION (A)(5) OF THIS SECTION IS A MEMBER OF THE MARYLAND NATIONAL GUARD AND JOINED OR SUBSEQUENTLY SERVES IN THE MARYLAND NATIONAL GUARD TO:**

**(I) PROVIDE A CRITICAL MILITARY OCCUPATIONAL SKILL;**  
**OR**

**(II) BE A MEMBER OF THE AIR FORCE CRITICAL SPECIALTY CODE AS DETERMINED BY THE NATIONAL GUARD.**

(c) Notwithstanding any other provision of this article, [beginning with the 2004 fall semester,] a spouse or financially dependent child of an active duty member who enrolls as an entering student in a public institution of higher education and is exempt from paying nonresident tuition under subsection (b) of this section shall continue to be exempt from paying nonresident tuition if:

(1) The active duty member no longer meets the requirements of subsection (b)(1) of this section; and

(2) The spouse or financially dependent child remains continuously enrolled at the public institution of higher education.

(d) The Commission shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article to implement the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009.

**Approved by the Governor, May 7, 2009.**