

SENATE BILL 282

E4, F2

0lr0115
CF HB 362

By: **The President (By Request – Administration) and Senators Bailey, Beidle, Carozza, Cassilly, Eckardt, Edwards, Elfreth, Gallion, Hershey, Jennings, Peters, Ready, Salling, Serafini, Simonaire, ~~and West~~ West, Ellis, Hester, and Lam**

Introduced and read first time: January 20, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2020

CHAPTER _____

1 AN ACT concerning

2 **Maryland National Guard – Tuition Assistance Program – Modifications**

3 FOR the purpose of increasing the percentage of tuition that may be reimbursed of the cost
4 of in-State tuition for certain courses for any active National Guard member
5 attending certain institutions; expanding the definition of “member” as it relates to
6 who can receive tuition reimbursement to include any individual who holds a
7 commission in the National Guard; and generally relating to tuition assistance for
8 members of the Maryland National Guard.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 13–405
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2019 Supplement)

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

16 **Article – Public Safety**

17 13–405.

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 (a) (1) In this section the following words have the meanings indicated.

2 (2) "Institution" means:

3 (i) any campus of the University System of Maryland, any
4 community college established under Title 16 of the Education Article, Morgan State
5 University, or St. Mary's College;

6 (ii) any private institution of higher education that grants a member
7 a tuition waiver of at least 50%;

8 (iii) any public postsecondary vocational–technical or trade school; or

9 (iv) any private postsecondary vocational–technical or trade school
10 that grants a member a tuition waiver of at least 50%.

11 (3) "Member" means an individual who:

12 (i) is regularly enlisted in the National Guard; or

13 (ii) holds a commission in the National Guard [as:

14 1. an officer in the grade of major or below; or

15 2. a warrant officer].

16 (4) (i) "Tuition" means the basic instructional charge for
17 undergraduate, graduate, professional, vocational–technical, and trade school credit
18 courses and related fees at an institution.

19 (ii) "Tuition" does not include charges for self–supporting programs.

20 (b) (1) To the extent that funds are provided in the State budget, the
21 Department may provide assistance equal to **[50%] 100%** of the cost of in–State tuition for
22 any regularly scheduled undergraduate credit course, graduate credit course, professional
23 credit course, vocational–technical course, or trade course for any active member attending
24 an institution who is certified as eligible by the Adjutant General.

25 (2) Subject to paragraph (5) of this subsection, a member who receives
26 assistance under paragraph (1) of this subsection for an undergraduate credit,
27 vocational–technical, or trade course shall remain an active member for at least 2 years
28 following the completion of the course.

29 (3) Subject to paragraph (5) of this subsection, a member who receives
30 assistance under paragraph (1) of this subsection for a graduate or professional credit
31 course shall remain an active member for at least 4 years following the completion of the
32 course.

1 (4) Subject to paragraph (5) of this subsection, if a member receives
2 assistance under paragraph (1) of this subsection, and is a member of a unit that has been
3 disbanded on or after September 1, 2013, due to budgetary cuts, Base Realignment and
4 Closure, or any other reason, the member may satisfy the requirements of paragraph (2) or
5 paragraph (3) of this subsection by transferring to another active duty, reserve, or National
6 Guard Unit in the State or in another state.

7 (5) If a member who receives assistance under paragraph (1) of this
8 subsection is offered early separation by the military following the disbanding of the
9 member's unit due to budget cuts, Base Realignment and Closure, or any other reason, the
10 member is excused from the requirements of paragraph (2) or paragraph (3) of this
11 subsection.

12 (c) (1) The Adjutant General may not certify a member as eligible unless the
13 member is:

14 (i) enlisted and has at least 24 months remaining to serve on the
15 current enlistment of the member; or

16 (ii) an officer or warrant officer and agrees in writing to serve for a
17 minimum of 24 months.

18 (2) The 24-month requirement runs from the first day of classes for the
19 semester.

20 (d) If a recipient of tuition assistance under this section is discharged from the
21 National Guard for a reason designated by the Adjutant General, the assistance terminates
22 and the member shall reimburse the Department the amount of tuition assistance received
23 for that semester within 30 days of discharge.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.