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By: **Senator Pinsky**  
Introduced and read first time: February 1, 2002  
Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - In-State Tuition Rates for Nonresident Students**

3 FOR the purpose of waiving certain residency requirements for certain students;  
4 requiring the student to furnish a certain surety that upon completion of the  
5 education program the student will work for a certain period of time in certain  
6 schools; defining a certain term; and generally relating to in-State tuition  
7 status for nonresident students.

8 BY adding to  
9 Article - Education  
10 Section 15-106.3 and 16-310(a)(6)  
11 Annotated Code of Maryland  
12 (2001 Replacement Volume)

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 15-106.3.

17 (A) IN THIS SECTION, "RESIDENCY REQUIREMENT" MEANS THE  
18 REQUIREMENT OF A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION THAT A  
19 STUDENT HAS RESIDED IN THE STATE FOR 1 YEAR TO BE CONSIDERED A RESIDENT  
20 AND RECEIVE IN-STATE TUITION STATUS.

21 (B) FOR TUITION PURPOSES, A PUBLIC SENIOR HIGHER EDUCATION  
22 INSTITUTION SHALL WAIVE THE IN-STATE RESIDENCY REQUIREMENT FOR A  
23 STUDENT WHO IS ENROLLED IN AN EDUCATION PROGRAM WORKING TOWARD  
24 CERTIFICATION AND AGREES THAT, ON COMPLETION OF THE EDUCATION PROGRAM,  
25 FOR EACH YEAR THAT STUDENT RECEIVES IN-STATE TUITION, THAT STUDENT WILL  
26 WORK FOR A CORRESPONDING YEAR IN:

- 27 (1) A CHALLENGE SCHOOL;
- 28 (2) A RECONSTITUTION-ELIGIBLE SCHOOL; OR

1 (3) A SCHOOL SYSTEM THAT USES NONCERTIFIED TEACHERS FOR MORE  
2 THAN 10 PERCENT OF ITS TEACHING STAFF.

3 (C) THE STUDENT SHALL FURNISH A SURETY BOND OR GUARANTEED  
4 PROMISSORY NOTE TO THE STATE, WITH SECURITY SATISFACTORY TO THE  
5 COMMISSION, WHICH AFFIRMS SUBSECTION (B) OF THIS SECTION.

6 16-310.

7 (a) (6) (I) ANY STUDENT ATTENDING A COMMUNITY COLLEGE IN THIS  
8 STATE WHO IS NOT A RESIDENT OF THIS STATE AND IS ENROLLED IN AN EDUCATION  
9 PROGRAM WORKING TOWARD CERTIFICATION SHALL BE INCLUDED AS AN  
10 IN-COUNTY RESIDENT FOR TUITION PURPOSES AND SHALL BE INCLUDED AS AN  
11 IN-STATE RESIDENT FOR COMPUTATION OF THE STATE AID TO COMMUNITY  
12 COLLEGES IN ACCORDANCE WITH § 16-305 OF THIS SUBTITLE, IF, FOR EACH YEAR  
13 THAT STUDENT RECEIVES IN-COUNTY AND IN-STATE TUITION, THAT STUDENT  
14 AGREES THAT, ON COMPLETION OF THE EDUCATION PROGRAM, THAT STUDENT WILL  
15 WORK FOR A CORRESPONDING YEAR IN:

16 1. A CHALLENGE SCHOOL;

17 2. A RECONSTITUTION-ELIGIBLE SCHOOL; OR

18 3. A SCHOOL SYSTEM THAT USES NONCERTIFIED TEACHERS  
19 FOR MORE THAN 10 PERCENT OF ITS TEACHING STAFF.

20 (II) THE STUDENT SHALL FURNISH A SURETY BOND OR  
21 GUARANTEED PROMISSORY NOTE TO THE STATE, WITH SECURITY SATISFACTORY TO  
22 THE COMMISSION, WHICH AFFIRMS SUBPARAGRAPH (I) OF THIS PARAGRAPH.

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