

HOUSE BILL 1309

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71r3129

By: **Delegates Jones, Barkley, Bohanan, Branch, Burns, Conway, Gaines, James, Nathan-Pulliam, and Proctor**

Introduced and read first time: February 26, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Foster Care Recipients – Waiver of Tuition and Fees**

3 FOR the purpose of clarifying the definition of a foster care recipient; providing that
4 certain foster youth placed by the Department of Human Resources in
5 out-of-home placements other than foster care homes may be eligible for waiver
6 of certain tuition and fees at certain institutions of higher education; and
7 generally relating to the waiver of tuition and fees at certain institutions of
8 higher education for foster care recipients.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 15–106.1
12 Annotated Code of Maryland
13 (2006 Replacement Volume)

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

16 **Article – Education**

17 15–106.1.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Foster care recipient” means an individual who:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Was placed in [a foster care home] **AN OUT-OF-HOME**
2 **PLACEMENT** by the Maryland Department of Human Resources; and

3 (ii) 1. Resided in [a foster care home] **AN OUT-OF-HOME**
4 **PLACEMENT** in the State at the time the individual graduated from high school or
5 successfully completed a general equivalency development examination (GED); or

6 2. A. Resided in [a foster care home] **AN OUT-OF-HOME**
7 **PLACEMENT** in the State on the individual's 14th birthday; and

8 B. Was adopted out of [a foster care home] **AN**
9 **OUT-OF-HOME PLACEMENT** after the individual's 14th birthday.

10 **(3) "OUT-OF-HOME PLACEMENT" HAS THE MEANING STATED IN §**
11 **5-501 OF THE FAMILY LAW ARTICLE.**

12 ~~[(3)]~~ **(4)** (i) "Tuition" means the charges imposed by a public
13 institution of higher education for enrollment at the institution.

14 (ii) "Tuition" includes charges for registration and all fees
15 required as a condition of enrollment.

16 (b) (1) Except as provided in paragraph (2) of this subsection, a foster care
17 recipient is exempt from paying tuition at a public institution of higher education if:

18 (i) The foster care recipient is enrolled at the institution on or
19 before the date that the foster care recipient reaches the age of 21 years;

20 (ii) The foster care recipient is enrolled as a candidate for an
21 associate's degree or a bachelor's degree; and

22 (iii) The foster care recipient has filed for federal and State
23 financial aid by March 1 each year.

24 (2) If a foster care recipient receives a scholarship or grant for
25 postsecondary study and is enrolled before the recipient's 21st birthday as a candidate
26 for an associate's degree or bachelor's degree at a public institution of higher
27 education, the foster care recipient may not be required to pay the difference between
28 the amount of the scholarship or grant and the amount of the tuition.

1 (3) A foster care recipient who is exempt from tuition under this
2 section continues to be exempt until the earlier of:

3 (i) 5 years after first enrolling as a candidate for an associate's
4 degree or a bachelor's degree at a public institution of higher education in the State; or

5 (ii) The date that the foster care recipient is awarded a
6 bachelor's degree.

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