

# HOUSE BILL 538

F2, D4, O1

9lr2596  
CF SB 372

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

Introduced and read first time: February 5, 2009

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2009

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

1 AN ACT concerning

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

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

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 15–106.1  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume)

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

15 **Article – Education**

16 15–106.1.

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

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

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

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

6                    [2. A.] B. Resided in an out-of-home placement in the  
7 State on the individual's ~~14th~~ 13TH birthday; and

8                    B. Was] AND WAS adopted out of an out-of-home  
9 placement after the individual's ~~14th~~ 13TH birthday.

10                    (II) **“FOSTER CARE RECIPIENT” INCLUDES A YOUNGER**  
11 **SIBLING OF AN INDIVIDUAL DESCRIBED IN SUBPARAGRAPH (I) OF THIS**  
12 **PARAGRAPH IF THE YOUNGER SIBLING IS CONCURRENTLY ADOPTED OUT OF AN**  
13 **OUT-OF-HOME PLACEMENT IN ACCORDANCE WITH § 5-525.2(A) OF THE FAMILY**  
14 **LAW ARTICLE BY THE SAME ADOPTIVE FAMILY.**

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

17                    (4) (i) “Tuition” means the charges imposed by a public institution  
18 of higher education for enrollment at the institution.

19                    (ii) “Tuition” includes charges for registration and all fees  
20 required as a condition of enrollment.

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

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

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

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

29                    (2) If a foster care recipient receives a scholarship or grant for  
30 postsecondary study and is enrolled before the recipient's 21st birthday as a candidate  
31 for an associate's degree or bachelor's degree at a public institution of higher  
32 education, the foster care recipient may not be required to pay the difference between  
33 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 October 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.