

HOUSE BILL 1504

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4lr3294

By: **Delegates Haynes, Nathan–Pulliam, B. Robinson, and M. Washington**

Introduced and read first time: February 27, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Education Opportunity Act of 2014**

3 FOR the purpose of exempting certain individuals from payment of tuition to attend a
4 community college in the State under certain circumstances; providing a certain
5 discount on tuition to certain individuals attending a community college in the
6 State under certain circumstances; requiring certain individuals to apply for
7 certain financial aid; providing for the duration of the tuition waiver and the
8 tuition discount; requiring certain individuals to be counted in a certain
9 computation of State and local aid to community colleges; specifying how
10 financial aid shall be applied for individuals who receive a tuition waiver or a
11 tuition discount; requiring the State to reimburse community colleges for
12 certain foregone tuition revenue; requiring that funds used to reimburse
13 community colleges shall be paid from the Education Trust Fund from funds
14 allocated from a certain source; authorizing the Maryland Higher Education
15 Commission to adopt certain regulations; defining a certain term; and generally
16 relating to a tuition waiver and a tuition discount for certain individuals at
17 community colleges in the State.

18 BY adding to

19 Article – Education

20 Section 16–106.1

21 Annotated Code of Maryland

22 (2008 Replacement Volume and 2013 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – State Government

25 Section 9–1A–30

26 Annotated Code of Maryland

27 (2009 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 **16–106.1.**

5 (A) (1) IN THIS SECTION, “TUITION” MEANS THE BASIC
6 INSTRUCTIONAL CHARGE FOR COURSES OFFERED AT A COMMUNITY COLLEGE.

7 (2) “TUITION” INCLUDES ANY FEES FOR:

8 (I) REGISTRATION;

9 (II) APPLICATION;

10 (III) ADMINISTRATION; OR

11 (IV) LABORATORY WORK.

12 (B) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO:

13 (I) IS A RESIDENT OF THE STATE; AND

14 (II) ENROLLS AS A CANDIDATE FOR A VOCATIONAL
15 CERTIFICATE OR AN ASSOCIATE’S DEGREE AT A COMMUNITY COLLEGE IN THE
16 STATE WITHIN 2 YEARS AFTER GRADUATING FROM A HIGH SCHOOL IN THE
17 STATE OR SUCCESSFULLY COMPLETING A GED.

18 (2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS
19 SUBSECTION WHO ENROLLS IN ANY CLASS THAT IS ELIGIBLE UNDER § 16–305
20 OF THIS TITLE FOR STATE SUPPORT AT THE COMMUNITY COLLEGE:

21 (I) SHALL BE EXEMPT FROM PAYMENT OF TUITION; AND

22 (II) SHALL BE COUNTED IN COMPUTING FULL–TIME
23 EQUIVALENT ENROLLMENT UNDER § 16–305 OF THIS TITLE.

24 (3) AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS
25 SUBSECTION SHALL SUBMIT A TIMELY APPLICATION FOR ANY STATE OR
26 FEDERAL STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH
27 THE STUDENT MAY QUALIFY.

28 (C) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO:

- 1 **(I) IS A RESIDENT OF THE STATE;**
- 2 **(II) DOES NOT HAVE A HIGH SCHOOL DIPLOMA OR GED;**
- 3 **(III) HAS BEEN ACTIVELY SEEKING EMPLOYMENT BUT HAS**
4 **BEEN UNEMPLOYED FOR AT LEAST 6 MONTHS; AND**
- 5 **(IV) ENROLLS AS A CANDIDATE FOR A VOCATIONAL**
6 **CERTIFICATE OR AN ASSOCIATE’S DEGREE AT A COMMUNITY COLLEGE IN THE**
7 **STATE.**

8 **(2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS**
9 **SUBSECTION WHO ENROLLS IN ANY CLASS THAT IS ELIGIBLE UNDER § 16-305**
10 **OF THIS TITLE FOR STATE SUPPORT AT THE COMMUNITY COLLEGE:**

11 **(I) SHALL RECEIVE A 50% DISCOUNT ON THE COST OF**
12 **TUITION; AND**

13 **(II) SHALL BE COUNTED IN COMPUTING FULL-TIME**
14 **EQUIVALENT ENROLLMENT UNDER § 16-305 OF THIS TITLE.**

15 **(3) AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS**
16 **SUBSECTION SHALL SUBMIT A TIMELY APPLICATION FOR ANY STATE OR**
17 **FEDERAL STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH**
18 **THE STUDENT MAY QUALIFY.**

19 **(D) AN INDIVIDUAL WHO RECEIVES A TUITION WAIVER UNDER**
20 **SUBSECTION (B) OF THIS SECTION OR A TUITION DISCOUNT UNDER SUBSECTION**
21 **(C) OF THIS SECTION SHALL CONTINUE TO RECEIVE THE TUITION WAIVER OR**
22 **THE TUITION DISCOUNT UNTIL THE EARLIER OF:**

23 **(1) 2 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR A**
24 **VOCATIONAL CERTIFICATE OR AN ASSOCIATE’S DEGREE AT A COMMUNITY**
25 **COLLEGE IN THE STATE; OR**

26 **(2) THE DATE THAT THE INDIVIDUAL IS AWARDED A VOCATIONAL**
27 **CERTIFICATE OR AN ASSOCIATE’S DEGREE.**

28 **(E) (1) ANY STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN,**
29 **RECEIVED BY AN INDIVIDUAL WHO RECEIVES A TUITION WAIVER UNDER**
30 **SUBSECTION (B) OF THIS SECTION OR A TUITION DISCOUNT UNDER SUBSECTION**

1 (C) OF THIS SECTION SHALL BE APPLIED FIRST TO PAY THE INDIVIDUAL'S
2 TUITION.

3 (2) THE TUITION WAIVER OR THE TUITION DISCOUNT SHALL
4 APPLY TO THE DIFFERENCE, IF ANY, BETWEEN THE CHARGE FOR TUITION AND
5 THE FINANCIAL AID AWARD, NOT INCLUDING A STUDENT LOAN, THAT THE
6 INDIVIDUAL RECEIVES.

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

10 (F) (1) A COMMUNITY COLLEGE IS ENTITLED TO REIMBURSEMENT
11 FROM THE STATE FOR FOREGONE TUITION REVENUE RESULTING FROM
12 TUITION WAIVERS AND TUITION DISCOUNTS AWARDED IN ACCORDANCE WITH
13 THIS SECTION.

14 (2) ANY FUNDS USED TO REIMBURSE A COMMUNITY COLLEGE
15 FOR FOREGONE TUITION REVENUE SHALL BE PAID FROM THE EDUCATION
16 TRUST FUND FROM THE FUNDS ALLOCATED UNDER § 9-1A-27 OF THE STATE
17 GOVERNMENT ARTICLE.

18 (G) THE COMMISSION MAY ADOPT REGULATIONS NECESSARY TO
19 IMPLEMENT THE PROVISIONS OF THIS SECTION.

20 **Article – State Government**

21 9-1A-30.

22 (a) There is an Education Trust Fund which is a special, nonlapsing fund
23 that is not subject to § 7-302 of the State Finance and Procurement Article.

24 (b) (1) There shall be credited to the Education Trust Fund all proceeds
25 allocated to the Fund under § 9-1A-27 of this subtitle.

26 (2) Money in the Education Trust Fund shall be invested and
27 reinvested by the Treasurer, and interest and earnings shall accrue to the Fund.

28 (c) Money in the Education Trust Fund shall be used to:

29 (1) provide funding for public elementary and secondary education,
30 through continuation of the funding and formulas established under the programs
31 commonly known as the Bridge to Excellence in Public Schools Act, first enacted by
32 Chapter 288 of the Acts of the General Assembly of 2002, including the funding for
33 regional differences in the cost of education under § 5-202(f) of the Education Article;

1 (2) provide funds to construct public school buildings and provide
2 public school capital improvements in accordance with §§ 5–301 through 5–303 of the
3 Education Article;

4 (3) provide funds for capital projects at community colleges and public
5 senior higher education institutions; [and]

6 (4) provide funds to expand public early childhood education programs
7 in the State; AND

8 **(5) PROVIDE FUNDS TO REIMBURSE COMMUNITY COLLEGES FOR**
9 **FOREGONE TUITION REVENUE IN ACCORDANCE WITH § 16–106.1 OF THE**
10 **EDUCATION ARTICLE.**

11 (d) Expenditures from the Education Trust Fund shall be made each fiscal
12 year in accordance with the State budget.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2014.