
By: **Delegate Kopp**

Introduced and read first time: March 3, 1999

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Higher Education Investment Program - Participation by District**
3 **of Columbia Residents**

4 FOR the purpose of expanding the Maryland Higher Education Investment Program
5 to allow certain residents of the District of Columbia to participate in the
6 Program; clarifying the status of residents of the District of Columbia for
7 acceptance at public institutions of higher education in the State and for tuition
8 charged at public institutions of higher education in the State; and generally
9 relating to the Maryland Higher Education Investment Program.

10 BY repealing and reenacting, with amendments,
11 Article - Education
12 Section 18-1901
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1998 Supplement)
15 (As enacted by Chapter 110 of the Acts of the General Assembly of 1997)

16 BY repealing and reenacting, with amendments,
17 Article - Education
18 Section 18-1902 and 18-1909(b)
19 Annotated Code of Maryland
20 (1997 Replacement Volume and 1998 Supplement)

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

23 **Article - Education**

24 18-1901.

25 (a) In this subtitle the following words have the meanings indicated.

26 (b) "Board" means the Board of the Maryland Higher Education Investment
27 Program.

1 (c) "Program" means the Maryland Higher Education Investment Program.

2 (d) "Higher education investment contract" means a contract between the
3 Board and a purchaser under the provisions of this subtitle for the advance payment
4 of undergraduate tuition at a fixed and guaranteed level by the purchaser for a
5 qualified beneficiary to attend an institution of higher education in the State, if the
6 qualified beneficiary is admitted to the institution.

7 (e) "Purchaser" means an individual who:

8 (1) Makes or undertakes the obligation to make advance payments of
9 undergraduate tuition as provided under a higher education investment contract; and

10 (2) Except as provided in § 18-1909(b) of this subtitle, is a resident of
11 Maryland OR OF THE DISTRICT OF COLUMBIA at the time that the purchaser enters
12 into a higher education investment contract.

13 (f) "Qualified beneficiary" means an individual who:

14 (1) Is eligible to apply advance tuition payments to undergraduate
15 tuition at an institution of higher education in the State under the provisions of this
16 subtitle; and

17 (2) Except as provided in § 18-1909(b) of this subtitle, is a resident of the
18 State OR OF THE DISTRICT OF COLUMBIA at the time that the purchaser enters into a
19 higher education investment contract.

20 (g) "Tuition" means the charges imposed by an institution of higher education
21 in the State for enrollment at the institution and includes registration and all fees
22 required as a condition of enrollment.

23 18-1902.

24 It is the intent of the General Assembly to enhance the accessibility and
25 affordability of higher education for all citizens of the State AND FOR ALL CITIZENS
26 OF THE DISTRICT OF COLUMBIA by establishing a method to provide for the
27 prepayment of tuition at institutions of higher education in the State.

28 18-1909.

29 (b) (1) For the purpose of entering into a higher education investment
30 contract, either the purchaser or the qualified beneficiary must be a resident of
31 Maryland OR OF THE DISTRICT OF COLUMBIA at the time that the purchaser enters
32 into the contract.

33 (2) For the purposes of determining residency for the purchase of a
34 higher education investment contract:

35 (I) FOR RESIDENCY IN MARYLAND, "resident" has the meaning
36 stated in § 10-101(h) of the Tax - General Article; AND

1 (II) FOR RESIDENCY IN THE DISTRICT OF COLUMBIA, "RESIDENT"
2 HAS THE MEANING STATED IN § 47-1801.4 OF THE DISTRICT OF COLUMBIA CODE
3 ANNOTATED.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 1999.