

HOUSE BILL 923

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9lr1454

By: **Delegate Rudolph**

Introduced and read first time: February 12, 2009

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2009

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.

15 BY repealing and reenacting, with amendments,
16 Article - Education
17 Section 16-310(a)(1) and (b)(1)
18 Annotated Code of Maryland
19 (2008 Replacement Volume)

20 BY adding to
21 Article - Education
22 Section 16-310(a)(6) and (b)(4) and 16-505(g)(2)(iv)
23 Annotated Code of Maryland
24 (2008 Replacement Volume)

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

3 **Article - Education**

4 16-310.

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

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

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

14 **(6) (I) IN THIS PARAGRAPH, "BRAC" MEANS THE BASE**
15 **REALIGNMENT AND CLOSURE PROCESS AS ANNOUNCED BY THE UNITED**
16 **STATES DEPARTMENT OF DEFENSE.**

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

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

28 (b) (1) Subject to the provisions of paragraphs (2) [and], (3), **AND (4)** of
29 this subsection and subsection (g) of this section, any student who attends a
30 community college not supported by the county in which the student resides shall pay,
31 in addition to the student tuition and fees payable by a resident of a county that
32 supports the community college, an out-of-county or out-of-region fee at least equal
33 to 60% of the county share per full-time equivalent student as determined under §
34 16-305 of this subtitle.

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

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

10 16-505.

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.