

# HOUSE BILL 506

F2

0lr1340  
CF 0lr3269

---

By: **Delegates Valentino–Smith, Arikan, Bagnall, D. Barnes, Barron, Brooks, Chang, Cox, Crosby, Hettleman, Hornberger, Howard, Impallaria, M. Jackson, Krebs, Lehman, Long, McComas, Patterson, Pena–Melnyk, Proctor, Saab, Solomon, R. Watson, Wilson, P. Young, and Griffith**

Introduced and read first time: January 24, 2020

Assigned to: Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Nonresident Tuition Exemption for Military Personnel,**  
3 **Spouses, and Dependents – Alterations**

4 FOR the purpose of exempting spouses and financially dependent children of active duty  
5 members of the United States armed forces from paying nonresident tuition at a  
6 public institution of higher education in the State if certain requirements are met at  
7 the time of acceptance to attend the institution; requiring the exemption to continue  
8 if the qualifying individual enrolls and remains continuously enrolled at the  
9 institution, regardless of changes in the station, residency, or domicile of the active  
10 duty member; making conforming changes; and generally relating to exemptions for  
11 nonresident tuition at public institutions of higher education.

12 BY repealing and reenacting, without amendments,  
13 Article – Education  
14 Section 10–101(a) and (h)  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article – Education  
19 Section 15–106.4  
20 Annotated Code of Maryland  
21 (2018 Replacement Volume and 2019 Supplement)

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

24 **Article – Education**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 10–101.

2 (a) In this division the following words have the meanings indicated.

3 (h) (1) “Institution of higher education” means an institution of postsecondary  
4 education that generally limits enrollment to graduates of secondary schools, and awards  
5 degrees at either the associate, baccalaureate, or graduate level.

6 (2) “Institution of higher education” includes public, private nonprofit, and  
7 for–profit institutions of higher education.

8 15–106.4.

9 (a) This section applies to the following individuals:

10 (1) An active duty member of the United States armed forces;

11 (2) The spouse of an active duty member of the United States armed forces;

12 (3) A financially dependent child of an active duty member of the United  
13 States armed forces;

14 (4) An honorably discharged veteran of the United States armed forces; or

15 (5) A member of the National Guard as defined in § 13–405(a)(3) of the  
16 Public Safety Article.

17 (b) Notwithstanding any other provision of this article, an individual described in  
18 subsection (a) of this section who attends a public institution of higher education in the  
19 State is exempt from paying nonresident tuition at a public institution of higher education  
20 in this State if:

21 (1) The active duty member [referred to] **DESCRIBED** in subsection (a) of  
22 this section:

23 (i) Is stationed in this State;

24 (ii) Resides in this State; or

25 (iii) Is domiciled in this State;

26 **(2) THE SPOUSE OR FINANCIALLY DEPENDENT CHILD DESCRIBED IN**  
27 **SUBSECTION (A) OF THIS SECTION PRESENTS DOCUMENTATION THAT, DURING THE**  
28 **TIME PERIOD IN WHICH THE ACTIVE DUTY MEMBER MET THE REQUIREMENTS OF**  
29 **PARAGRAPH (1) OF THIS SUBSECTION, THE INDIVIDUAL:**

1 (I) ENROLLED AS AN ENTERING STUDENT IN A PUBLIC  
2 INSTITUTION OF HIGHER EDUCATION IN THE STATE; OR

3 (II) WAS ACCEPTED TO ATTEND A PUBLIC INSTITUTION OF  
4 HIGHER EDUCATION IN THE STATE;

5 [(2)] (3) The honorably discharged veteran DESCRIBED IN SUBSECTION  
6 (A) OF THIS SECTION presents documentation that the individual:

7 (i) Was honorably discharged from the United States armed forces;  
8 and

9 (ii) 1. Resides in this State; or

10 2. Is domiciled in this State; or

11 [(3)] (4) The National Guard member described in subsection [(a)(5)] (A)  
12 of this section is a member of the Maryland National Guard and joined or subsequently  
13 serves in the Maryland National Guard to:

14 (i) Provide a Critical Military Occupational Skill; or

15 (ii) Be a member of the Air Force Critical Specialty Code as  
16 determined by the National Guard.

17 (c) Notwithstanding any other provision of this article, a spouse or financially  
18 dependent child of an active duty member who [enrolls as an entering student in a public  
19 institution of higher education and] is exempt from paying nonresident tuition under  
20 subsection (b) of this section shall continue to be exempt from paying nonresident tuition  
21 [if]:

22 (1) [The active duty member no longer meets the requirements of  
23 subsection (b)(1) of this section; and

24 (2) The] IF THE spouse or financially dependent child [remains]:

25 (I) ENROLLS AS AN ENTERING STUDENT IN A PUBLIC  
26 INSTITUTION OF HIGHER EDUCATION IN THE STATE; AND

27 (II) REMAINS continuously enrolled at the public institution of  
28 higher education; AND

29 (2) REGARDLESS OF WHETHER THE ACTIVE DUTY MEMBER STILL  
30 MEETS THE REQUIREMENTS OF SUBSECTION (B)(1) OF THIS SECTION.

**HOUSE BILL 506**

1           (d)     Each public institution of higher education shall comply with federal law  
2 relating to nonresident tuition for veterans and veterans' dependents.

3           (e)     The Commission shall adopt regulations in accordance with Title 10, Subtitle  
4 1 of the State Government Article to implement the provisions of this section.

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
6 1, 2020.