

HOUSE BILL 53

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2lr1215

By: **Delegates Luedtke, Cullison, Frick, Hixson, Howard, Kaiser, A. Kelly, A. Miller, Mizeur, Reznik, Ross, Summers, and Zucker**

Introduced and read first time: January 13, 2012

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2012

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Community Colleges – Tuition Waiver for Disabled**
3 **Individuals**

4 FOR the purpose of altering a certain requirement for obtaining an exemption from
5 the payment of tuition at community colleges for certain disabled individuals
6 who are enrolled in classes for certain continuing education instruction; and
7 generally relating to tuition waivers for disabled individuals at community
8 colleges.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 16–106(c)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2011 Supplement)

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

16 **Article – Education**

17 16–106.

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.



(c) (1) Any resident of this State who is out of the work force by reason of total and permanent disability who enrolls at a community college in a class that has at least 10 regularly enrolled students:

(i) Is exempt from payment of tuition ~~for~~:

1. FOR up to 6 credits per semester or up to 12 credits per semester if the individual is enrolled in classes ~~as~~:

~~1. AS~~ part of a degree or a certificate program designed to lead to employment; **OR**

2. FOR CONTINUING EDUCATION INSTRUCTION DESIGNED TO LEAD TO EMPLOYMENT, INCLUDING LIFE SKILLS INSTRUCTION; and

(ii) Shall be counted in computing full-time equivalent enrollment under § 16-305 of this title.

(2) In order to receive this exemption, an individual who meets the requirements of paragraph (1) of this subsection shall provide the community college with certification from the Social Security Administration, the Railroad Retirement Board, or in the case of a former federal employee, from the individual's federal retirement or pension authority of the individual's:

(i) Total and permanent disability; and

(ii) Receipt of disability or retirement benefits based on a standard that is at least as stringent as the standard applied by the Social Security Act.

(3) Certification from the Social Security Administration of an individual's receipt of disability or retirement benefits under either Title II or Title XVI of the federal Social Security Act shall satisfy the requirement in paragraph (2)(ii) of this subsection.

(4) (i) In order to receive this exemption, an individual who meets the requirements of paragraph (1) of this subsection and is enrolled in a degree or certificate program shall submit a timely application for any State or federal student financial aid, other than a student loan, for which the student may qualify.

(ii) Any student financial aid, other than a student loan, received by the student shall be applied first to pay the student's tuition.

(iii) Under this exemption, the waiver shall apply to the difference, if any, between the charge for tuition and the financial aid award, not including a student loan, that the student receives.

(iv) On request, the community college shall assist any individual required to submit an application for State or federal student financial aid under this paragraph.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.