
By: **Senator Hollinger**
Introduced and read first time: February 14, 2001
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Students Enrolled at Community Colleges - Out-of-County Tuition**
3 **and Fees**

4 FOR the purpose of requiring a community college to charge an out-of-county
5 student enrolled in a certain nursing program the same tuition and fees as an
6 in-county resident; and generally relating to the tuition and fees for a student
7 enrolled in an education program leading to licensure in nursing.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 16-310
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2000 Supplement)

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

15 **Article - Education**

16 16-310.

17 (a) (1) Subject to paragraphs (2), (3), and (4) of this subsection and
18 subsection (f) of this section, any student who attends a community college in this
19 State and is not a resident of this State shall pay, in addition to the student tuition
20 and fees payable by a county resident, an out-of-state fee, at least equal to:

21 (i) 60% of the county share per full-time equivalent student as
22 determined under § 16-305 of this subtitle; and

23 (ii) The marginal cost component of the State share per full-time
24 equivalent student as determined under § 16-305(c)(5) of this subtitle.

25 (2) (i) A resident of the state of West Virginia who attends Garrett
26 Community College under a negotiated reciprocity agreement between the states of
27 Maryland and West Virginia is an in-county resident for tuition purposes.

1 (ii) For each full-time equivalent student participating in the
2 reciprocity agreement, the State shall pay to Garrett Community College an amount
3 equal to the net State support per full-time equivalent student as provided in §
4 16-305 of this subtitle. For any fiscal year, if State appropriations for reimbursement
5 of any reciprocity agreements under this paragraph do not provide sufficient funds to
6 fully reimburse the college, the Governor shall include in the budget bill for the next
7 fiscal year a deficiency appropriation to provide the additional funds to fully
8 reimburse the college.

9 (iii) The Commission may make payments to effectuate the
10 provisions of this paragraph from funds specifically appropriated for this purpose as
11 provided in the State budget or any supplemental budget request.

12 (iv) The payments authorized by this paragraph are in addition to
13 the State operating fund to community colleges authorized in § 16-305(c) of this
14 subtitle.

15 (3) (i) Any student attending a community college in this State who is
16 not a resident of this State OR WHO IS A RESIDENT OF THIS STATE AND ATTENDS A
17 COMMUNITY COLLEGE NOT SUPPORTED BY THE COUNTY IN WHICH THE STUDENT
18 RESIDES and is enrolled in an education program leading to licensure in nursing shall
19 be included as an in-county resident for tuition purposes and shall be included as an
20 in-State resident for computation of the State aid to community colleges in
21 accordance with § 16-305 of this subtitle.

22 (ii) The student shall furnish a surety bond or guaranteed
23 promissory note to the State with security satisfactory to the Maryland Higher
24 Education Commission, that on completion of the Nursing Education Program, the
25 student will work for at least 2 years in a hospital or related institution as defined in
26 § 19-301 of the Health - General Article in this State.

27 (iii) The Secretary of Health and Mental Hygiene may determine if
28 there is a shortage of nurses.

29 (iv) Subject to subparagraphs (v) and (vi) of this paragraph, if the
30 Secretary determines that there is no shortage of nurses, the Nonresident Student
31 Tuition Reduction and State Aid Program established under this paragraph may not
32 be applied to any courses required for the nursing program.

33 (v) Subparagraph (iv) of this paragraph applies only to students
34 who enroll in a Nursing Education Program subsequent to the determination made
35 under subparagraph (iv) of this paragraph.

36 (vi) Subparagraph (v) of this paragraph may not affect any student
37 who is participating in the Nonresident Tuition Reduction and State Aid Program
38 prior to the determination under subparagraph (iii) of this paragraph.

39 (4) (i) Each board of community college trustees may waive the
40 out-of-state fee as determined in paragraph (1) of this subsection for a student who is
41 employed by a business located in the county that supports the community college.

1 (ii) Any student attending a community college in this State who
2 receives a tuition waiver as provided by this paragraph shall not be included as an
3 in-State resident for computation of State aid to community colleges in accordance
4 with § 16-305 of this subtitle.

5 (b) (1) Subject to the provisions of paragraphs (2) and (3) of this subsection
6 AND SUBSECTION (A)(3) OF THIS SECTION, any student who attends a community
7 college not supported by the county in which the student resides shall pay, in addition
8 to the student tuition and fees payable by a resident of a county that supports the
9 community college, an out-of-county or out-of-region fee at least equal to 60% of the
10 county share per full-time equivalent student as determined under § 16-305 of this
11 subtitle.

12 (2) (i) Any student who resides in an incorporated municipality whose
13 corporate limits extend into 2 counties in the State is considered an in-county
14 resident for tuition purposes at a community college campus located within that
15 municipality that is supported by either county.

16 (ii) If a student is considered an in-county resident under this
17 paragraph and the student does not reside in the county that supports the community
18 college, the county in which the student resides shall pay the difference between the
19 out-of-county tuition and the in-county tuition.

20 (3) Each board of community college trustees may waive the
21 out-of-county or out-of-region fee, as determined in paragraph (1) of this subsection,
22 for a student who is employed by a business located in the county that supports the
23 community college.

24 (c) Any county may appropriate money to pay the out-of-county or
25 out-of-region fees for county residents who attend a community college in this State
26 that is not supported by that county.

27 (d) (1) Notwithstanding subsection (b) of this section, if any student is a
28 resident of this State and enrolls in an instructional program that the Commission
29 designates as a health manpower shortage program or a statewide or regional
30 program, the student shall pay only the student tuition and fees payable by a resident
31 of a county that supports the community college and the Commission shall pay any
32 applicable out-of-county fee. For any fiscal year, if State appropriations to the
33 Commission for payment of any applicable out-of-county fee under this paragraph do
34 not provide sufficient funds to fully reimburse applicable out-of-county fees, the
35 Governor shall include in the budget bill for the next fiscal year a deficiency
36 appropriation to provide the additional funds to fully reimburse the out-of-county
37 fees.

38 (2) The Commission may make payments to effectuate the provisions of
39 this section from funds specifically appropriated for this purpose as provided in the
40 State budget or any supplemental budget request.

41 (e) (1) Notwithstanding subsection (b) of this section, if any student resides
42 in a county where the per capita wealth is below the State average and the county

1 does not support a community college or a branch campus of a community college,
2 except for Baltimore City, the student may enroll at a community college or a branch
3 campus in the State, either of which is located in a county adjacent to the one in
4 which the student resides, and pay only the tuition and fees applicable to a county
5 resident that supports the community college.

6 (2) For any student determined to be eligible under paragraph (1) of this
7 subsection, the Commission shall pay:

8 (i) In fiscal year 1992, 75% of any applicable out-of-county fee
9 provided that the county in which the student resides pays 25 percent of that fee; and

10 (ii) In fiscal year 1993, and each fiscal year thereafter, 50% of any
11 applicable out-of-county fee provided that the county in which the student resides
12 pays 50 percent of that fee.

13 (3) The Commission may make payments to effectuate the provisions of
14 this section from funds specifically appropriated for this purpose in the State budget
15 or any supplemental budget request.

16 (f) The provisions of this section shall be subject to any reciprocal interstate
17 agreement entered into by the Maryland Higher Education Commission under §
18 11-105(m)(2) of this article.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2001.