# **HOUSE BILL 696**

F2 5lr1216

HB 1504/14 - APP

By: Delegates Haynes and Frush

Introduced and read first time: February 12, 2015

Assigned to: Appropriations

### A BILL ENTITLED

1 AN ACT concerning

2

## Maryland Education Opportunity Act of 2015

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

- 17 BY adding to
- 18 Article Education
- 19 Section 16–106.1
- 20 Annotated Code of Maryland
- 21 (2014 Replacement Volume and 2014 Supplement)
- 22 BY repealing and reenacting, with amendments,
- 23 Article State Government
- 24 Section 9–1A–30
- 25 Annotated Code of Maryland
- 26 (2014 Replacement Volume)
- 27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 28 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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**(I)** 

#### **Article - Education** 1 2 16-106.1. IN THIS SECTION, "TUITION" MEANS THE BASIC INSTRUCTIONAL 3 (A) **(1)** CHARGE FOR COURSES OFFERED AT A COMMUNITY COLLEGE. 4 5 **(2)** "TUITION" INCLUDES ANY FEES FOR: 6 **(I)** REGISTRATION; 7 (II)APPLICATION; (III) ADMINISTRATION; OR 8 9 (IV) LABORATORY WORK. (B) 10 **(1)** THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO: 11 (I)IS A RESIDENT OF THE STATE; AND 12 (II)ENROLLS AS A CANDIDATE FOR A VOCATIONAL CERTIFICATE OR AN ASSOCIATE'S DEGREE AT A COMMUNITY COLLEGE IN THE STATE 13 WITHIN 2 YEARS AFTER GRADUATING FROM A HIGH SCHOOL IN THE STATE OR 14 15 SUCCESSFULLY COMPLETING A GED. 16 **(2)** AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION WHO ENROLLS IN ANY CLASS THAT IS ELIGIBLE UNDER § 16-305 OF 17 18 THIS TITLE FOR STATE SUPPORT AT THE COMMUNITY COLLEGE: 19 (I)SHALL BE EXEMPT FROM PAYMENT OF TUITION; AND 20 (II)SHALL $\mathbf{BE}$ COUNTED IN COMPUTING FULL-TIME EQUIVALENT ENROLLMENT UNDER § 16–305 OF THIS TITLE. 2122**(3)** AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SUBSECTION SHALL SUBMIT A TIMELY APPLICATION FOR ANY STATE OR FEDERAL 23STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH THE STUDENT 24MAY QUALIFY. 25(C) 26 **(1)** THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO:

IS A RESIDENT OF THE STATE;

- 1 (II) DOES NOT HAVE A HIGH SCHOOL DIPLOMA OR GED;
- 2 (III) HAS BEEN ACTIVELY SEEKING EMPLOYMENT BUT HAS BEEN
- 3 UNEMPLOYED FOR AT LEAST 6 MONTHS; AND
- 4 (IV) ENROLLS AS A CANDIDATE FOR A VOCATIONAL
- 5 CERTIFICATE OR AN ASSOCIATE'S DEGREE AT A COMMUNITY COLLEGE IN THE
- 6 STATE.
- 7 (2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS
- 8 SUBSECTION WHO ENROLLS IN ANY CLASS THAT IS ELIGIBLE UNDER § 16–305 OF
- 9 THIS TITLE FOR STATE SUPPORT AT THE COMMUNITY COLLEGE:
- 10 (I) SHALL RECEIVE A 50% DISCOUNT ON THE COST OF TUITION;
- 11 **AND**
- 12 (II) SHALL BE COUNTED IN COMPUTING FULL-TIME
- 13 EQUIVALENT ENROLLMENT UNDER § 16–305 OF THIS TITLE.
- 14 (3) AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS
- 15 SUBSECTION SHALL SUBMIT A TIMELY APPLICATION FOR ANY STATE OR FEDERAL
- 16 STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH THE STUDENT
- 17 MAY QUALIFY.
- 18 (D) AN INDIVIDUAL WHO RECEIVES A TUITION WAIVER UNDER SUBSECTION
- 19 (B) OF THIS SECTION OR A TUITION DISCOUNT UNDER SUBSECTION (C) OF THIS
- 20 SECTION SHALL CONTINUE TO RECEIVE THE TUITION WAIVER OR THE TUITION
- 21 DISCOUNT UNTIL THE EARLIER OF:
- 22 (1) 2 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR A
- 23 VOCATIONAL CERTIFICATE OR AN ASSOCIATE'S DEGREE AT A COMMUNITY COLLEGE
- 24 IN THE STATE; OR
- 25 (2) THE DATE THAT THE INDIVIDUAL IS AWARDED A VOCATIONAL
- 26 CERTIFICATE OR AN ASSOCIATE'S DEGREE.
- 27 (E) (1) ANY STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN,
- 28 RECEIVED BY AN INDIVIDUAL WHO RECEIVES A TUITION WAIVER UNDER
- 29 SUBSECTION (B) OF THIS SECTION OR A TUITION DISCOUNT UNDER SUBSECTION (C)
- 30 OF THIS SECTION SHALL BE APPLIED FIRST TO PAY THE INDIVIDUAL'S TUITION.

- 1 (2) THE TUITION WAIVER OR THE TUITION DISCOUNT SHALL APPLY
- 2 TO THE DIFFERENCE, IF ANY, BETWEEN THE CHARGE FOR TUITION AND THE
- 3 FINANCIAL AID AWARD, NOT INCLUDING A STUDENT LOAN, THAT THE INDIVIDUAL
- 4 RECEIVES.
- 5 (3) ON REQUEST, THE COMMUNITY COLLEGE SHALL ASSIST ANY
- 6 INDIVIDUAL REQUIRED TO SUBMIT AN APPLICATION FOR STATE OR FEDERAL
- 7 STUDENT FINANCIAL AID UNDER THIS SECTION.
- 8 (F) (1) A COMMUNITY COLLEGE IS ENTITLED TO REIMBURSEMENT FROM
- 9 THE STATE FOR FOREGONE TUITION REVENUE RESULTING FROM TUITION WAIVERS
- 10 AND TUITION DISCOUNTS AWARDED IN ACCORDANCE WITH THIS SECTION.
- 11 (2) ANY FUNDS USED TO REIMBURSE A COMMUNITY COLLEGE FOR
- 12 FOREGONE TUITION REVENUE SHALL BE PAID FROM THE EDUCATION TRUST FUND
- 13 FROM THE FUNDS ALLOCATED UNDER § 9–1A–27 OF THE STATE GOVERNMENT
- 14 ARTICLE.
- 15 (G) THE COMMISSION MAY ADOPT REGULATIONS NECESSARY TO
- 16 IMPLEMENT THE PROVISIONS OF THIS SECTION.

### 17 Article – State Government

- 18 9–1A–30.
- 19 (a) There is an Education Trust Fund which is a special, nonlapsing fund that is
- 20 not subject to § 7–302 of the State Finance and Procurement Article.
- 21 (b) (1) There shall be credited to the Education Trust Fund all proceeds
- 22 allocated to the Fund under § 9–1A–27 of this subtitle.
- 23 (2) Money in the Education Trust Fund shall be invested and reinvested
- 24 by the Treasurer, and interest and earnings shall accrue to the Fund.
- 25 (c) Money in the Education Trust Fund shall be used to:
- 26 (1) provide funding for public elementary and secondary education,
- 27 through continuation of the funding and formulas established under the programs
- 28 commonly known as the Bridge to Excellence in Public Schools Act, first enacted by Chapter
- 20 commonly known as the Bruge to Exemence in Lucine Schools Feet, in st chaesed by Chapter
- 29 288 of the Acts of the General Assembly of 2002, including the funding for regional
- 30 differences in the cost of education under § 5–202(f) of the Education Article;
- 31 (2) provide funds to construct public school buildings and provide public
- 32 school capital improvements in accordance with §§ 5–301 through 5–303 of the Education
- 33 Article;

- 1 (3) provide funds for capital projects at community colleges and public 2 senior higher education institutions; [and]
- 3 (4) provide funds to expand public early childhood education programs in 4 the State; **AND**
- 5 (5) PROVIDE FUNDS TO REIMBURSE COMMUNITY COLLEGES FOR 6 FOREGONE TUITION REVENUE IN ACCORDANCE WITH § 16–106.1 OF THE 7 EDUCATION ARTICLE.
- 8 (d) Expenditures from the Education Trust Fund shall be made each fiscal year 9 in accordance with the State budget.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.