
By: **Delegates G. Clagett, Bobo, Conroy, DeBoy, James, King, Leopold,
Madaleno, Mandel, Parker, Parrott, and Pendergrass**

Introduced and read first time: January 21, 2004

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Resident Tuition Charges - United States Military**
3 **Personnel, Spouses, and Dependents**

4 FOR the purpose of establishing that certain military personnel, spouses, and
5 dependents of military personnel, and certain veterans are exempt from paying
6 nonresident tuition at certain public institutions of higher education under
7 certain circumstances; requiring the Maryland Higher Education Commission to
8 adopt certain regulations; and generally relating to tuition charges for certain
9 individuals attending public institutions of higher education in the State.

10 BY adding to
11 Article - Education
12 Section 15-106.3
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2003 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) THIS SECTION APPLIES TO THE FOLLOWING INDIVIDUALS:

20 (1) AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES;

21 (2) THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES
22 ARMED FORCES;

23 (3) A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER OF
24 THE UNITED STATES ARMED FORCES; OR

25 (4) AN HONORABLY DISCHARGED VETERAN OF THE UNITED STATES
26 ARMED FORCES.

1 (B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN
2 INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS EXEMPT FROM
3 PAYING NONRESIDENT TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION
4 IN THIS STATE IF:

5 (1) THE ACTIVE DUTY MEMBER REFERRED TO IN SUBSECTION (A) OF
6 THIS SECTION:

7 (I) IS STATIONED IN THIS STATE;

8 (II) RESIDES IN THIS STATE; OR

9 (III) IS DOMICILED IN THIS STATE; OR

10 (2) THE HONORABLY DISCHARGED VETERAN PRESENTS THE
11 FOLLOWING DOCUMENTATION WITHIN 1 YEAR AFTER THE VETERAN'S DISCHARGE:

12 (I) EVIDENCE THAT THE VETERAN ATTENDED A PUBLIC OR
13 PRIVATE SECONDARY SCHOOL IN THIS STATE FOR AT LEAST 3 YEARS; AND

14 (II) DOCUMENTATION THAT THE VETERAN GRADUATED FROM A
15 PUBLIC OR PRIVATE SECONDARY SCHOOL IN THIS STATE OR RECEIVED THE
16 EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THIS STATE.

17 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A SPOUSE
18 OR FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY MEMBER WHO IS EXEMPT
19 FROM PAYING NONRESIDENT TUITION UNDER SUBSECTION (B) OF THIS SECTION
20 SHALL CONTINUE TO BE EXEMPT FROM PAYING NONRESIDENT TUITION IF:

21 (1) THE ACTIVE DUTY MEMBER NO LONGER MEETS THE REQUIREMENTS
22 OF SUBSECTION (B)(1) OF THIS SECTION; AND

23 (2) THE SPOUSE OR FINANCIALLY DEPENDENT CHILD REMAINS
24 CONTINUOUSLY ENROLLED AT THE INSTITUTION OF HIGHER EDUCATION.

25 (D) THE COMMISSION SHALL ADOPT REGULATIONS IN ACCORDANCE WITH
26 TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE TO IMPLEMENT THE
27 PROVISIONS OF THIS SECTION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2004.