

HOUSE BILL 802

F2

9lr2211

By: **Delegate McDonough**

Introduced and read first time: February 11, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education – Resident Tuition – Determinations**
3 **of Eligibility for Illegal Immigrants**

4 FOR the purpose of prohibiting certain public institutions of higher education from
5 determining certain individuals are eligible for the resident tuition rate until
6 the institution has made a certain determination regarding the admission
7 applications of certain individuals during a certain period of time; requiring the
8 governing board of each public institution of higher education to adopt certain
9 policies; and generally relating to eligibility determinations for tuition charges
10 for certain individuals attending public institutions of higher education.

11 BY adding to
12 Article – Education
13 Section 15–106.7
14 Annotated Code of Maryland
15 (2008 Replacement Volume)

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

18 **Article – Education**

19 **15–106.7.**

20 (A) A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT
21 DETERMINE THAT AN INDIVIDUAL WHO IS NOT A CITIZEN OR PERMANENT
22 RESIDENT OF THE UNITED STATES, OTHER THAN A STUDENT WITHIN THE
23 MEANING OF TITLE 8, § 1101(A)(15) OF THE UNITED STATES CODE, QUALIFIES
24 FOR THE INSTITUTION’S RESIDENT TUITION RATE UNTIL THE INSTITUTION HAS
25 MADE A FINAL DETERMINATION OF ACCEPTANCE OR REJECTION OF THE

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **ADMISSION APPLICATIONS OF ALL OTHER INDIVIDUALS WHO ARE LEGAL**
2 **RESIDENTS WHO APPLIED TO THE INSTITUTION IN THE SAME ADMISSION CYCLE.**

3 **(B) 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, 2009.