

HOUSE BILL 916

E4, F2

9lr1335

By: **Delegates P. Young, Bartlett, Brooks, Carey, Chang, Crosby, Guyton, Hornberger, Jalisi, Krimm, Luedtke, Mautz, Patterson, and Solomon**

Introduced and read first time: February 8, 2019

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland National Guard – Tuition Assistance Program – Modifications**

3 FOR the purpose of requiring the Military Department to provide certain tuition assistance
4 to certain members of the Maryland National Guard under certain circumstances;
5 providing that the tuition assistance applies to the cost of in-State tuition after a
6 certain waiver; and generally relating to tuition assistance for members of the
7 Maryland National Guard.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 13–405
11 Annotated Code of Maryland
12 (2018 Replacement Volume)

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

15 **Article – Public Safety**

16 13–405.

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

18 (2) “Institution” means:

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

6 (3) “Member” means an individual who:

7 (i) is regularly enlisted in the National Guard; or

8 (ii) holds a commission in the National Guard as:

9 1. an officer in the grade of major or below; or

10 2. a warrant officer.

11 (4) (i) “Tuition” means the basic instructional charge for
12 undergraduate, graduate, professional, vocational–technical, and trade school credit
13 courses and related fees at an institution.

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

15 (b) (1) [To the extent that funds are provided in the State budget, the] **THE**
16 Department [may] **SHALL** provide assistance equal to [50%] **100%** of the **REMAINING** cost
17 of in–State tuition, **AFTER ANY INSTITUTIONAL WAIVER, for ANY ACTIVE MEMBER WHO**
18 **IS:**

19 **(I) ENROLLED IN** any regularly scheduled undergraduate credit
20 course, graduate credit course, professional credit course, vocational–technical course, or
21 trade course [for any active member attending] **AT** an institution [who is]; **AND**

22 **(II)** certified as eligible by the Adjutant General.

23 (2) Subject to paragraph (5) of this subsection, a member who receives
24 assistance under paragraph (1) of this subsection for an undergraduate credit,
25 vocational–technical, or trade course shall remain an active member for at least 2 years
26 following the completion of the course.

27 (3) Subject to paragraph (5) of this subsection, a member who receives
28 assistance under paragraph (1) of this subsection for a graduate or professional credit
29 course shall remain an active member for at least 4 years following the completion of the
30 course.

1 (4) Subject to paragraph (5) of this subsection, if a member receives
2 assistance under paragraph (1) of this subsection, and is a member of a unit that has been
3 disbanded on or after September 1, 2013, due to budgetary cuts, Base Realignment and
4 Closure, or any other reason, the member may satisfy the requirements of paragraph (2) or
5 paragraph (3) of this subsection by transferring to another active duty, reserve, or National
6 Guard Unit in the State or in another state.

7 (5) If a member who receives assistance under paragraph (1) of this
8 subsection is offered early separation by the military following the disbanding of the
9 member's unit due to budget cuts, Base Realignment and Closure, or any other reason, the
10 member is excused from the requirements of paragraph (2) or paragraph (3) of this
11 subsection.

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

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

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

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

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2019.