

# SENATE BILL 24

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(PRE-FILED)

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By: **Senator Jacobs**

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

AN ACT concerning

### **Higher Education – Military Dependents – Nonresident Tuition Exemption**

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

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.4

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

[(1)] **(I)** 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;]

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

[(b)] (2) Notwithstanding any other provision of this article, an individual described in [subsection (a)] **PARAGRAPH (1)** of this [section] **SUBSECTION** who 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)] (I) The active duty member referred to in [subsection (a)] **PARAGRAPH (1)(I)** of this [section] **SUBSECTION**:

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

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

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

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

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

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

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

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

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

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

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

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

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

**[(c)] (2)** Notwithstanding any other provision of this article, [a spouse or financially dependent child of an active duty member] **AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION** who enrolls as an entering student in a public institution of higher education [and] **IN THE STATE** 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] **AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE REGARDLESS OF WHERE THE ACTIVE DUTY OR RETIRED MEMBER IS OR WAS STATIONED, RESIDES, OR IS DOMICILED.**

**[(d)] (C)** 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, 2014.