

# HOUSE BILL 923

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9lr1454

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By: **Delegate Rudolph**

Introduced and read first time: February 12, 2009

Assigned to: Ways and Means

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## A BILL ENTITLED

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; defining a certain term; and generally relating to an  
11 exemption from the out-of-state and out-of-county fees for BRAC employees  
12 and their family members.

13 BY repealing and reenacting, with amendments,  
14 Article – Education  
15 Section 16–310(a)(1) and (b)(1)  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume)

18 BY adding to  
19 Article – Education  
20 Section 16–310(a)(6) and (b)(4)  
21 Annotated Code of Maryland  
22 (2008 Replacement Volume)

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

25 **Article – Education**

26 16–310.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

10 **(6) (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-STATE FEE AS DETERMINED IN PARAGRAPH (1) OF THIS**  
15 **SUBSECTION FOR A STUDENT WHO RESIDES IN THE STATE BUT DOES NOT MEET**  
16 **THE IN-STATE RESIDENCY REQUIREMENT FOR TUITION PURPOSES AND HAS**  
17 **MOVED TO THE STATE AS AN EMPLOYEE OR A FAMILY MEMBER OF AN**  
18 **EMPLOYEE AS PART OF BRAC.**

19 **(III) ANY BRAC EMPLOYEE OR FAMILY MEMBER OF A BRAC**  
20 **EMPLOYEE ATTENDING A COMMUNITY COLLEGE IN THE STATE WHO SATISFIES**  
21 **THE REQUIREMENTS ESTABLISHED IN THIS PARAGRAPH SHALL BE INCLUDED**  
22 **AS AN IN-STATE RESIDENT FOR COMPUTATION OF THE STATE AID TO**  
23 **COMMUNITY COLLEGES IN ACCORDANCE WITH § 16-305 OF THIS SUBTITLE.**

24 (b) (1) Subject to the provisions of paragraphs (2) [and], (3), **AND (4)** of  
25 this subsection and subsection (g) of this section, any student who attends a  
26 community college not supported by the county in which the student resides shall pay,  
27 in addition to the student tuition and fees payable by a resident of a county that  
28 supports the community college, an out-of-county or out-of-region fee at least equal  
29 to 60% of the county share per full-time equivalent student as determined under §  
30 16-305 of this subtitle.

31 **(4) (I) IN THIS PARAGRAPH, "BRAC" MEANS THE BASE**  
32 **REALIGNMENT AND CLOSURE PROCESS AS ANNOUNCED BY THE UNITED**  
33 **STATES DEPARTMENT OF DEFENSE.**

34 **(II) EACH BOARD OF COMMUNITY COLLEGE TRUSTEES MAY**  
35 **WAIVE THE OUT-OF-COUNTY FEE OR OUT-OF-REGION FEE AS DETERMINED IN**  
36 **PARAGRAPH (1) OF THIS SUBSECTION FOR A STUDENT WHO RESIDES IN THE**

1 **STATE BUT DOES NOT MEET THE IN-COUNTY RESIDENCY REQUIREMENT FOR**  
2 **TUITION PURPOSES AND HAS MOVED TO THE STATE AS AN EMPLOYEE OR A**  
3 **FAMILY MEMBER OR AN EMPLOYEE AS PART OF BRAC.**

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