

SENATE BILL 373

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9lr1448
CF HB 1152

By: **Senators Currie, Colburn, Conway, DeGrange, Greenip, Harrington, King, Madaleno, McFadden, Peters, 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: March 17, 2009

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – ~~Maryland National Guard Members~~ Public Institutions of**
3 **Higher Education – Nonresident 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; altering the type
6 of individual who is exempt from paying nonresident tuition at public
7 institutions of higher education; and generally relating to exemptions from
8 paying nonresident tuition for military personnel at public institutions of higher
9 education.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 15–106.4
13 Annotated Code of Maryland
14 (2008 Replacement Volume)

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

17 **Article – Education**

18 15–106.4.

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

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 (1) An active duty member of the United States armed forces;
- 2 (2) The spouse of an active duty member of the United States armed
3 forces;
- 4 (3) A financially dependent child of an active duty member of the
5 United States armed forces; [or]
- 6 (4) An honorably discharged veteran of the United States armed
7 forces; **OR**

8 (5) **A MEMBER OF THE NATIONAL GUARD AS DEFINED IN §**
9 **13-405(A)(3) OF THE PUBLIC SAFETY ARTICLE.**

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

- 15 (1) The active duty member referred to in subsection (a) of this
16 section:
- 17 (i) Is stationed in this State;
- 18 (ii) Resides in this State; or
- 19 (iii) Is domiciled in this State; [or]

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

- 22 (i) Evidence that the veteran attended a public or private
23 secondary school in this State for at least 3 years; and
- 24 (ii) Documentation that the veteran graduated from a public or
25 private secondary school in this State or received the equivalent of a high school
26 diploma in this State; **OR**

27 (3) **THE NATIONAL GUARD MEMBER DESCRIBED IN SUBSECTION**
28 **(A)(5) OF THIS SECTION IS A MEMBER OF THE MARYLAND NATIONAL GUARD**
29 **AND JOINED OR SUBSEQUENTLY SERVES IN THE MARYLAND NATIONAL GUARD**
30 **TO:**

31 (I) **PROVIDE A CRITICAL MILITARY OCCUPATIONAL SKILL;**
32 **OR**

1 **(II) BE A MEMBER OF THE AIR FORCE CRITICAL SPECIALTY**
2 **CODE AS DETERMINED BY THE NATIONAL GUARD.**

3 (c) Notwithstanding any other provision of this article, [beginning with the
4 2004 fall semester,] a spouse or financially dependent child of an active duty member
5 who enrolls as an entering student in a public institution of higher education and is
6 exempt from paying nonresident tuition under subsection (b) of this section shall
7 continue to be exempt from paying nonresident tuition if:

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.