

Chapter 341

(House Bill 847)

AN ACT concerning

Community Colleges – Victims of Human Trafficking – Exemption From Out-of-County and Out-of-Region Fees

FOR the purpose of exempting certain victims of human trafficking from paying a certain out-of-county fee or a certain out-of-region fee at community colleges in the State; authorizing each board of community college trustees to waive a certain out-of-county fee or a certain out-of-region fee for certain students; requiring certain information collected by a community college to remain confidential; requiring a community college to collect certain information and report certain information to the Maryland Higher Education Commission each year; requiring the Commission to submit a certain report to the General Assembly each year; requiring the Maryland Higher Education Commission to adopt certain regulations; defining a certain term; and generally relating to an exemption from the out-of-county fees and out-of-region fees for victims of human trafficking.

BY repealing and reenacting, with amendments,

Article – Education

Section 16–310(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)

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

Article – Education

16–310.

(b) (1) Subject to the provisions of paragraphs (2), (3), and (4) of this subsection and subsection (g) of this section, any student who attends a community college not supported by the county in which the student resides shall pay, in addition to the student tuition and fees payable by a resident of a county that supports the community college, an out-of-county or out-of-region fee at least equal to 60% of the county share per full-time equivalent student as determined under § 16–305 of this subtitle.

(2) (i) Any student who resides in an incorporated municipality whose corporate limits extend into 2 counties in the State is considered an in-county resident for tuition purposes at a community college campus located within that municipality that is supported by either county.

(ii) If a student is considered an in-county resident under this paragraph and the student does not reside in the county that supports the community college, the county in which the student resides shall pay the difference between the out-of-county tuition and the in-county tuition.

(3) Each board of community college trustees may waive the out-of-county or out-of-region fee, as determined in paragraph (1) of this subsection, for a student who is employed by a business located in the county that supports the community college.

(4) (i) In this paragraph, “BRAC” means the Base Realignment and Closure process as announced by the United States Department of Defense.

(ii) Each board of community college trustees may waive the out-of-county fee or out-of-region fee as determined in paragraph (1) of this subsection for a student who resides in the county but does not meet the in-county residency requirement for tuition purposes and has moved to the State as an employee or a family member of an employee as part of BRAC.

(5) (I) IN THIS PARAGRAPH, “VICTIM OF HUMAN TRAFFICKING” MEANS AN INDIVIDUAL WHO HAS BEEN RECRUITED, HARBORED, TRANSPORTED, PROVIDED, OR OBTAINED FOR LABOR, SERVICES, OR A SEXUAL ACT THROUGH THE USE OF FORCE, FRAUD, OR COERCION.

(II) EACH BOARD OF COMMUNITY COLLEGE TRUSTEES MAY WAIVE THE OUT-OF-COUNTY FEE OR OUT-OF-REGION FEE AS DETERMINED IN PARAGRAPH (1) OF THIS SUBSECTION FOR A STUDENT WHO ATTENDS THE COMMUNITY COLLEGE AND:

1. IS NOT A RESIDENT OF THE COUNTY; AND
2. IS A VICTIM OF HUMAN TRAFFICKING.

(III) INFORMATION COLLECTED UNDER THIS PARAGRAPH AS PART OF A STUDENT’S REGISTRATION SHALL REMAIN CONFIDENTIAL.

(IV) 1. A COMMUNITY COLLEGE THAT ADMITS AN INDIVIDUAL WHO QUALIFIES FOR A WAIVER OF THE OUT-OF-COUNTY FEE OR OUT-OF-REGION FEE UNDER THIS PARAGRAPH SHALL:

A. KEEP A RECORD OF THE NUMBER OF INDIVIDUALS FOR WHOM A WAIVER WAS GRANTED IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND

B. REPORT THE INFORMATION REQUIRED IN ITEM A OF THIS SUBSUBPARAGRAPH TO THE COMMISSION EACH YEAR.

2. THE COMMISSION SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL REPORT CONSISTING OF THE INFORMATION SUBMITTED TO THE COMMISSION UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

~~(H)~~ (V) 1. THE COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS PARAGRAPH.

2. THE REGULATIONS SHALL INCLUDE A REQUIREMENT THAT AN APPLICATION FOR A WAIVER OF THE OUT-OF-COUNTY FEE OR OUT-OF-REGION FEE AS PROVIDED IN THIS PARAGRAPH SHALL CONTAIN EVIDENCE THAT THE APPLICANT IS A VICTIM OF HUMAN TRAFFICKING, INCLUDING:

A. CERTIFIED LAW ENFORCEMENT, COURT, OR OTHER FEDERAL OR STATE AGENCY RECORDS OR FILES;

B. DOCUMENTATION FROM A HUMAN TRAFFICKING PREVENTION OR ASSISTANCE PROGRAM; OR

C. DOCUMENTATION FROM A RELIGIOUS, MEDICAL, OR OTHER PROFESSIONAL FROM WHOM THE APPLICANT HAS SOUGHT ASSISTANCE OR TREATMENT AS A VICTIM OF HUMAN TRAFFICKING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.

Approved by the Governor, May 12, 2015.