

# HOUSE BILL 739

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By: **Delegates Parrott, Aumann, Bates, Boteler, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Impallaria, Kipke, Krebs, McComas, McDonough, McMillan, W. Miller, Smigiel, Szeliga, Vitale, and Wood**

Introduced and read first time: February 6, 2013

Assigned to: Appropriations and Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education – Legal Presence and Tuition Rates –**  
3 **Reporting**

4 FOR the purpose of requiring certain institutions of higher education to report  
5 annually to the Maryland Higher Education Commission the number of  
6 students attending that institution who are legally present, or not legally  
7 present, in the United States, and the number of students who pay certain  
8 tuition rates, disaggregated by certain categories; requiring the Commission to  
9 report annually to the General Assembly certain information relating to certain  
10 students; defining a certain term; and generally relating to the reporting by  
11 public institutions of higher education of students who are legally present, or  
12 not legally present, in the United States.

13 BY adding to

14 Article – Education

15 Section 11–408

16 Annotated Code of Maryland

17 (2008 Replacement Volume and 2012 Supplement)

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

20 **Article – Education**

21 **11–408.**

22 **(A) IN THIS SECTION, “LEGALLY PRESENT” MEANS A UNITED STATES**  
23 **CITIZEN, PERMANENT RESIDENT, OR HOLDER OF A VISA UNDER FEDERAL LAW.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) ON OR BEFORE OCTOBER 1, EACH PUBLIC INSTITUTION OF HIGHER**  
2 **EDUCATION IN THE STATE SHALL REPORT ANNUALLY TO THE COMMISSION:**

3                   **(1) DISAGGREGATED BY IN-STATE VERSUS OUT-OF-STATE**  
4 **RESIDENCY STATUS:**

5                           **(I) THE NUMBER OF STUDENTS ATTENDING THAT**  
6 **INSTITUTION WHO ARE LEGALLY PRESENT IN THE UNITED STATES,**  
7 **DISAGGREGATED BY RESIDENCY STATUS OF:**

- 8                                   1.   **CITIZEN;**
- 9                                   2.   **GREEN CARD HOLDER, DISAGGREGATED BY**  
10 **COUNTRY OF ORIGIN;**
- 11                                  3.   **VISA HOLDER, DISAGGREGATED BY COUNTRY OF**  
12 **ORIGIN; OR**
- 13                                  4.   **OTHER LEGALLY PRESENT STATUS,**  
14 **DISAGGREGATED BY COUNTRY OF ORIGIN; AND**

15                           **(II) THE NUMBER OF STUDENTS ATTENDING THAT**  
16 **INSTITUTION WHO ARE NOT LEGALLY PRESENT IN THE UNITED STATES,**  
17 **DISAGGREGATED BY COUNTRY OF ORIGIN; AND**

18                   **(2) THE NUMBER OF STUDENTS WHO PAY THE IN-STATE TUITION**  
19 **RATE VERSUS THE NUMBER OF STUDENTS WHO PAY THE OUT-OF-STATE**  
20 **TUITION RATE, DISAGGREGATED BY STATE OR COUNTRY OF ORIGIN.**

21           **(C) ON OR BEFORE DECEMBER 31, THE COMMISSION SHALL REPORT**  
22 **ANNUALLY THE INFORMATION OBTAINED UNDER SUBSECTION (B) OF THIS**  
23 **SECTION TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE**  
24 **STATE GOVERNMENT ARTICLE.**

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 2013.