

## Chapter 183

(Senate Bill 610)

AN ACT concerning

### National Guard – Tuition Assistance – Members of Disbanded Units

FOR the purpose of providing that if a certain member of the Maryland National Guard is receiving certain tuition assistance from the Military Department and is part of a certain unit that has been disbanded due to certain reasons, the member can satisfy certain requirements relating to the tuition assistance in a certain manner; providing that if a member of the Maryland National Guard is receiving certain tuition assistance from the Department and is offered early separation due to certain reasons, the member is excused from certain requirements and obligations relating to the tuition assistance; and generally relating to tuition assistance for members of the Maryland National Guard.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 13–405

Annotated Code of Maryland

(2011 Replacement Volume and 2013 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] SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, 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] SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, 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.**

**(4) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, IF A MEMBER RECEIVES ASSISTANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION, AND IS A MEMBER OF A UNIT THAT HAS BEEN DISBANDED ON OR AFTER SEPTEMBER 1, 2013, DUE TO BUDGETARY CUTS, BASE REALIGNMENT AND CLOSURE, OR ANY OTHER REASON, THE MEMBER MAY SATISFY THE REQUIREMENTS OF PARAGRAPH (2) OR PARAGRAPH (3) OF THIS SUBSECTION BY TRANSFERRING TO ANOTHER ACTIVE DUTY, RESERVE, OR NATIONAL GUARD UNIT IN THE STATE OR IN ANOTHER STATE.**

**(5) IF A MEMBER WHO RECEIVES ASSISTANCE UNDER PARAGRAPH (1) OF THIS SUBSECTION IS OFFERED EARLY SEPARATION BY THE MILITARY FOLLOWING THE DISBANDING OF THE MEMBER'S UNIT DUE TO BUDGET CUTS, BASE REALIGNMENT AND CLOSURE, OR ANY OTHER REASON, THE MEMBER IS EXCUSED FROM THE REQUIREMENTS OF PARAGRAPH (2) OR PARAGRAPH (3) OF THIS SUBSECTION.**

(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, 2014.

**Approved by the Governor, April 14, 2014.**