

# HOUSE BILL 847

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CF SB 335

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By: ~~Delegate Simonaire~~ Delegates Simonaire, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Hixson, Hornberger, C. Howard, Kaiser, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Shoemaker, Tarlau, Turner, Walker, A. Washington, and M. Washington

Introduced and read first time: February 13, 2015

Assigned to: Judiciary

Reassigned: Ways and Means, February 19, 2015

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2015

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

15 BY repealing and reenacting, with amendments,  
16 Article – Education  
17 Section 16-310(b)  
18 Annotated Code of Maryland  
19 (2014 Replacement Volume and 2014 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Education**

4 16–310.

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

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

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

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

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

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

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

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

1                   1.     IS NOT A RESIDENT OF THE COUNTY; AND

2                   2.     IS A VICTIM OF HUMAN TRAFFICKING.

3                   **(III) INFORMATION COLLECTED UNDER THIS PARAGRAPH AS**  
4 **PART OF A STUDENT'S REGISTRATION SHALL REMAIN CONFIDENTIAL.**

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

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

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

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

17                   ~~(III)~~ **(V) 1. THE COMMISSION SHALL ADOPT REGULATIONS**  
18 **TO IMPLEMENT THE PROVISIONS OF THIS PARAGRAPH.**

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

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

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

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

30                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
31 1, 2015.