

SENATE BILL 335

F2

(5lr1587)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means —

Introduced by ~~Senator Simonaire~~ **Senators Simonaire, Lee, Conway, Pinsky, Bates, Kagan, Montgomery, Nathan-Pulliam, Rosapepe, Salling, Waugh, and Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

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

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.

Italics indicate opposite chamber/conference committee amendments.



1 a certain term; and generally relating to an exemption from the out-of-county fees
2 and out-of-region fees for victims of human trafficking.

3 BY repealing and reenacting, with amendments,
4 Article – Education
5 Section 16–310(b)
6 Annotated Code of Maryland
7 (2014 Replacement Volume and 2014 Supplement)

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

10 **Article – Education**

11 16–310.

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

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

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

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

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

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

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

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

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

10 2. IS A VICTIM OF HUMAN TRAFFICKING.

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

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

16 A. KEEP A RECORD OF THE NUMBER OF INDIVIDUALS
17 WHO PAY THE TUITION RATE FOR WHOM A WAIVER WAS GRANTED IN ACCORDANCE
18 WITH THE REQUIREMENTS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH; AND

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

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

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

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

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

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

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

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.