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By: **Delegates Hixson, Franchot, Hurson, Shriver, Bronrott, Kopp, Barve,  
Gordon, Kagan, Grosfeld, Carlson, Menes, R. Baker, Swain, Howard,  
Griffith, Valderrama, Marriott, Gladden, Phillips, Oaks, Dobson, C.  
Davis, Paige, and Nathan-Pulliam**

Introduced and read first time: January 30, 2002

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Resident Tuition Charges - Immigrant Students**

3 FOR the purpose of establishing certain eligibility criteria for certain individuals who  
4 are citizens of a country other than the United States to qualify as residents of  
5 Maryland, under certain circumstances, for purposes of certain tuition charges  
6 at two-year or four-year public institutions of higher education in the State;  
7 and generally relating to tuition charges for certain resident noncitizens to  
8 attend two-year or four-year public institutions of higher education in the  
9 State.

10 BY adding to  
11 Article - Education  
12 Section 15-106.3  
13 Annotated Code of Maryland  
14 (1999 Replacement Volume and 2001 Supplement)

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) UNLESS A STUDENT ESTABLISHES RESIDENCY IN MARYLAND AS  
20 PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, TUITION TO ATTEND A PUBLIC  
21 INSTITUTION OF HIGHER EDUCATION IN THIS STATE FOR A STUDENT WHO IS A  
22 CITIZEN OF ANY COUNTRY OTHER THAN THE UNITED STATES IS THE SAME AS THE  
23 TUITION REQUIRED OF OTHER NONRESIDENT STUDENTS.

24 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN INDIVIDUAL  
25 SHALL BE CLASSIFIED AS A MARYLAND RESIDENT UNTIL THE INDIVIDUAL  
26 ESTABLISHES A RESIDENCE OUTSIDE THIS STATE IF THE INDIVIDUAL:

1 (1) GRADUATED FROM A PUBLIC OR PRIVATE SECONDARY SCHOOL OR  
2 RECEIVED THE EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE;

3 (2) RESIDED IN THIS STATE WITH THE INDIVIDUAL'S PARENTS,  
4 GUARDIAN, OR CONSERVATOR FOR AT LEAST 3 YEARS PRIOR TO THE DATE THE  
5 INDIVIDUAL GRADUATED FROM A PUBLIC OR PRIVATE SECONDARY SCHOOL OR  
6 RECEIVED THE EQUIVALENT OF A HIGH SCHOOL DIPLOMA;

7 (3) REGISTERS AS AN ENTERING STUDENT IN A PUBLIC INSTITUTION OF  
8 HIGHER EDUCATION IN THE STATE NOT EARLIER THAN THE 2003 FALL SEMESTER;  
9 AND

10 (4) PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER EDUCATION AN  
11 AFFIDAVIT STATING THAT THE INDIVIDUAL WILL FILE AN APPLICATION TO BECOME  
12 A PERMANENT RESIDENT WITHIN 30 DAYS AFTER THE INDIVIDUAL BECOMES  
13 ELIGIBLE TO DO SO.

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