

SENATE BILL 656

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2lr2216

By: **Senators Manno, Ramirez, Benson, Colburn, Ferguson, Forehand, King, Klausmeier, Madaleno, Montgomery, and Raskin**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2012

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Community Colleges – Tuition Waivers – Inclusion of**
3 **Fees Waiver for Disabled Individuals**

4 FOR the purpose of altering ~~the definition of the term “tuition” as it applies to a~~
5 ~~waiver of the charges for residents of the State who are out of the work force for~~
6 ~~certain reasons relating to a disability and who are taking courses at a~~
7 ~~community college to include certain fees; making a stylistic change; a certain~~
8 requirement for obtaining an exemption from the payment of tuition at
9 community colleges for certain disabled individuals who are enrolled in classes
10 for certain continuing education instruction; and generally relating to tuition
11 waivers for ~~senior citizens attending~~ disabled individuals at community college
12 colleges.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 16–106(a), (b), and (c)
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2011 Supplement)

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

20 **Article – Education**

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 16-106.

2 ~~(a) Any full-time classified employee of a community college who enrolls,~~
 3 ~~during [his] THE EMPLOYEE'S nonworking hours, in any class at the community~~
 4 ~~college that has at least 10 regularly enrolled students:~~

5 ~~(1) Is exempt from payment of tuition; and~~

6 ~~(2) May not be counted in computing full-time equivalent enrollment~~
 7 ~~at the community college under § 16-305 of this title.~~

8 ~~(b) (1) (i) In this subsection, "tuition" means the basic instructional~~
 9 ~~charge for courses offered at a community college.~~

10 ~~(ii) ["Tuition"] EXCEPT AS PROVIDED IN SUBSECTION (C) OF~~
 11 ~~THIS SECTION, "TUITION" does not include:~~

12 ~~1. Any fees or costs associated with a self-supporting~~
 13 ~~program; or~~

14 ~~2. Any fees for:~~

15 ~~A. Registration;~~

16 ~~B. Application;~~

17 ~~C. Administration; or~~

18 ~~D. Laboratory work.~~

19 ~~(2) Except as provided in paragraph (3) of this subsection, any~~
 20 ~~resident of this State who is 60 years old or older and who enrolls in any class, which~~
 21 ~~is eligible under § 16-305 of this title for State support, at the community college:~~

22 ~~(i) Shall be exempt from payment of tuition; and~~

23 ~~(ii) Shall be counted in computing full-time equivalent~~
 24 ~~enrollment under § 16-305 of this title if enrolled in any class that is eligible for State~~
 25 ~~support.~~

26 ~~(3) A community college is required to waive the tuition for a course~~
 27 ~~for senior citizens under this subsection only when course space is available.~~

28 ~~(4) This subsection may not be construed to prohibit a community~~
 29 ~~college board of trustees from offering senior citizens other educational opportunities~~
 30 ~~free of charge, provided that the senior citizen is not counted in computing full-time~~
 31 ~~equivalent enrollment for the purpose of receiving State support.~~

1 (c) ~~(1) IN THIS SUBSECTION, "TUITION" INCLUDES THE FEES SET~~
 2 ~~FORTH IN SUBSECTION (B)(1)(II) OF THIS SECTION.~~

3 ~~[(1)] (2)~~ Any resident of this State who is out of the work force by
 4 reason of total and permanent disability who enrolls at a community college in a class
 5 that has at least 10 regularly enrolled students:

6 (i) Is exempt from payment of tuition ~~fee~~:

7 1. FOR up to 6 credits per semester or up to 12 credits
 8 per semester if the individual is enrolled in classes as part of a degree or a certificate
 9 program designed to lead to employment; OR

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

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

15 ~~[(2)] (3)~~ In order to receive this exemption, an individual who meets
 16 the requirements of paragraph ~~[(1)] (2)~~ of this subsection shall provide the community
 17 college with certification from the Social Security Administration, the Railroad
 18 Retirement Board, or in the case of a former federal employee, from the individual's
 19 federal retirement or pension authority of the individual's:

20 (i) Total and permanent disability; and

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

24 ~~[(3)] (4)~~ Certification from the Social Security Administration of an
 25 individual's receipt of disability or retirement benefits under either Title II or Title
 26 XVI of the federal Social Security Act shall satisfy the requirement in paragraph
 27 ~~[(2)(ii)] (3)(II)~~ of this subsection.

28 ~~[(4)] (5)~~ (i) In order to receive this exemption, an individual who
 29 meets the requirements of paragraph ~~[(1)] (2)~~ of this subsection and is enrolled in a
 30 degree or certificate program shall submit a timely application for any State or federal
 31 student financial aid, other than a student loan, for which the student may qualify.

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.