

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 322 (Chairman, Ways and Means Committee)
(By Request – Departmental – Higher Education Commission)
Ways and Means Education, Health, and Environmental Affairs

Higher Education - Community Colleges - Tuition Waiver for Certain Students

This departmental bill clarifies that an individual with disabilities who receives a tuition exemption at a community college need only obtain certification that the individual receives either disability benefits or retirement benefits to qualify for the exemption. The individual need not obtain certification that both disability and retirement benefits are received.

The bill takes effect July 1, 2004.

Fiscal Summary

State Effect: None. The bill clarifies current practice.

Local Effect: None. The bill clarifies existing practice at the community colleges.

Small Business Effect: The Maryland Higher Education Commission (MHEC) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: A resident of the State who is retired from the workforce due to total and permanent disability and enrolls at a community college in a class that has at least 10 students is exempt from paying tuition. In order to receive the exemption, the individual

must obtain certification that the individual receives the appropriate disability and retirement benefits.

In practice, individuals with disabilities only need to obtain certification that they are receiving either disability or retirement benefits, not both.

Background: MHEC advises that the bill is proposed to create consistency with the Social Security Act and the Railroad Retirement Act, which do not allow an individual to receive both disability and retirement benefits at the same time. As the State law currently reads, nobody would qualify for the tuition exemption under this provision.

In practice, community colleges accept certification of the receipt of either disability or retirement benefits, and do not require individuals with disabilities to receive both types of benefits to qualify for tuition exemptions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Higher Education Commission, Baltimore City Community College, Department of Legislative Services

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