

HOUSE BILL 538

F2, D4, O1

9lr2596
CF SB 372

By: **Delegates Jones, Branch, Burns, Nathan-Pulliam, and Robinson**

Introduced and read first time: February 5, 2009

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Foster Care - Tuition Exemption - Expanded Eligibility**

3 FOR the purpose of altering a certain definition to include younger siblings of an
4 adopted individual if the younger sibling is adopted concurrently with the older
5 sibling for purposes of determining eligibility for a certain tuition exemption;
6 and generally related to tuition exemption for foster care recipients.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 15-106.1
10 Annotated Code of Maryland
11 (2008 Replacement Volume)

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

14 **Article - Education**

15 15-106.1.

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

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

18 [(i)] 1. Was placed in an out-of-home placement by the
19 Maryland Department of Human Resources; and

20 [(ii)] 1.] 2. A. Resided in an out-of-home placement in the
21 State at the time the individual graduated from high school or successfully completed
22 a general equivalency development examination (GED); or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [2. A.] B. Resided in an out-of-home placement in the
2 State on the individual's 14th birthday[; and

3 B. Was] AND WAS adopted out of an out-of-home
4 placement after the individual's 14th birthday.

5 (II) **“FOSTER CARE RECIPIENT” INCLUDES A YOUNGER**
6 **SIBLING OF AN INDIVIDUAL DESCRIBED IN SUBPARAGRAPH (I) OF THIS**
7 **PARAGRAPH IF THE YOUNGER SIBLING IS CONCURRENTLY ADOPTED OUT OF AN**
8 **OUT-OF-HOME PLACEMENT IN ACCORDANCE WITH § 5-525.2(A) OF THE FAMILY**
9 **LAW ARTICLE.**

10 (3) “Out-of-home placement” has the meaning stated in § 5-501 of the
11 Family Law Article.

12 (4) (i) “Tuition” means the charges imposed by a public institution
13 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.

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

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

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.