
By: Chairman, Appropriations Committee (Departmental - Military) and Delegates C. Davis and Hutchins

Introduced and read first time: February 23, 1996

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Tuition and Fee Waivers - Members of the Maryland National Guard**

3 FOR the purpose of requiring certain state institutions of higher education, including
4 community colleges, to waive one-half of the tuition charged for certain courses for
5 certain members of the Maryland National Guard under certain circumstances;
6 requiring that members of the Maryland National Guard be certified as eligible by
7 the Maryland Adjutant General; requiring the repayment of a tuition waiver under
8 certain circumstances; authorizing the presidents of certain institutions of higher
9 education, including community colleges, to waive up to 100% of tuition for certain
10 courses and fees for certain members of the Maryland National Guard; defining
11 certain terms; and generally relating to tuition waivers for members of the Maryland
12 National Guard.

13 BY adding to

14 Article - Education
15 Section 13-303, 14-108, 14-209, and 16-205(e)
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1995 Supplement)

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

20 **Article - Education**

21 13-303.

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

24 (2) "INSTITUTION" MEANS ANY CONSTITUENT INSTITUTION OF THE
25 UNIVERSITY OF MARYLAND SYSTEM.

26 (3) "MEMBER OF THE MARYLAND NATIONAL GUARD" MEANS ANY
27 RESIDENT OF THE STATE WHO:

28 (I) IS REGULARLY ENLISTED IN THE MARYLAND NATIONAL
29 GUARD; OR

2

1 (II) HOLDS A COMMISSION IN THE MARYLAND NATIONAL GUARD
2 AS:

3 1. AN OFFICER IN THE GRADE OF CAPTAIN OR BELOW; OR

4 2. A WARRANT OFFICER.

5 (4) "TUITION" MEANS THE BASIC INSTRUCTIONAL CHARGE FOR
6 COURSES AND DOES NOT PERTAIN TO SELF-SUPPORTING PROGRAMS OR INCLUDE
7 FEES, SUCH AS THOSE FOR REGISTRATION, APPLICATION, OR LABORATORY WORK.

8 (5) "TUITION WAIVER" MEANS THE WAIVER OF ONE-HALF OF THE
9 TUITION CHARGED FOR A CREDIT OR NONCREDIT COURSE.

10 (B) AN INSTITUTION SHALL WAIVE ONE-HALF OF THE TUITION OF ANY
11 SCHEDULED CREDIT OR NONCREDIT COURSE FOR A MEMBER OF THE MARYLAND
12 NATIONAL GUARD IF:

13 (1) THE MEMBER IS ENROLLED AT THE INSTITUTION;

14 (2) THE MEMBER IS CERTIFIED AS ELIGIBLE BY THE MARYLAND
15 ADJUTANT GENERAL, AS PROVIDED UNDER SUBSECTION (C) OF THIS SECTION;

16 (3) THE MEMBER IS NOT RECEIVING A TUITION WAIVER FOR MORE
17 THAN FIVE COURSES PER TERM; AND

18 (4) REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE.

19 (C) (1) PRIOR TO RECEIVING A TUITION WAIVER UNDER THIS SECTION,
20 THE MARYLAND ADJUTANT GENERAL MUST CERTIFY THAT A MEMBER OF THE
21 MARYLAND NATIONAL GUARD IS ELIGIBLE.

22 (2) THE MARYLAND ADJUTANT GENERAL MAY NOT CERTIFY A
23 MEMBER AS ELIGIBLE UNLESS THE MEMBER:

24 (I) IF ENLISTED, HAS AT LEAST 24 MONTHS REMAINING TO SERVE
25 ON THE MEMBER'S CURRENT ENLISTMENT; OR

26 (II) IF AN OFFICER OR WARRANT OFFICER, THE MEMBER AGREES
27 IN WRITING TO SERVE FOR A MINIMUM OF 24 MONTHS.

28 (3) THE 24-MONTH REQUIREMENT RUNS FROM THE FIRST DAY OF
29 CLASSES FOR THE SEMESTER.

30 (D) IF A RECIPIENT OF THE TUITION WAIVER UNDER THIS SECTION IS
31 DISCHARGED FROM THE MARYLAND NATIONAL GUARD FOR A REASON
32 DESIGNATED BY THE MARYLAND ADJUTANT GENERAL, THE TUITION WAIVER
33 TERMINATES AND THE MEMBER OWES THE INSTITUTION WITHIN 30 DAYS OF
34 DISCHARGE THE AMOUNT OF THE TUITION WAIVED FOR THAT SEMESTER.

35 (E) (1) THE PRESIDENT OF AN INSTITUTION MAY WAIVE UP TO 100% OF THE
36 TUITION OF ANY SCHEDULED CREDIT OR NONCREDIT COURSE, REGARDLESS OF
37 WHETHER REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE, FOR A MEMBER
38 OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER THIS SECTION.

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1 (2) THE PRESIDENT OF AN INSTITUTION MAY WAIVE FEES FOR A
2 MEMBER OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER THIS
3 SECTION.

4 14-108.

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

7 (2) "INSTITUTION" MEANS MORGAN STATE UNIVERSITY.

8 (3) "MEMBER OF THE MARYLAND NATIONAL GUARD" MEANS ANY
9 RESIDENT OF THE STATE WHO:

10 (I) IS REGULARLY ENLISTED IN THE MARYLAND NATIONAL
11 GUARD; OR

12 (II) HOLDS A COMMISSION IN THE MARYLAND NATIONAL GUARD
13 AS:

14 1. AN OFFICER IN THE GRADE OF CAPTAIN OR BELOW; OR

15 2. A WARRANT OFFICER.

16 (4) "TUITION" MEANS THE BASIC INSTRUCTIONAL CHARGE FOR
17 COURSES AND DOES NOT PERTAIN TO SELF-SUPPORTING PROGRAMS OR INCLUDE
18 FEES, SUCH AS THOSE FOR REGISTRATION, APPLICATION, OR LABORATORY WORK.

19 (5) "TUITION WAIVER" MEANS THE WAIVER OF ONE-HALF OF THE
20 TUITION CHARGED FOR A CREDIT OR NONCREDIT COURSE.

21 (B) AN INSTITUTION SHALL WAIVE ONE-HALF OF THE TUITION OF ANY
22 SCHEDULED CREDIT OR NONCREDIT COURSE FOR A MEMBER OF THE MARYLAND
23 NATIONAL GUARD IF:

24 (1) THE MEMBER IS ENROLLED AT THE INSTITUTION;

25 (2) THE MEMBER IS CERTIFIED AS ELIGIBLE BY THE MARYLAND
26 ADJUTANT GENERAL, AS PROVIDED UNDER SUBSECTION (C) OF THIS SECTION;

27 (3) THE MEMBER IS NOT RECEIVING A TUITION WAIVER FOR MORE
28 THAN FIVE COURSES PER TERM; AND

29 (4) REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE.

30 (C) (1) PRIOR TO RECEIVING A TUITION WAIVER UNDER THIS SECTION,
31 THE MARYLAND ADJUTANT GENERAL MUST CERTIFY THAT A MEMBER OF THE
32 MARYLAND NATIONAL GUARD IS ELIGIBLE.

33 (2) THE MARYLAND ADJUTANT GENERAL MAY NOT CERTIFY A
34 MEMBER AS ELIGIBLE UNLESS THE MEMBER:

35 (I) IF ENLISTED, HAS AT LEAST 24 MONTHS REMAINING TO SERVE
36 ON THE MEMBER'S CURRENT ENLISTMENT; OR

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1 (II) IF AN OFFICER OR WARRANT OFFICER, THE MEMBER AGREES
2 IN WRITING TO SERVE FOR A MINIMUM OF 24 MONTHS.

3 (3) THE 24-MONTH REQUIREMENT RUNS FROM THE FIRST DAY OF
4 CLASSES FOR THE SEMESTER.

5 (D) IF A RECIPIENT OF THE TUITION WAIVER UNDER THIS SECTION IS
6 DISCHARGED FROM THE MARYLAND NATIONAL GUARD FOR A REASON
7 DESIGNATED BY THE MARYLAND ADJUTANT GENERAL, THE TUITION WAIVER
8 TERMINATES AND THE MEMBER OWES THE INSTITUTION WITHIN 30 DAYS OF
9 DISCHARGE THE AMOUNT OF THE TUITION WAIVED FOR THAT SEMESTER.

10 (E) (1) THE PRESIDENT OF AN INSTITUTION MAY WAIVE UP TO 100% OF THE
11 TUITION OF ANY SCHEDULED CREDIT OR NONCREDIT COURSE, REGARDLESS OF
12 WHETHER REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE, FOR A MEMBER
13 OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER THIS SECTION.

14 (2) THE PRESIDENT OF AN INSTITUTION MAY WAIVE FEES FOR A
15 MEMBER OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER THIS
16 SECTION.

17 14-209.

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

20 (2) "INSTITUTION" MEANS ST. MARY'S COLLEGE.

21 (3) "MEMBER OF THE MARYLAND NATIONAL GUARD" MEANS ANY
22 RESIDENT OF THE STATE WHO:

23 (I) IS REGULARLY ENLISTED IN THE MARYLAND NATIONAL
24 GUARD; OR

25 (II) HOLDS A COMMISSION IN THE MARYLAND NATIONAL GUARD
26 AS:

27 1. AN OFFICER IN THE GRADE OF CAPTAIN OR BELOW; OR

28 2. A WARRANT OFFICER.

29 (4) "TUITION" MEANS THE BASIC INSTRUCTIONAL CHARGE FOR
30 COURSES AND DOES NOT PERTAIN TO SELF-SUPPORTING PROGRAMS OR INCLUDE
31 FEES, SUCH AS THOSE FOR REGISTRATION, APPLICATION, OR LABORATORY WORK.

32 (5) "TUITION WAIVER" MEANS THE WAIVER OF ONE-HALF OF THE
33 TUITION CHARGED FOR A CREDIT OR NONCREDIT COURSE.

34 (B) AN INSTITUTION SHALL WAIVE ONE-HALF OF THE TUITION OF ANY
35 SCHEDULED CREDIT OR NONCREDIT COURSE FOR A MEMBER OF THE MARYLAND
36 NATIONAL GUARD IF:

37 (1) THE MEMBER IS ENROLLED AT THE INSTITUTION;

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1 (2) THE MEMBER IS CERTIFIED AS ELIGIBLE BY THE MARYLAND
2 ADJUTANT GENERAL, AS PROVIDED UNDER SUBSECTION (C) OF THIS SECTION;

3 (3) THE MEMBER IS NOT RECEIVING A TUITION WAIVER FOR MORE
4 THAN FIVE COURSES PER TERM; AND

5 (4) REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE.

6 (C) (1) PRIOR TO RECEIVING A TUITION WAIVER UNDER THIS SECTION,
7 THE MARYLAND ADJUTANT GENERAL MUST CERTIFY THAT A MEMBER OF THE
8 MARYLAND NATIONAL GUARD IS ELIGIBLE.

9 (2) THE MARYLAND ADJUTANT GENERAL MAY NOT CERTIFY A
10 MEMBER AS ELIGIBLE UNLESS THE MEMBER:

11 (I) IF ENLISTED, HAS AT LEAST 24 MONTHS REMAINING TO SERVE
12 ON THE MEMBER'S CURRENT ENLISTMENT; OR

13 (II) IF AN OFFICER OR WARRANT OFFICER, THE MEMBER AGREES
14 IN WRITING TO SERVE FOR A MINIMUM OF 24 MONTHS.

15 (3) THE 24-MONTH REQUIREMENT RUNS FROM THE FIRST DAY OF
16 CLASSES FOR THE SEMESTER.

17 (D) IF A RECIPIENT OF THE TUITION WAIVER UNDER THIS SECTION IS
18 DISCHARGED FROM THE MARYLAND NATIONAL GUARD FOR A REASON
19 DESIGNATED BY THE MARYLAND ADJUTANT GENERAL, THE TUITION WAIVER
20 TERMINATES AND THE MEMBER OWES THE INSTITUTION WITHIN 30 DAYS OF
21 DISCHARGE THE AMOUNT OF THE TUITION WAIVED FOR THAT SEMESTER.

22 (E) (1) THE PRESIDENT OF AN INSTITUTION MAY WAIVE UP TO 100% OF THE
23 TUITION OF ANY SCHEDULED CREDIT OR NONCREDIT COURSE, REGARDLESS OF
24 WHETHER REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE, FOR A MEMBER
25 OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER THIS SECTION.

26 (2) THE PRESIDENT OF AN INSTITUTION MAY WAIVE FEES FOR A
27 MEMBER OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER THIS
28 SECTION.

29 16-205.

30 (E) (1) (I) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
31 MEANINGS INDICATED.

32 (II) "INSTITUTION" MEANS A COMMUNITY COLLEGE LOCATED IN
33 THE STATE.

34 (III) "MEMBER OF THE MARYLAND NATIONAL GUARD" MEANS ANY
35 RESIDENT OF THE STATE WHO:

36 1. IS REGULARLY ENLISTED IN THE MARYLAND NATIONAL
37 GUARD; OR

6

1 2. HOLDS A COMMISSION IN THE MARYLAND NATIONAL
2 GUARD AS:

3 A. AN OFFICER IN THE GRADE OF CAPTAIN OR BELOW; OR

4 B. A WARRANT OFFICER.

5 (IV) "TUITION" MEANS THE BASIC INSTRUCTIONAL CHARGE FOR
6 COURSES AND DOES NOT PERTAIN TO SELF-SUPPORTING PROGRAMS OR INCLUDE
7 FEES, SUCH AS THOSE FOR REGISTRATION, APPLICATION, OR LABORATORY WORK.

8 (V) "TUITION WAIVER" MEANS THE WAIVER OF ONE-HALF OF THE
9 TUITION CHARGED FOR A CREDIT OR NONCREDIT COURSE.

10 (2) AN INSTITUTION SHALL WAIVE ONE-HALF OF THE TUITION OF ANY
11 SCHEDULED CREDIT OR NONCREDIT COURSE FOR A MEMBER OF THE MARYLAND
12 NATIONAL GUARD IF:

13 (I) THE MEMBER IS ENROLLED AT THE INSTITUTION;

14 (II) THE MEMBER IS CERTIFIED AS ELIGIBLE BY THE MARYLAND
15 ADJUTANT GENERAL, AS PROVIDED UNDER PARAGRAPH (4) OF THIS SUBSECTION;

16 (III) THE MEMBER IS NOT RECEIVING A TUITION WAIVER FOR
17 MORE THAN FIVE COURSES PER TERM; AND

18 (IV) REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE.

19 (3) A MEMBER OF THE MARYLAND NATIONAL GUARD RECEIVING A
20 TUITION WAIVER UNDER THIS SUBSECTION SHALL BE COUNTED IN COMPUTING
21 FULL-TIME EQUIVALENT ENROLLMENT UNDER § 16-403 OF THIS TITLE IF ENROLLED
22 IN ANY CLASS THAT IS ELIGIBLE FOR STATE SUPPORT.

23 (4) (I) PRIOR TO RECEIVING A TUITION WAIVER UNDER THIS
24 SECTION, THE MARYLAND ADJUTANT GENERAL MUST CERTIFY THAT A MEMBER OF
25 THE MARYLAND NATIONAL GUARD IS ELIGIBLE.

26 (II) THE MARYLAND ADJUTANT GENERAL MAY NOT CERTIFY A
27 MEMBER AS ELIGIBLE UNLESS THE MEMBER:

28 1. IF ENLISTED, HAS AT LEAST 24 MONTHS REMAINING TO
29 SERVE ON THE MEMBER'S CURRENT ENLISTMENT; OR

30 2. IF AN OFFICER OR WARRANT OFFICER, THE MEMBER
31 AGREES IN WRITING TO SERVE FOR A MINIMUM OF 24 MONTHS.

32 (III) THE 24-MONTH REQUIREMENT RUNS FROM THE FIRST DAY OF
33 CLASSES FOR THE SEMESTER.

34 (5) IF A RECIPIENT OF THE TUITION WAIVER UNDER THIS SECTION IS
35 DISCHARGED FROM THE MARYLAND NATIONAL GUARD FOR A REASON
36 DESIGNATED BY THE MARYLAND ADJUTANT GENERAL, THE TUITION WAIVER
37 TERMINATES AND THE MEMBER OWES THE INSTITUTION WITHIN 30 DAYS OF
38 DISCHARGE THE AMOUNT OF THE TUITION WAIVED FOR THAT SEMESTER.

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1 (6) (I) THE PRESIDENT OF AN INSTITUTION MAY WAIVE UP TO 100%
2 OF THE TUITION OF ANY SCHEDULED CREDIT OR NONCREDIT COURSE,
3 REGARDLESS OF WHETHER REGULARLY SCHEDULED COURSE SPACE IS AVAILABLE,
4 FOR A MEMBER OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER
5 THIS SUBSECTION.

6 (II) THE PRESIDENT OF AN INSTITUTION MAY WAIVE FEES FOR A
7 MEMBER OF THE MARYLAND NATIONAL GUARD WHO IS ELIGIBLE UNDER THIS
8 SUBSECTION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 July 1, 1996.