

SENATE BILL 40

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8lr1074

By: **Senators Harris, Colburn, and Greenip**

Introduced and read first time: January 10, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Prohibition on Illegal Aliens from Receiving In-State**
3 **Tuition Status**

4 FOR the purpose of prohibiting public institutions of higher education from classifying
5 certain individuals as in-State students for purposes of tuition remission;
6 requiring the governing board of each public institution of higher education to
7 adopt certain policies; defining a certain term; and generally relating to tuition
8 charges for certain individuals attending public institutions of higher education
9 in the State.

10 BY adding to

11 Article – Education

12 Section 15–106.7

13 Annotated Code of Maryland

14 (2006 Replacement Volume and 2007 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 **15–106.7.**

19 (A) **IN THIS SECTION, “INSTITUTION OF HIGHER EDUCATION” HAS THE**
20 **MEANING STATED IN § 10–101 OF THIS ARTICLE.**

21 (B) **NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A**
22 **PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT CLASSIFY AN**
23 **INDIVIDUAL AS A RESIDENT FOR PURPOSES OF TUITION REMISSION IF THE**
24 **INDIVIDUAL CANNOT PROVIDE THE INSTITUTION DOCUMENTATION CERTIFYING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 THAT THE INDIVIDUAL IS LAWFULLY PRESENT IN THE UNITED STATES IN
2 ACCORDANCE WITH FEDERAL LAW.

3 (C) THE GOVERNING BOARD OF EACH PUBLIC INSTITUTION OF HIGHER
4 EDUCATION SHALL ADOPT APPROPRIATE POLICIES TO IMPLEMENT THE
5 PROVISIONS OF THIS SECTION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2008.