

SENATE BILL 318

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01r0329
CF 01r2582

By: **Senators Elfreth, Bailey, Edwards, Peters, and Salling**

Introduced and read first time: January 22, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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.

20 **(A) IN THIS SECTION, “NONRESIDENT TUITION” MEANS OUT–OF–STATE AND**
21 **OUT–OF–COUNTY TUITION.**

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

4 (4) An honorably discharged veteran of the United States armed forces;
5 [or]

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

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

11 **[(5)] (7)** A member of the National Guard as defined in § 13–405(a)(3) of
12 the Public Safety Article.

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

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

19 (i) Is stationed in this State;

20 (ii) Resides in this State; or

21 (iii) Is domiciled in this State;

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

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

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

27 2. Is domiciled in this State; or

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

1 (i) Provide a Critical Military Occupational Skill; or

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

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

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

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

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

15 (e) The Commission shall adopt regulations in accordance with Title 10, Subtitle
16 1 of the State Government Article to implement the provisions of this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2020.