

# SENATE BILL 18

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4lr0407

(PRE-FILED)

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By: **Senators Jacobs and Astle**

Requested: August 14, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Military Dependents – In-State Tuition**

3 FOR the purpose of exempting certain dependents of certain members of the United  
4 States armed forces from paying nonresident tuition at a public institution of  
5 higher education in the State under certain circumstances; and generally  
6 relating to tuition charges for certain dependents of certain members of the armed  
7 forces.

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 15–106.4  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2013 Supplement)

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

15 **Article – Education**

16 15–106.4.

17 (a) **(1)** This [section] **SUBSECTION** applies to the following individuals:

18 **[(1)] (I)** An active duty member of the United States armed forces;

19 **[(2)]** The spouse of an active duty member of the United States armed  
20 forces;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) A financially dependent child of an active duty member of the  
2 United States armed forces;]

3 [(4)] (II) An honorably discharged veteran of the United States armed  
4 forces; or

5 [(5)] (III) A member of the National Guard as defined in §  
6 13-405(a)(3) of the Public Safety Article.

7 [(b)] (2) Notwithstanding any other provision of this article, an individual  
8 described in [subsection (a)] **PARAGRAPH (1)** of this [section] **SUBSECTION** who  
9 attends a public institution of higher education in the State is exempt from paying  
10 nonresident tuition at a public institution of higher education in this State if:

11 [(1)] (I) The active duty member referred to in [subsection (a)]  
12 **PARAGRAPH (1)(I)** of this [section] **SUBSECTION**:

13 [(i)] 1. Is stationed in this State;

14 [(ii)] 2. Resides in this State; or

15 [(iii)] 3. Is domiciled in this State;

16 [(2)] (II) The honorably discharged veteran **REFERRED TO IN**  
17 **PARAGRAPH (1)(II) OF THIS SUBSECTION** presents documentation that the  
18 individual:

19 [(i)] 1. Was honorably discharged from the United States  
20 armed forces; and

21 [(ii) 1.] 2. A. Resides in this State; or

22 [2.] B. Is domiciled in this State; or

23 [(3)] (III) The National Guard member described in [subsection (a)(5)]  
24 **PARAGRAPH (1)(III)** of this [section] **SUBSECTION** is a member of the Maryland  
25 National Guard and joined or subsequently serves in the Maryland National Guard to:

26 [(i)] 1. Provide a Critical Military Occupational Skill; or

27 [(ii)] 2. Be a member of the Air Force Critical Specialty Code  
28 as determined by the National Guard.

29 (B) (1) **THIS SUBSECTION APPLIES TO THE FOLLOWING INDIVIDUALS:**

1                   **(I) THE SPOUSE OF AN ACTIVE DUTY OR RETIRED MEMBER**  
2 **OF THE UNITED STATES ARMED FORCES; OR**

3                   **(II) A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY**  
4 **OR RETIRED MEMBER OF THE UNITED STATES ARMED FORCES.**

5           **[(c)] (2)** Notwithstanding any other provision of this article, [a spouse or  
6 financially dependent child of an active duty member] **AN INDIVIDUAL DESCRIBED**  
7 **IN PARAGRAPH (1) OF THIS SUBSECTION** who enrolls as an entering student in a  
8 public institution of higher education [and] **IN THE STATE** is exempt from paying  
9 nonresident tuition [under subsection (b) of this section shall continue to be exempt  
10 from paying nonresident tuition] **AT A PUBLIC INSTITUTION OF HIGHER**  
11 **EDUCATION IN THE STATE** if:

12                   **[(1)] (I)** The active duty [member no longer meets the requirements  
13 of subsection (b)(1) of this section] **OR RETIRED MEMBER WAS STATIONED IN THE**  
14 **STATE AT ANY TIME;** and

15                   **[(2)] (II)** The spouse or financially dependent child [remains  
16 continuously enrolled at the public institution of higher education] **ATTENDED A**  
17 **PUBLIC OR PRIVATE SCHOOL IN THE STATE AT ANY TIME DURING THE 4 YEARS**  
18 **IMMEDIATELY BEFORE ENROLLING IN A PUBLIC INSTITUTION OF HIGHER**  
19 **EDUCATION IN THE STATE.**

20                   **[(d)] (C)** The Commission shall adopt regulations in accordance with Title  
21 10, Subtitle 1 of the State Government Article to implement the provisions of this  
22 section.

23           **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
24 July 1, 2014.