

BY: Education, Health, and Environmental Affairs Committee

SUBSTITUTE AMENDMENTS TO SENATE BILL 167
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Madaleno,” insert “Manno.”; in the same line, strike “Manno,”; strike line 2 in its entirety and substitute:

“Public Institutions of Higher Education – Tuition Rates – Exemptions”;

strike beginning with “, other” in line 3 down through “individuals,” in line 4; strike beginning with “the” in line 4 down through “rate” in line 5 and substitute “certain tuition rates”; in line 7, after “regarding” insert “certain”; in the same line, after “withholding” insert “or filing at certain times; requiring certain information collected as part of certain students’ registration to remain confidential”; in line 8, after “policies;” insert “defining a certain term;”; and in line 9, strike “charges” and substitute “rates”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“(A) IN THIS SECTION, “INDIVIDUAL”:

(1) INCLUDES AN UNDOCUMENTED IMMIGRANT INDIVIDUAL; AND

(2) DOES NOT INCLUDE A NONIMMIGRANT ALIEN WITHIN THE MEANING OF 8 U.S.C. § 1101(A)(15).”;

in line 20, strike “(A)” and substitute “**(B)**”; strike beginning with “, OTHER” in line 21 down through the comma in line 22; in line 22, strike “NONRESIDENT” and substitute

(Over)

“OUT-OF-STATE”; and strike beginning with “PUBLIC” in line 23 down through “RESIDENCY” in line 24 and substitute “COMMUNITY COLLEGE IN THE STATE”.

On page 2, in line 1, strike “ATTENDED” and substitute “BEGINNING WITH THE 2005 - 2006 SCHOOL YEAR, ATTENDED”; in lines 2, 4, 5, 7, 20, 22, and 23, in each instance, strike “THIS” and substitute “THE”; in line 3, strike “GRADUATED” and substitute “BEGINNING WITH THE 2007 - 2008 SCHOOL YEAR, GRADUATED”; in lines 6 and 7, strike “PUBLIC INSTITUTION OF HIGHER EDUCATION” and substitute “COMMUNITY COLLEGE”; in lines 9 and 10, strike “PUBLIC INSTITUTION OF HIGHER EDUCATION” and substitute “COMMUNITY COLLEGE”; in line 11, after “WITHHELD” insert “OR HAS FILED A MARYLAND INCOME TAX RETURN”;

(I) WHILE THE INDIVIDUAL ATTENDED A PUBLIC OR NONPUBLIC SECONDARY SCHOOL IN THE STATE;

(II) ANNUALLY DURING THE PERIOD, IF ANY, BETWEEN GRADUATION FROM A PUBLIC OR NONPUBLIC SECONDARY SCHOOL IN THE STATE AND REGISTRATION AT A COMMUNITY COLLEGE IN THE STATE; AND

(III) DURING THE PERIOD OF ATTENDANCE AT THE COMMUNITY COLLEGE”;

strike beginning with “DURING” in line 11 down through “STATE” in line 13; in line 15, strike “PUBLIC INSTITUTION OF HIGHER EDUCATION” and substitute “COMMUNITY COLLEGE”; strike beginning with “MAKES” in line 19 down through “EDUCATION” in line 20 and substitute “REGISTERS IN A COMMUNITY COLLEGE”; in line 20, strike “3” and substitute “4”; after line 23, insert:

“(C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN INDIVIDUAL SHALL BE EXEMPT FROM PAYING THE NONRESIDENT TUITION RATE AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION, IF THE INDIVIDUAL:

(1) ATTENDED A COMMUNITY COLLEGE UNDER THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION;

(2) WAS AWARDED AN ASSOCIATE’S DEGREE BY OR ACHIEVED 60 CREDITS AT A COMMUNITY COLLEGE IN THE STATE;

(3) PROVIDES THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION A COPY OF THE AFFIDAVIT SUBMITTED UNDER SUBSECTION (B)(5) OF THIS SECTION;

(4) PROVIDES TO THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION DOCUMENTATION THAT THE INDIVIDUAL OR THE INDIVIDUAL’S PARENT OR GUARDIAN HAS HAD MARYLAND INCOME TAX WITHHELD OR HAS FILED A MARYLAND INCOME TAX RETURN;

(i) WHILE THE INDIVIDUAL ATTENDED A COMMUNITY COLLEGE IN THE STATE;

(ii) ANNUALLY DURING THE PERIOD, IF ANY, BETWEEN GRADUATION FROM A COMMUNITY COLLEGE IN THE STATE AND REGISTRATION AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION IN THE STATE; AND

(iii) DURING THE PERIOD OF ATTENDANCE AT THE PUBLIC SENIOR HIGHER EDUCATION INSTITUTION; AND

(5) REGISTERS AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION IN THE STATE NOT LATER THAN 4 YEARS AFTER GRADUATING FROM A COMMUNITY COLLEGE IN THE STATE.

(D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN INDIVIDUAL SHALL BE EXEMPT FROM PAYING THE OUT-OF-COUNTY TUITION RATE AT A COMMUNITY COLLEGE IN THE STATE IF THE INDIVIDUAL:

(1) MEETS THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION; AND

(2) ATTENDS A COMMUNITY COLLEGE SUPPORTED BY THE COUNTY IN WHICH:

(I) THE SECONDARY SCHOOL FROM WHICH THE INDIVIDUAL GRADUATED IS LOCATED; OR

(II) IN THE CASE OF AN INDIVIDUAL WHO RECEIVED THE EQUIVALENT OF A HIGH SCHOOL DIPLOMA IN THE STATE, THE SECONDARY SCHOOL MOST RECENTLY ATTENDED BY THE INDIVIDUAL IS LOCATED.

(E) INFORMATION COLLECTED UNDER THIS SECTION AS PART OF A STUDENT'S REGISTRATION SHALL REMAIN CONFIDENTIAL.”;

and in line 24, strike “(B)” and substitute “(F)”.