

# SENATE BILL 41

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SB 591/08 – EHE

(PRE-FILED)

9lr0947

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By: **Senator Harrington**

Requested: November 7, 2008

Introduced and read first time: January 14, 2009

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Tuition Charges – Maryland High School Students**

3 FOR the purpose of establishing that certain individuals, other than certain  
4 nonresident individuals, shall be exempt from paying nonresident tuition at  
5 certain public institutions of higher education under certain circumstances;  
6 requiring certain individuals to provide certain documentation regarding  
7 Maryland income tax withholding; requiring the governing board of each public  
8 institution of higher education to adopt certain policies; and generally relating  
9 to tuition charges for certain individuals attending public institutions of higher  
10 education in the State.

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) **NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN**  
21 **INDIVIDUAL, OTHER THAN A STUDENT WITHIN THE MEANING OF TITLE 8, §**  
22 **1101(A)(15) OF THE UNITED STATES CODE, SHALL BE EXEMPT FROM PAYING**  
23 **THE NONRESIDENT TUITION RATE AT A PUBLIC INSTITUTION OF HIGHER**  
24 **EDUCATION REGARDLESS OF RESIDENCY IF THE INDIVIDUAL:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (1)    ATTENDED A PUBLIC OR NONPUBLIC SECONDARY SCHOOL IN  
2 THE STATE FOR AT LEAST 2 YEARS;

3           (2)    GRADUATED FROM A PUBLIC OR NONPUBLIC SECONDARY  
4 SCHOOL IN THE STATE OR RECEIVED THE EQUIVALENT OF A HIGH SCHOOL  
5 DIPLOMA IN THE STATE;

6           (3)    REGISTERS AS AN ENTERING STUDENT IN A PUBLIC  
7 INSTITUTION OF HIGHER EDUCATION IN THE STATE NOT EARLIER THAN THE  
8 2008 FALL SEMESTER;

9           (4)    PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER  
10 EDUCATION DOCUMENTATION THAT THE INDIVIDUAL OR THE INDIVIDUAL'S  
11 PARENT OR GUARDIAN HAS HAD MARYLAND INCOME TAX WITHHELD DURING  
12 THE YEAR PRIOR TO THE INDIVIDUAL GRADUATING FROM A PUBLIC OR  
13 NONPUBLIC SECONDARY SCHOOL IN THE STATE;

14           (5)    IN THE CASE OF AN INDIVIDUAL WHO IS NOT A PERMANENT  
15 RESIDENT, PROVIDES TO THE PUBLIC INSTITUTION OF HIGHER EDUCATION AN  
16 AFFIDAVIT STATING THAT THE INDIVIDUAL WILL FILE AN APPLICATION TO  
17 BECOME A PERMANENT RESIDENT WITHIN 30 DAYS AFTER THE INDIVIDUAL  
18 BECOMES ELIGIBLE TO DO SO; AND

19           (6)    MAKES OR HAS MADE AN APPLICATION TO ATTEND A PUBLIC  
20 INSTITUTION OF HIGHER EDUCATION IN THE STATE NOT LATER THAN 3 YEARS  
21 AFTER GRADUATING FROM A PUBLIC OR NONPUBLIC SECONDARY SCHOOL IN  
22 THE STATE OR RECEIVING THE EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN  
23 THE STATE.

24           (B)    THE GOVERNING BOARD OF EACH PUBLIC INSTITUTION OF HIGHER  
25 EDUCATION SHALL ADOPT APPROPRIATE POLICIES TO IMPLEMENT THE  
26 PROVISIONS OF THIS SECTION.

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