

HOUSE BILL 1541

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6lr3422

By: **Allegany County Delegation**

Introduced and read first time: February 19, 2016

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Volunteer Fire, Rescue, and Emergency Medical Services**
3 **Personnel – Partial Tuition Waiver**

4 FOR the purpose of requiring a public institution of higher education to waive a certain
5 amount of tuition at the public institution of higher education for an individual who
6 performs volunteer fire, rescue, or emergency medical services and qualifies for a
7 certain income tax subtraction modification, as verified by the State Comptroller;
8 providing that a certain individual continues to qualify for a certain partial tuition
9 waiver by a certain public institution of higher education under certain
10 circumstances; requiring the governing board of each public institution of higher
11 education, in consultation with the Maryland Higher Education Commission, to
12 adopt certain policies; providing that a certain individual is exempt from payment of
13 a certain amount of tuition at a community college under certain circumstances;
14 requiring a certain individual to provide a certain community college with
15 verification from the Comptroller that the individual qualifies for a certain income
16 tax subtraction modification in order to receive a certain tuition exemption; and
17 generally relating to partial tuition waivers at institutions of higher education for
18 volunteer fire, rescue, and emergency medical services personnel.

19 BY adding to

20 Article – Education

21 Section 15–106.9

22 Annotated Code of Maryland

23 (2014 Replacement Volume and 2015 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – Education

26 Section 16–106

27 Annotated Code of Maryland

28 (2014 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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 **15–106.9.**

5 (A) THIS SECTION APPLIES TO AN INDIVIDUAL WHO PERFORMS VOLUNTEER
6 FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES AND WHO QUALIFIES FOR THE
7 HONORABLE LOUIS L. GOLDSTEIN SUBTRACTION MODIFICATION PROGRAM
8 UNDER § 10–208(I–1) OF THE TAX – GENERAL ARTICLE, AS VERIFIED BY THE
9 COMPTROLLER.

10 (B) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL WAIVE THE
11 AMOUNT OF TUITION EQUAL TO THE COST OF 3 CREDIT HOURS AT THE PUBLIC
12 INSTITUTION OF HIGHER EDUCATION FOR AN INDIVIDUAL DESCRIBED IN
13 SUBSECTION (A) OF THIS SECTION WHO IS ENROLLED AT THE PUBLIC INSTITUTION
14 OF HIGHER EDUCATION.

15 (C) AN INDIVIDUAL DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION
16 SHALL CONTINUE TO QUALIFY FOR THE PARTIAL TUITION WAIVER UNDER
17 SUBSECTION (B) OF THIS SECTION EACH YEAR THE INDIVIDUAL ENROLLS IN THE
18 PUBLIC INSTITUTION OF HIGHER EDUCATION IF THE INDIVIDUAL CONTINUES TO
19 QUALIFY FOR THE HONORABLE LOUIS L. GOLDSTEIN SUBTRACTION
20 MODIFICATION PROGRAM UNDER § 10–208(I–1) OF THE TAX – GENERAL ARTICLE
21 EACH TAXABLE YEAR, AS VERIFIED BY THE COMPTROLLER.

22 (D) THE GOVERNING BOARD OF EACH PUBLIC INSTITUTION OF HIGHER
23 EDUCATION, IN CONSULTATION WITH THE COMMISSION, SHALL ADOPT
24 APPROPRIATE POLICIES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

25 16–106.

26 (a) Any full–time classified employee of a community college who enrolls, during
27 his nonworking hours, in any class at the community college that has at least 10 regularly
28 enrolled students:

29 (1) Is exempt from payment of tuition; and

30 (2) May not be counted in computing full–time equivalent enrollment at
31 the community college under § 16–305 of this title.

32 (b) (1) (i) In this subsection, “tuition” means the basic instructional charge
33 for courses offered at a community college.

1 (ii) "Tuition" does not include:

2 1. Any fees or costs associated with a self-supporting
3 program; or

4 2. Any fees for:

5 A. Registration;

6 B. Application;

7 C. Administration; or

8 D. Laboratory work.

9 (2) Except as provided in paragraph (3) of this subsection, any resident of
10 this State who is 60 years old or older and who enrolls in any class, which is eligible under
11 § 16-305 of this title for State support, at the community college:

12 (i) Shall be exempt from payment of tuition; and

13 (ii) Shall be counted in computing full-time equivalent enrollment
14 under § 16-305 of this title if enrolled in any class that is eligible for State support.

15 (3) A community college is required to waive the tuition for a course for
16 senior citizens under this subsection only when course space is available.

17 (4) This subsection may not be construed to prohibit a community college
18 board of trustees from offering senior citizens other educational opportunities free of
19 charge, provided that the senior citizen is not counted in computing full-time equivalent
20 enrollment for the purpose of receiving State support.

21 (c) (1) Any resident of this State who is out of the work force by reason of total
22 and permanent disability who enrolls at a community college in a class that has at least 10
23 regularly enrolled students:

24 (i) Is exempt from payment of tuition:

25 1. For up to 6 credits per semester or up to 12 credits per
26 semester if the individual is enrolled in classes as part of a degree or a certificate program
27 designed to lead to employment; or

28 2. For continuing education instruction designed to lead to
29 employment, including life skills instruction; and

30 (ii) Shall be counted in computing full-time equivalent enrollment
31 under § 16-305 of this title.

1 (2) In order to receive this exemption, an individual who meets the
2 requirements of paragraph (1) of this subsection shall provide the community college with
3 certification from the Social Security Administration, the Railroad Retirement Board, or in
4 the case of a former federal employee, from the individual's federal retirement or pension
5 authority of the individual's:

6 (i) Total and permanent disability; and

7 (ii) Receipt of disability or retirement benefits based on a standard
8 that is at least as stringent as the standard applied by the Social Security Act.

9 (3) Certification from the Social Security Administration of an individual's
10 receipt of disability or retirement benefits under either Title II or Title XVI of the federal
11 Social Security Act shall satisfy the requirement in paragraph (2)(ii) of this subsection.

12 (4) (i) In order to receive this exemption, an individual who meets the
13 requirements of paragraph (1) of this subsection and is enrolled in a degree or certificate
14 program shall submit a timely application for any State or federal student financial aid,
15 other than a student loan, for which the student may qualify.

16 (ii) Any student financial aid, other than a student loan, received by
17 the student shall be applied first to pay the student's tuition.

18 (iii) Under this exemption, the waiver shall apply to the difference, if
19 any, between the charge for tuition and the financial aid award, not including a student
20 loan, that the student receives.

21 (iv) On request, the community college shall assist any individual
22 required to submit an application for State or federal student financial aid under this
23 paragraph.

24 (d) (1) For purposes of this subsection, "displaced homemaker" is an individual
25 who:

26 (i) Is 30 years of age or older;

27 (ii) Has worked for the family in the family home;

28 (iii) Is not gainfully employed;

29 (iv) Has had, or would have, difficulty finding employment;

30 (v) 1. Has depended on the income of a family member and has
31 lost that income as the result of separation, divorce, or the death or disability of that family
32 member; or

1 2. Has depended on government assistance as the parent of
2 dependent children and is no longer eligible for such assistance; and

3 (vi) Has an annual income that does not exceed:

4 1. The federal Office of Management and Budget poverty
5 income guidelines; or

6 2. The United States Department of Labor, Bureau of Labor
7 Statistics, 70 percent lower living standard income level.

8 (2) (i) Any resident of this State who is a displaced homemaker and who
9 enrolls in any class which is eligible under § 16–305 of this title for State support at the
10 community college:

11 1. Shall be exempt from payment of tuition; and

12 2. Shall be counted in computing full–time equivalent
13 enrollment under § 16–305 of this title if enrolled in any class that is eligible for State
14 support.

15 (ii) The exemption of tuition under this section is contingent on the
16 availability of funds under the federal Workforce Investment Act.

17 (3) The Department of Labor, Licensing, and Regulation shall coordinate
18 funds for this Displaced Homemakers Program according to the provisions of Title II of the
19 federal Workforce Investment Act, with the funds to be provided by service delivery areas.

20 (4) The Secretary of Higher Education shall:

21 (i) Allocate a minimum of 200 positions for the Displaced
22 Homemakers Program among the community colleges of the State that are located in
23 geographic areas that have been designated by the Governor as service delivery areas in
24 accordance with Section 101 of the federal Workforce Investment Act; and

25 (ii) Base the allocation of positions on the number of displaced
26 homemakers in the service delivery area.

27 **(E) (1) AN INDIVIDUAL WHO PERFORMS VOLUNTEER FIRE, RESCUE, OR**
28 **EMERGENCY MEDICAL SERVICES:**

29 **(I) IS EXEMPT FROM PAYMENT OF TUITION FOR 3 CREDITS PER**
30 **ACADEMIC YEAR IF THE INDIVIDUAL IS ENROLLED IN CLASSES AS PART OF A DEGREE**
31 **OR A CERTIFICATE PROGRAM DESIGNED TO LEAD TO EMPLOYMENT; AND**

1 **(II) SHALL BE COUNTED IN COMPUTING FULL-TIME**
2 **EQUIVALENT ENROLLMENT UNDER § 16-305 OF THIS TITLE.**

3 **(2) IN ORDER TO RECEIVE THIS EXEMPTION, AN INDIVIDUAL WHO**
4 **MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION SHALL**
5 **PROVIDE THE COMMUNITY COLLEGE WITH VERIFICATION FROM THE**
6 **COMPTROLLER THAT THE INDIVIDUAL QUALIFIES FOR THE HONORABLE LOUIS L.**
7 **GOLDSTEIN SUBTRACTION MODIFICATION PROGRAM UNDER § 10-208(I-1) OF THE**
8 **TAX – GENERAL ARTICLE.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2016.