

SENATE BILL 372

F2, D4, O1

9lr1190
CF HB 538

By: **Senators Currie, Colburn, Conway, DeGrange, Harrington, Kasemeyer, King, Madaleno, McFadden, Peters, Pinsky, and Robey**

Introduced and read first time: January 30, 2009

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2009

CHAPTER _____

1 AN ACT concerning

2 **Foster Care – Tuition Exemption – Expanded Eligibility**

3 FOR the purpose of altering a certain definition to alter a certain age of eligibility of
4 an adopted individual and to include younger siblings of an adopted individual
5 if the younger sibling is adopted concurrently with the older sibling for purposes
6 of determining eligibility for a certain tuition exemption; and generally ~~related~~
7 relating to tuition exemption exemptions for foster care recipients.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 15–106.1
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 15–106.1.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) (I) “Foster care recipient” means an individual who:

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 [(i)] 1. Was placed in an out-of-home placement by the
2 Maryland Department of Human Resources; and

3 [(ii) 1.] 2. A. Resided in an out-of-home placement in the
4 State at the time the individual graduated from high school or successfully completed
5 a general equivalency development examination (GED); or

6 [2. A.] B. Resided in an out-of-home placement in the
7 State on the individual's ~~14th~~ **13TH** birthday; and

8 B. Was] **AND WAS** adopted out of an out-of-home
9 placement after the individual's ~~14th~~ **13TH** birthday.

10 (II) **“FOSTER CARE RECIPIENT” INCLUDES A YOUNGER**
11 **SIBLING OF AN INDIVIDUAL DESCRIBED IN SUBPARAGRAPH (I) OF THIS**
12 **PARAGRAPH IF THE YOUNGER SIBLING IS CONCURRENTLY ADOPTED OUT OF AN**
13 **OUT-OF-HOME PLACEMENT IN ACCORDANCE WITH § 5-525.2(A) OF THE FAMILY**
14 **LAW ARTICLE BY THE SAME ADOPTIVE FAMILY.**

15 (3) “Out-of-home placement” has the meaning stated in § 5-501 of the
16 Family Law Article.

17 (4) (i) “Tuition” means the charges imposed by a public institution
18 of higher education for enrollment at the institution.

19 (ii) “Tuition” includes charges for registration and all fees
20 required as a condition of enrollment.

21 (b) (1) Except as provided in paragraph (2) of this subsection, a foster care
22 recipient is exempt from paying tuition at a public institution of higher education if:

23 (i) The foster care recipient is enrolled at the institution on or
24 before the date that the foster care recipient reaches the age of 21 years;

25 (ii) The foster care recipient is enrolled as a candidate for an
26 associate's degree or a bachelor's degree; and

27 (iii) The foster care recipient has filed for federal and State
28 financial aid by March 1 each year.

29 (2) If a foster care recipient receives a scholarship or grant for
30 postsecondary study and is enrolled before the recipient's 21st birthday as a candidate
31 for an associate's degree or bachelor's degree at a public institution of higher
32 education, the foster care recipient may not be required to pay the difference between
33 the amount of the scholarship or grant and the amount of the tuition.

1 (3) A foster care recipient who is exempt from tuition under this
2 section continues to be exempt until the earlier of:

3 (i) 5 years after first enrolling as a candidate for an associate's
4 degree or a bachelor's degree at a public institution of higher education in the State; or

5 (ii) The date that the foster care recipient is awarded a
6 bachelor's degree.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2009.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.