
By: **Delegates Hixson, Franchot, and Hurson**
Introduced and read first time: January 25, 2002
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Children of Active Guard and Reserve Duty Military**
3 **Personnel - Waiver of Tuition Charges**

4 FOR the purpose of waiving certain tuition charges at public institutions of higher
5 education in the State for the children of certain active National Guard and
6 Reserve duty personnel under certain circumstances; defining certain terms;
7 and generally relating to the waiver of tuition charges at public institutions of
8 higher education in the State for the children of active National Guard and
9 Reserve duty personnel.

10 BY adding to
11 Article - Education
12 Section 15-106.3
13 Annotated Code of Maryland
14 (2001 Replacement Volume)

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

17 **Article - Education**

18 15-106.3.

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

21 (2) "ACTIVE GUARD AND RESERVE DUTY" MEANS:

22 (I) ACTIVE DUTY OR FULL-TIME NATIONAL GUARD DUTY
23 PERFORMED BY A MEMBER OF THE RESERVE COMPONENT OF THE ARMY, NAVY, AIR
24 FORCE, OR MARINE CORPS; OR

25 (II) FULL-TIME NATIONAL GUARD DUTY PERFORMED BY A
26 MEMBER OF THE NATIONAL GUARD, PURSUANT TO AN ORDER TO ACTIVE DUTY OR
27 FULL-TIME NATIONAL GUARD DUTY FOR A PERIOD OF 180 CONSECUTIVE DAYS OR

1 MORE FOR THE PURPOSE OF ORGANIZING, ADMINISTERING, RECRUITING,
2 INSTRUCTING, OR TRAINING THE RESERVE COMPONENTS.

3 (3) (I) "TUITION" MEANS THE CHARGES IMPOSED BY A PUBLIC
4 INSTITUTION OF HIGHER EDUCATION FOR ENROLLMENT AT THE INSTITUTION.

5 (II) "TUITION" INCLUDES CHARGES FOR REGISTRATION AND ALL
6 FEES REQUIRED AS A CONDITION OF ENROLLMENT.

7 (B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, AN
8 INDIVIDUAL IS EXEMPT FROM PAYING TUITION AT A PUBLIC INSTITUTION OF
9 HIGHER EDUCATION IF THE INDIVIDUAL:

10 (I) IS THE CHILD OF A CITIZEN OF THIS STATE WHO IS ON ACTIVE
11 GUARD AND RESERVE DUTY;

12 (II) IS ENROLLED AT THE INSTITUTION ON OR BEFORE THE DATE
13 THAT THE INDIVIDUAL REACHES THE AGE OF 21 YEARS; AND

14 (III) IS ENROLLED AS A CANDIDATE FOR AN ASSOCIATE'S DEGREE
15 OR A BACHELOR'S DEGREE.

16 (2) IF A CHILD WHO QUALIFIES FOR A TUITION WAIVER UNDER
17 PARAGRAPH (1) OF THIS SUBSECTION IS THE RECIPIENT OF A SCHOLARSHIP OR
18 GRANT FOR POSTSECONDARY STUDY AND IS ENROLLED BEFORE THE RECIPIENT'S
19 21ST BIRTHDAY AS A CANDIDATE FOR AN ASSOCIATE'S DEGREE OR BACHELOR'S
20 DEGREE AT A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE RECIPIENT MAY
21 NOT BE REQUIRED TO PAY THE DIFFERENCE BETWEEN THE AMOUNT OF THE
22 SCHOLARSHIP OR GRANT AND THE AMOUNT OF THE TUITION.

23 (3) A CHILD WHO IS EXEMPT FROM TUITION UNDER THIS SECTION
24 CONTINUES TO BE EXEMPT UNTIL THE EARLIER OF:

25 (I) 5 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR AN
26 ASSOCIATE'S DEGREE OR A BACHELOR'S DEGREE AT A PUBLIC INSTITUTION OF
27 HIGHER EDUCATION IN THE STATE; OR

28 (II) THE DATE THAT THE CHILD IS AWARDED A BACHELOR'S
29 DEGREE.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2002.