

By: **Delegate Kagan**
Introduced and read first time: February 6, 2002
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Resident Noncitizens - Educational Opportunity**

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 public institutions of higher education in the State; and generally relating to
7 tuition charges for certain resident noncitizens to attend public institutions of
8 higher education in the State.

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

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

16 **Article - Education**

17 15-106.3.

18 (A) A STUDENT WHO IS A CITIZEN OF ANY COUNTRY OTHER THAN THE
19 UNITED STATES AND ESTABLISHES RESIDENCY IN MARYLAND AS PROVIDED UNDER
20 SUBSECTION (B) OF THIS SECTION SHALL BE CONSIDERED AN IN-STATE RESIDENT
21 STUDENT AND SHALL PAY THE SAME TUITION TO ATTEND A PUBLIC INSTITUTION OF
22 HIGHER EDUCATION IN THIS STATE AS THE TUITION REQUIRED OF OTHER IN-STATE
23 RESIDENT STUDENTS.

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

1 (1) RESIDED IN THIS STATE FOR AT LEAST 1 YEAR PRIOR TO THE DATE
2 THE INDIVIDUAL REGISTERS AS AN ENTERING STUDENT IN A PUBLIC INSTITUTION
3 OF HIGHER EDUCATION IN THE STATE;

4 (2) REGISTERS AS AN ENTERING STUDENT IN A PUBLIC INSTITUTION OF
5 HIGHER EDUCATION IN THE STATE NOT EARLIER THAN THE 2003 FALL SEMESTER;
6 AND

7 (3) PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER EDUCATION AN
8 AFFIDAVIT STATING THAT THE INDIVIDUAL WILL FILE AN APPLICATION TO BECOME
9 A LEGAL RESIDENT WITHIN 30 DAYS AFTER THE INDIVIDUAL BECOMES ELIGIBLE TO
10 DO SO.

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