

# SENATE BILL 843

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SB 18/14 – EHE

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By: **Senators Waugh, Astle, Bates, Brochin, Cassilly, DeGrange, Eckardt, Edwards, Hershey, Hough, Jennings, Kagan, King, Klausmeier, Manno, Mathias, Montgomery, Norman, Peters, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Young**

Introduced and read first time: February 23, 2015

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 6, 2015

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2015

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

AN ACT concerning

### ~~Higher Education – Military Dependents – In State Tuition~~

### University System of Maryland – Members of the Armed Forces – Financial Aid

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 under certain circumstances; and generally relating to tuition charges for certain dependents of certain members of the armed forces~~ establishing the Return to Maryland Program; providing for the purpose of the Program; providing that certain eligible students are exempt from paying the nonresident tuition rate at constituent institutions of the University System of Maryland; providing that the Program is limited to a certain number of students; requiring the University System of Maryland to administer the Program; requiring the University System of Maryland to submit a certain report to the General Assembly on or before a certain date; and generally relating to financial aid for members of the armed forces.

~~BY repealing and reenacting, with amendments,~~

~~Article – Education~~

~~Section 15-106.4~~

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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.



~~Annotated Code of Maryland  
(2014 Replacement Volume and 2014 Supplement)~~

BY adding to

Article – Education

Section 15–106.9

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

~~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;~~

~~[(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)] (H) The honorably discharged veteran REFERRED TO IN PARAGRAPH (1)(H) 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)] (H) The National Guard member described in [subsection (a)(5)] PARAGRAPH (1)(H) 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.~~

~~[(e)] (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] AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE if:~~

~~[(1)] (I) The active duty [member no longer meets the requirements of subsection (b)(1) of this section] OR RETIRED MEMBER WAS STATIONED IN THE STATE AT ANY TIME; and~~

~~[(2)] (II) The spouse or financially dependent child [remains continuously enrolled at the public institution of higher education] ATTENDED A PUBLIC OR PRIVATE SCHOOL IN THE STATE AT ANY TIME DURING THE 4 YEARS IMMEDIATELY BEFORE ENROLLING IN A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE.~~

~~[(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.~~

**15-106.9.**

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "CONSTITUENT INSTITUTION" HAS THE MEANING STATED IN § 12-101 OF THIS ARTICLE.**

**(3) "ELIGIBLE STUDENT" MEANS AN INDIVIDUAL WHO:**

**(i) IS A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES OR AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES;**

**(ii) WAS ENROLLED IN A PUBLIC OR NONPUBLIC HIGH SCHOOL IN THE STATE FOR AT LEAST 1 YEAR DURING THE 3 YEARS IMMEDIATELY BEFORE SEEKING ENROLLMENT IN A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND; AND**

**(iii) WAS A RESIDENT OF OR DOMICILED IN THE STATE WHILE ENROLLED IN A PUBLIC OR NONPUBLIC HIGH SCHOOL IN THE STATE.**

**(4) "PROGRAM" MEANS THE RETURN TO MARYLAND PROGRAM.**

**(B) THERE IS A RETURN TO MARYLAND PROGRAM IN THE STATE.**

**(C) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE AND ASSIST ELIGIBLE STUDENTS WHO ONCE LIVED IN MARYLAND TO RETURN TO THE STATE AND ATTEND A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND.**

**(D) AN ELIGIBLE STUDENT IS EXEMPT FROM PAYING THE NONRESIDENT TUITION RATE AT A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND.**

**(E) THE PROGRAM SHALL BE LIMITED TO 100 ELIGIBLE STUDENTS.**

**(F) THE UNIVERSITY SYSTEM OF MARYLAND SHALL ADMINISTER THE PROGRAM.**

SECTION 2. AND BE IT FURTHER ENACTED, That on or before June 30, 2017, and June 30, 2018, the University System of Maryland shall submit a report, in accordance with § 2-1246 of the State Government Article, to the General Assembly regarding:

(1) how many individuals applied to the Return to Maryland Program established in accordance with § 15-106.9 of the Education Article; and

(2) how many individuals received awards under the Program.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.