

HOUSE BILL 253

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HB 426/02 - W&M

2003 Regular Session
3r0845
CF 3r2204

By: **Delegates Hixson, Barve, Benson, Bromwell, Bronrott, Brown, Burns, Cadden, Cardin, V. Clagett, Conroy, C. Davis, Dumais, Feldman, Franchot, Frush, Goldwater, Gordon, Gutierrez, Healey, Howard, Jones, King, Lee, Madaleno, Mandel, Marriott, McIntosh, Montgomery, Murray, Nathan-Pulliam, Niemann, Paige, Patterson, Petzold, Ramirez, Ross, Simmons, Taylor, F. Turner, ~~and Vaughn~~ Vaughn, and Heller**

Introduced and read first time: January 30, 2003
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 18, 2003

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of establishing that certain individuals, other than certain
4 nonresident aliens, shall be exempt from paying nonresident tuition at certain
5 public institutions of higher education under certain circumstances; prohibiting
6 certain institutions of higher education from awarding degrees to certain
7 individuals under certain circumstances; requiring the Maryland Higher
8 Education Commission to adopt certain regulations; and generally relating to
9 tuition charges for certain individuals attending public institutions of higher
10 education in the State.

11 BY adding to
12 Article - Education
13 Section 15-106.3
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2002 Supplement)

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

1

Article - Education

2 15-106.3.

3 (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN
4 INDIVIDUAL OTHER THAN A NONIMMIGRANT ALIEN WITHIN THE MEANING OF TITLE
5 8, § 1101(A)(15) OF THE UNITED STATES CODE, SHALL BE EXEMPT FROM PAYING
6 NONRESIDENT TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IF THE
7 INDIVIDUAL:

8 (1) ATTENDED A PUBLIC OR PRIVATE SECONDARY SCHOOL IN THIS
9 STATE FOR AT LEAST 3 YEARS;

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

13 (3) REGISTERS AS AN ENTERING STUDENT IN A PUBLIC INSTITUTION OF
14 HIGHER EDUCATION IN THIS STATE NOT EARLIER THAN THE 2003 FALL SEMESTER;

15 (4) PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER EDUCATION AN
16 AFFIDAVIT STATING THAT THE INDIVIDUAL WILL FILE AN APPLICATION TO BECOME
17 A PERMANENT RESIDENT WITHIN 30 DAYS AFTER THE INDIVIDUAL BECOMES
18 ELIGIBLE TO DO SO; AND

19 (5) MAKES APPLICATION TO ATTEND A PUBLIC INSTITUTION OF HIGHER
20 EDUCATION IN THIS STATE NOT LATER THAN 5 YEARS AFTER GRADUATING FROM A
21 PUBLIC OR PRIVATE SECONDARY SCHOOL IN THIS STATE OR RECEIVING THE
22 EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE.

23 (B) A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT AWARD A
24 DEGREE TO AN INDIVIDUAL WHO QUALIFIES FOR RESIDENT TUITION CHARGES
25 UNDER THIS SECTION UNTIL:

26 (1) THE INDIVIDUAL FILES THE AFFIDAVIT SPECIFIED UNDER THIS
27 SECTION; OR

28 (2) PAYS THE DIFFERENCE BETWEEN THE TUITION CHARGES FOR A
29 NONRESIDENT STUDENT AND THE TUITION CHARGES FOR A RESIDENT STUDENT AT
30 THE INSTITUTION.

31 (C) THE COMMISSION SHALL ADOPT REGULATIONS IN ACCORDANCE WITH
32 TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE TO IMPLEMENT THE
33 PROVISIONS OF THIS SECTION.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 July 1, 2003.

