

# HOUSE BILL 6

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71r0399

(PRE-FILED)

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By: ~~Delegate Ramirez~~ Delegates Ramirez, Hixson, Ali, Barkley, Barnes, Bobo, Cane, Frush, Gilchrist, Harrison, Healey, Heller, Holmes, Howard, Hubbard, Ivey, N. King, Lee, Mizeur, Montgomery, Nathan-Pulliam, Niemann, Pena-Melnyk, Rice, Rosenberg, Ross, Stukes, Taylor, and Walker

Requested: October 2, 2006

Introduced and read first time: January 10, 2007

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 22, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education – Tuition Charges – Maryland High School Students**

3 FOR the purpose of establishing that certain individuals, other than certain  
4 nonresident individuals, shall be exempt from paying nonresident tuition at  
5 certain public institutions of higher education under certain circumstances;  
6 requiring certain individuals to provide certain documentation regarding  
7 Maryland income tax withholding; ~~requiring the Maryland Higher Education~~  
8 ~~Commission to adopt certain regulations~~ requiring the governing board of each  
9 public institution of higher education to adopt certain policies; and generally  
10 relating to tuition charges for certain individuals attending public institutions  
11 of higher education in the State.

12 BY adding to

13 Article – Education

14 Section 15–106.6

15 Annotated Code of Maryland

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2006 Replacement Volume)

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

4 **Article - Education**

5 **15-106.6.**

6 (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN  
7 INDIVIDUAL, OTHER THAN A STUDENT WITHIN THE MEANING OF TITLE 8, §  
8 1101(A)(15) OF THE UNITED STATES CODE, SHALL BE EXEMPT FROM PAYING  
9 THE NONRESIDENT TUITION RATE AT A PUBLIC INSTITUTION OF HIGHER  
10 EDUCATION REGARDLESS OF RESIDENCY IF THE INDIVIDUAL:

11 (1) ATTENDED A PUBLIC OR NONPUBLIC SECONDARY SCHOOL IN  
12 THIS STATE FOR AT LEAST 2 YEARS;

13 (2) GRADUATED FROM A PUBLIC OR NONPUBLIC SECONDARY  
14 SCHOOL IN THIS STATE OR RECEIVED THE EQUIVALENT OF A HIGH SCHOOL  
15 DIPLOMA IN THIS STATE;

16 (3) REGISTERS AS AN ENTERING STUDENT IN A PUBLIC  
17 INSTITUTION OF HIGHER EDUCATION IN THIS STATE NOT EARLIER THAN THE  
18 2007 FALL SEMESTER;

19 (4) PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER  
20 EDUCATION DOCUMENTATION THAT THE INDIVIDUAL OR THE INDIVIDUAL'S  
21 PARENT OR GUARDIAN HAS HAD MARYLAND INCOME TAX WITHHELD DURING  
22 THE YEAR PRIOR TO THE INDIVIDUAL GRADUATING FROM A PUBLIC OR  
23 NONPUBLIC SECONDARY SCHOOL IN THIS STATE;

24 ~~(4)~~ (5) IN THE CASE OF AN INDIVIDUAL WHO IS NOT A  
25 PERMANENT RESIDENT, PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER  
26 EDUCATION AN AFFIDAVIT STATING THAT THE INDIVIDUAL WILL FILE AN  
27 APPLICATION TO BECOME A PERMANENT RESIDENT WITHIN 30 DAYS AFTER THE  
28 INDIVIDUAL BECOMES ELIGIBLE TO DO SO; AND

29 ~~(5)~~ (6) MAKES OR HAS MADE AN APPLICATION TO ATTEND A  
30 PUBLIC INSTITUTION OF HIGHER EDUCATION IN THIS STATE NOT LATER THAN 5

1 **3 YEARS AFTER GRADUATING FROM A PUBLIC OR NONPUBLIC SECONDARY**  
2 **SCHOOL IN THIS STATE OR RECEIVING THE EQUIVALENT OF A HIGH SCHOOL**  
3 **DIPLOMA IN THIS STATE.**

4 (B) ~~THE COMMISSION GOVERNING BOARD OF EACH PUBLIC~~  
5 ~~INSTITUTION OF HIGHER EDUCATION SHALL ADOPT REGULATIONS IN~~  
6 ~~ACCORDANCE WITH TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT~~  
7 ~~ARTICLE APPROPRIATE POLICIES~~ TO IMPLEMENT THE PROVISIONS OF THIS  
8 SECTION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 July 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.