

CHAPTER 252

(House Bill 538)

AN ACT concerning

Foster Care – Tuition Exemption – Expanded Eligibility

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

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2008 Replacement Volume)

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

Article – Education

15–106.1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 7, 2009.