

HOUSE BILL 1152

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9lr2711
CF SB 373

By: **Delegates Boteler, Barkley, G. Clagett, DeBoy, Dwyer, Impallaria, Jennings, Lafferty, McComas, Minnick, Myers, Norman, Robinson, Ross, Serafini, Smigiel, Sophocleus, Sossi, Stocksdale, Stukes, Stull, Valderrama, and Wood**

Introduced and read first time: February 13, 2009

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Maryland National Guard Members – Nonresident**
3 **Tuition Exemption**

4 FOR the purpose of exempting certain members of the National Guard from paying
5 nonresident tuition at public institutions of higher education; and generally
6 relating to exemptions from paying nonresident tuition for military personnel at
7 public institutions of higher education.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 15–106.4
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 15–106.4.

17 (a) This section applies to the following individuals:

18 (1) An active duty member of the United States armed forces;

19 (2) The spouse of an active duty member of the United States armed
20 forces;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) A financially dependent child of an active duty member of the
2 United States armed forces; [or]

3 (4) An honorably discharged veteran of the United States armed
4 forces; **OR**

5 (5) **A MEMBER OF THE NATIONAL GUARD AS DEFINED IN §**
6 **13-405(A)(3) OF THE PUBLIC SAFETY ARTICLE.**

7 (b) Notwithstanding any other provision of this article, [beginning with the
8 2004 fall semester,] an individual described in subsection (a) of this section who
9 registers as an entering student in a public institution of higher education in the State
10 is exempt from paying nonresident tuition at a public institution of higher education
11 in this State if:

12 (1) The active duty member referred to in subsection (a) of this
13 section:

14 (i) Is stationed in this State;

15 (ii) Resides in this State; or

16 (iii) Is domiciled in this State; [or]

17 (2) The honorably discharged veteran presents the following
18 documentation within 1 year after the veteran's discharge:

19 (i) Evidence that the veteran attended a public or private
20 secondary school in this State for at least 3 years; and

21 (ii) Documentation that the veteran graduated from a public or
22 private secondary school in this State or received the equivalent of a high school
23 diploma in this State; **OR**

24 (3) **THE NATIONAL GUARD MEMBER DESCRIBED IN SUBSECTION**
25 **(A)(5) OF THIS SECTION IS A MEMBER OF THE MARYLAND NATIONAL GUARD.**

26 (c) Notwithstanding any other provision of this article, [beginning with the
27 2004 fall semester,] a spouse or financially dependent child of an active duty member
28 who enrolls as an entering student in a public institution of higher education and is
29 exempt from paying nonresident tuition under subsection (b) of this section shall
30 continue to be exempt from paying nonresident tuition if:

31 (1) The active duty member no longer meets the requirements of
32 subsection (b)(1) of this section; and

1 (2) The spouse or financially dependent child remains continuously
2 enrolled at the public institution of higher education.

3 (d) The Commission shall adopt regulations in accordance with Title 10,
4 Subtitle 1 of the State Government Article to implement the provisions of this section.

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