

HOUSE BILL 104

F2

11r0051

By: **Chair, Ways and Means Committee (By Request – Departmental – Disabilities)**

Introduced and read first time: January 24, 2011

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2011

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Community Colleges – Tuition Waiver for Disabled**
3 **Individuals**

4 FOR the purpose of clarifying and amending the requirements for obtaining an
5 exemption from the payment of tuition at community colleges for certain
6 disabled individuals; establishing certain conditions for the tuition waiver;
7 limiting the tuition waiver to a maximum number of credits per semester;
8 clarifying that receipt of certain benefits under the Social Security Act provides
9 eligibility for the tuition waiver; and generally relating to tuition waivers for
10 disabled individuals at community colleges.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 16–106(c)
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2010 Supplement)

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

18 **Article – Education**

19 16–106.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (c) (1) Any resident of this State who is [retired from] **OUT OF** the work
 2 force by reason of total and permanent disability who enrolls at a community college in
 3 a class that has at least 10 regularly enrolled students:

4 (i) Is exempt from payment of tuition **FOR UP TO 6 CREDITS**
 5 **PER SEMESTER OR UP TO 12 CREDITS PER SEMESTER IF THE INDIVIDUAL IS**
 6 **ENROLLED IN CLASSES AS PART OF A DEGREE OR A CERTIFICATE PROGRAM**
 7 **DESIGNED TO LEAD TO EMPLOYMENT;** and

8 (ii) Shall be counted in computing full-time equivalent
 9 enrollment under § 16-305 of this title.

10 (2) In order to receive this exemption, an individual who meets the
 11 requirements of paragraph (1) of this subsection shall [obtain] **PROVIDE THE**
 12 **COMMUNITY COLLEGE WITH** certification from the Social Security Administration
 13 [or], the Railroad Retirement Board [that the individual receives disability or
 14 retirement benefits under the Social Security Act or the Railroad Retirement Act.

15 (3) In order to obtain this exemption, an individual who meets the
 16 requirements of paragraph (1) of this subsection, who was a federal employee, and who
 17 does not receive disability or retirement benefits under the Social Security Act or the
 18 Railroad Retirement Act shall obtain certification from], **OR IN THE CASE OF A**
 19 **FORMER FEDERAL EMPLOYEE, FROM** the individual's federal retirement or pension
 20 authority of the [employee's] **INDIVIDUAL'S**:

21 (i) Total and permanent disability; and

22 (ii) Receipt of disability **OR RETIREMENT** benefits based on a
 23 standard that is at least as stringent as the standard applied by the Social Security
 24 Act.

25 ~~(4)~~ **(3)** **CERTIFICATION FROM THE SOCIAL SECURITY**
 26 **ADMINISTRATION OF AN INDIVIDUAL'S RECEIPT OF DISABILITY OR**
 27 **RETIREMENT BENEFITS UNDER EITHER TITLE II OR TITLE XVI OF THE**
 28 **FEDERAL SOCIAL SECURITY ACT SHALL SATISFY THE REQUIREMENT IN**
 29 **PARAGRAPH ~~(3)(I)~~ (2)(II) OF THIS SUBSECTION.**

30 **(4) (I) IN ORDER TO RECEIVE THIS EXEMPTION, AN**
 31 **INDIVIDUAL WHO MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS**
 32 **SUBSECTION AND IS ENROLLED IN A DEGREE OR CERTIFICATE PROGRAM SHALL**
 33 **SUBMIT A TIMELY APPLICATION FOR ANY STATE OR FEDERAL STUDENT**
 34 **FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH THE STUDENT MAY**
 35 **QUALIFY.**

1 **(II) ANY STUDENT FINANCIAL AID, OTHER THAN A STUDENT**
2 **LOAN, RECEIVED BY THE STUDENT SHALL BE APPLIED FIRST TO PAY THE**
3 **STUDENT'S TUITION.**

4 **(III) UNDER THIS EXEMPTION, THE WAIVER SHALL APPLY TO**
5 **THE DIFFERENCE, IF ANY, BETWEEN THE CHARGE FOR TUITION AND THE**
6 **FINANCIAL AID AWARD, NOT INCLUDING A STUDENT LOAN, THAT THE STUDENT**
7 **RECEIVES.**

8 **(IV) ON REQUEST, THE COMMUNITY COLLEGE SHALL ASSIST**
9 **ANY INDIVIDUAL REQUIRED TO SUBMIT AN APPLICATION FOR STATE OR**
10 **FEDERAL STUDENT FINANCIAL AID UNDER THIS PARAGRAPH.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.