

## CHAPTER 733

(House Bill 1465)

AN ACT concerning

### **Maryland National Guard Tuition Assistance Program**

FOR the purpose of authorizing the Military Department to provide tuition assistance for certain credit courses to certain members of the Maryland National Guard; requiring certain members to remain active members for a certain period of time under certain circumstances; altering a certain definition; and generally relating to the Maryland National Guard Tuition Assistance Program.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 13–405  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

### **Article – Public Safety**

13–405.

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

(2) “Institution” means:

(i) any campus of the University System of Maryland, any community college established under Title 16 of the Education Article, Morgan State University, or St. Mary’s College;

(ii) any private institution of higher education that grants a member a tuition waiver of at least 50%;

(iii) any public postsecondary vocational–technical or trade school; or

(iv) any private postsecondary vocational–technical or trade school that grants a member a tuition waiver of at least 50%.

(3) “Member” means an individual who:

- (i) is regularly enlisted in the National Guard; or
- (ii) holds a commission in the National Guard as:
  - 1. an officer in the grade of major or below; or
  - 2. a warrant officer.

(4) (i) “Tuition” means the basic instructional charge for undergraduate, **GRADUATE, PROFESSIONAL, VOCATIONAL–TECHNICAL, AND TRADE SCHOOL** credit courses and related fees at an institution.

(ii) “Tuition” does not include charges for self-supporting programs.

(b) **(1)** To the extent that funds are provided in the State budget, the Department may provide assistance equal to 50% of the cost of in-State tuition for any regularly scheduled undergraduate credit course, **GRADUATE CREDIT COURSE, PROFESSIONAL CREDIT COURSE**, vocational–technical course, or trade course for any active member attending an institution who is certified as eligible by the Adjutant General.

**(2) A MEMBER WHO RECEIVES ASSISTANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR AN UNDERGRADUATE CREDIT, VOCATIONAL–TECHNICAL, OR TRADE COURSE SHALL REMAIN AN ACTIVE MEMBER FOR AT LEAST 2 YEARS FOLLOWING THE COMPLETION OF THE COURSE.**

**(3) A MEMBER WHO RECEIVES ASSISTANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR A GRADUATE OR PROFESSIONAL CREDIT COURSE SHALL REMAIN AN ACTIVE MEMBER FOR AT LEAST 4 YEARS FOLLOWING THE COMPLETION OF THE COURSE.**

(c) (1) The Adjutant General may not certify a member as eligible unless the member is:

(i) enlisted and has at least 24 months remaining to serve on the current enlistment of the member; or

(ii) an officer or warrant officer and agrees in writing to serve for a minimum of 24 months.

(2) The 24-month requirement runs from the first day of classes for the semester.

(d) If a recipient of tuition assistance under this section is discharged from the National Guard for a reason designated by the Adjutant General, the assistance terminates and the member shall reimburse the Department the amount of tuition assistance received for that semester within 30 days of discharge.

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

**Approved by the Governor, May 19, 2009.**