

# HOUSE BILL 597

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CF SB 318

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By: ~~Delegates P. Young, Brooks, Kerr, and R. Lewis~~ R. Lewis, and Crosby

Introduced and read first time: January 27, 2020

Assigned to: Appropriations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 11, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education – Nonresident Tuition – Exemption for Spouses and**  
3 **Dependents of Honorably Discharged Veterans**

4 FOR the purpose of exempting a spouse or financially dependent child of an honorably  
5 discharged veteran of the United States armed forces from paying nonresident  
6 tuition at certain institutions subject to certain documentation; repealing a  
7 requirement that certain public institutions of higher education comply with certain  
8 federal law; defining a certain term; and generally relating to nonresident tuition  
9 exemptions for spouses and financially dependent children of honorably discharged  
10 veterans at public institutions of higher education in the State.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 15–106.4  
14 Annotated Code of Maryland  
15 (2018 Replacement Volume and 2019 Supplement)

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

18 **Article – Education**

19 15–106.4.

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**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           **(A) IN THIS SECTION, “NONRESIDENT TUITION” MEANS OUT-OF-STATE AND**  
2 **OUT-OF-COUNTY TUITION.**

3           **[(a)] (B)** This section applies to the following individuals:

4           (1) An active duty member of the United States armed forces;

5           (2) The spouse of an active duty member of the United States armed forces;

6           (3) A financially dependent child of an active duty member of the United  
7 States armed forces;

8           (4) An honorably discharged veteran of the United States armed forces;

9 **[or]**

10           **(5) THE SPOUSE OF AN HONORABLY DISCHARGED VETERAN OF THE**  
11 **UNITED STATES ARMED FORCES WHO USES GI BENEFITS OF THE VETERAN;**

12           **(6) A FINANCIALLY DEPENDENT CHILD OF AN HONORABLY**  
13 **DISCHARGED VETERAN OF THE UNITED STATES ARMED FORCES WHO USES GI**  
14 **BENEFITS OF THE VETERAN; OR**

15           **[(5)] (7)** A member of the National Guard as defined in § 13-405(a)(3) of  
16 the Public Safety Article.

17           **[(b)] (C)** Notwithstanding any other provision of this article, an individual  
18 described in subsection **[(a)] (B)** of this section who attends a public institution of higher  
19 education in the State is exempt from paying nonresident tuition at a public institution of  
20 higher education in this State if:

21           (1) The active duty member referred to in subsection **[(a)] (B)** of this  
22 section:

23           (i) Is stationed in this State;

24           (ii) Resides in this State; or

25           (iii) Is domiciled in this State;

26           (2) The honorably discharged veteran **REFERRED TO IN SUBSECTION (B)**  
27 **OF THIS SECTION** presents documentation that the individual:

28           (i) Was **AT ANY TIME** honorably discharged from the United States  
29 armed forces; and

30           (ii) 1. Resides in this State; or

2. Is domiciled in this State; or

(3) The National Guard member described in subsection [(a)(5)] (B) of this section is a member of the Maryland National Guard and joined or subsequently serves in the Maryland National Guard to:

(i) Provide a Critical Military Occupational Skill; or

(ii) Be a member of the Air Force Critical Specialty Code as determined by the National Guard.

[(c)] (D) Notwithstanding any other provision of this article, a spouse or financially dependent child of an active duty member OR HONORABLY DISCHARGED VETERAN who enrolls as an entering student in a public institution of higher education and is exempt from paying nonresident tuition under subsection [(b)] (C) of this section shall continue to be exempt from paying nonresident tuition if:

(1) The active duty member OR HONORABLY DISCHARGED VETERAN no longer meets the requirements of subsection [(b)(1)] (C) of this section; and

(2) The spouse or financially dependent child remains continuously enrolled at the public institution of higher education.

[(d) Each public institution of higher education shall comply with federal law relating to nonresident tuition for veterans and veterans' dependents.]

(e) The Commission shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article to implement the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.