

HOUSE BILL 923

F2

(9lr1454)

ENROLLED BILL

—Ways and Means/Education, Health, and Environmental Affairs—

Introduced by **Delegate Rudolph**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Higher Education - Community Colleges - BRAC - Exemption from**
3 **Out-of-State and Out-of-County Fees**

4 FOR the purpose of exempting certain employees and their family members as part of
5 the Base Realignment and Closure (BRAC) process from paying a certain
6 out-of-state or out-of-county fee at community colleges in the State;
7 authorizing each board of community college trustees to waive a certain
8 out-of-state fee and out-of-county or out-of-region fee for certain students;
9 requiring that certain students be included as in-State residents for a certain
10 computation of State aid; authorizing the Board of Trustees of Baltimore City
11 Community College to waive a certain out-of-state fee for certain students;
12 defining a certain term; and generally relating to an exemption from the
13 out-of-state and out-of-county fees for BRAC employees and their family
14 members.

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.

Italics indicate opposite chamber committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article – Education
 3 Section 16–310(a)(1) and (b)(1)
 4 Annotated Code of Maryland
 5 (2008 Replacement Volume)

6 BY adding to
 7 Article – Education
 8 Section 16–310(a)(6) and (b)(4) and 16–505(g)(2)(iv) and (v)
 9 Annotated Code of Maryland
 10 (2008 Replacement Volume)

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

13 **Article – Education**

14 16–310.

15 (a) (1) Subject to paragraphs (2), (3), (4), [and] (5), **AND (6)** of this
 16 subsection and subsection (f) of this section, any student who attends a community
 17 college in this State and is not a resident of this State shall pay, in addition to the
 18 student tuition and fees payable by a county resident, an out-of-state fee, at least
 19 equal to:

20 (i) 60% of the county share per full-time equivalent student as
 21 determined under § 16–305 of this subtitle; and

22 (ii) The marginal cost component of the State share per
 23 full-time equivalent student as determined under § 16–305(c)(5) of this subtitle.

24 **(6) (I) IN THIS PARAGRAPH, “BRAC” MEANS THE BASE**
 25 **REALIGNMENT AND CLOSURE PROCESS AS ANNOUNCED BY THE UNITED**
 26 **STATES DEPARTMENT OF DEFENSE.**

27 **(II) EACH BOARD OF COMMUNITY COLLEGE TRUSTEES MAY**
 28 **WAIVE THE OUT-OF-STATE FEE AS DETERMINED IN PARAGRAPH (1) OF THIS**
 29 **SUBSECTION FOR A STUDENT WHO RESIDES IN THE STATE BUT DOES NOT MEET**
 30 **THE IN-STATE RESIDENCY REQUIREMENT FOR TUITION PURPOSES AND HAS**
 31 **MOVED TO THE STATE AS AN EMPLOYEE OR A FAMILY MEMBER OF AN**
 32 **EMPLOYEE AS PART OF BRAC.**

33 **(III) ANY BRAC EMPLOYEE OR FAMILY MEMBER OF A BRAC**
 34 **EMPLOYEE ATTENDING A COMMUNITY COLLEGE IN THE STATE WHO SATISFIES**
 35 **THE REQUIREMENTS ESTABLISHED IN THIS PARAGRAPH SHALL BE INCLUDED**

1 AS AN IN-STATE RESIDENT FOR COMPUTATION OF THE STATE AID TO
2 COMMUNITY COLLEGES IN ACCORDANCE WITH § 16-305 OF THIS SUBTITLE.

3 (b) (1) Subject to the provisions of paragraphs (2) [and], (3), AND (4) of
4 this subsection and subsection (g) of this section, any student who attends a
5 community college not supported by the county in which the student resides shall pay,
6 in addition to the student tuition and fees payable by a resident of a county that
7 supports the community college, an out-of-county or out-of-region fee at least equal
8 to 60% of the county share per full-time equivalent student as determined under §
9 16-305 of this subtitle.

10 (4) (I) IN THIS PARAGRAPH, "BRAC" MEANS THE BASE
11 REALIGNMENT AND CLOSURE PROCESS AS ANNOUNCED BY THE UNITED
12 STATES DEPARTMENT OF DEFENSE.

13 (II) EACH BOARD OF COMMUNITY COLLEGE TRUSTEES MAY
14 WAIVE THE OUT-OF-COUNTY FEE OR OUT-OF-REGION FEE AS DETERMINED IN
15 PARAGRAPH (1) OF THIS SUBSECTION FOR A STUDENT WHO RESIDES IN THE
16 ~~STATE~~ COUNTY BUT DOES NOT MEET THE IN-COUNTY RESIDENCY
17 REQUIREMENT FOR TUITION PURPOSES AND HAS MOVED TO THE STATE AS AN
18 EMPLOYEE OR A FAMILY MEMBER ~~OR~~ OF AN EMPLOYEE AS PART OF BRAC.

19 16-505.

20 (g) (2) (IV) THE BOARD OF TRUSTEES MAY WAIVE THE
21 OUT-OF-STATE FEE AS DETERMINED IN SUBPARAGRAPH (I) OF THIS
22 PARAGRAPH FOR A STUDENT WHO RESIDES IN THE STATE BUT DOES NOT MEET
23 THE IN-STATE RESIDENCY REQUIREMENT FOR TUITION PURPOSES AND HAS
24 MOVED TO THE STATE AS AN EMPLOYEE OR A FAMILY MEMBER OF AN
25 EMPLOYEE AS PART OF THE BASE REALIGNMENT AND CLOSURE PROCESS AS
26 ANNOUNCED BY THE UNITED STATES DEPARTMENT OF DEFENSE.

27 (V) ANY STUDENT ATTENDING THE COLLEGE WHO
28 RECEIVES A TUITION WAIVER UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH
29 SHALL BE INCLUDED AS AN IN-STATE RESIDENT FOR COMPUTATION OF STATE
30 AID TO THE COLLEGE IN ACCORDANCE WITH § 16-512 OF THIS SUBTITLE.

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