

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

Re-referred to: Appropriations, March 12, 2007

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2007

CHAPTER _____

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**

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 15-106.1.

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

3 (2) "Foster care recipient" means an individual who:

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

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

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

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

13 (3) **"OUT-OF-HOME PLACEMENT" HAS THE MEANING STATED IN §**
14 **5-501 OF THE FAMILY LAW ARTICLE.**

15 [(3)] (4) (i) "Tuition" means the charges imposed by a public
16 institution of higher education for enrollment at the institution.

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

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

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

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

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

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.