

HOUSE BILL 1530

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6lr2221

By: **Delegates Woorman, Acevero, Kaufman, Martinez, and Spiegel**

Introduced and read first time: February 13, 2026

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Undocumented Students – Out-of-State Tuition Exemption**
3 **Eligibility**

4 FOR the purpose of repealing the requirement that an individual or the individual's parent
5 or guardian file taxes for eligibility to receive an out-of-state tuition exemption at a
6 public institution of higher education; and generally relating to out-of-state tuition
7 exemptions at public institutions of higher education for undocumented students.

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 15–106.8

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2025 Supplement)

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

15 **Article – Education**

16 15–106.8.

17 (a) In this section, “individual”:

18 (1) Includes an undocumented immigrant individual; and

19 (2) Does not include a nonimmigrant alien within the meaning of 8 U.S.C.
20 § 1101(a)(15).

21 (b) Notwithstanding any other provision of this article, an individual shall be
22 exempt from paying the out-of-state tuition rate at a public institution of higher education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 in the State, and shall be eligible for the tuition rates described under subsections (c) and
2 (d) of this section, if the individual:

3 (1) Attended a public or nonpublic secondary school in the State;

4 (2) Graduated from a public or nonpublic secondary school in the State or
5 received the equivalent of a high school diploma in the State;

6 (3) Registers as an entering student in a public institution of higher
7 education in the State not later than 6 years after graduating from a public or nonpublic
8 secondary school in the State or receiving the equivalent of a high school diploma in the
9 State;

10 (4) [Provides to the public institution of higher education documentation
11 that the individual or the individual's parent or legal guardian has filed a Maryland income
12 tax return annually for the 3-year period before the academic year in which the tuition rate
13 exemption would apply;

14 (5) In the case of an individual who is not a permanent resident, provides
15 to the public institution of higher education an affidavit stating that the individual will file
16 an application to become a permanent resident within 30 days after the individual becomes
17 eligible to do so; and

18 [(6) (5) In the case of an individual who is required to register with the
19 Selective Service System, provides to the public institution of higher education
20 documentation that the individual has complied with the registration requirement.

21 (c) Notwithstanding any other provision of this article and subject to subsection
22 (i) of this section, an individual shall be eligible to pay a rate that is equivalent to the
23 resident tuition rate at a public senior higher education institution, if the individual meets
24 the requirements of subsection (b) of this section.

25 (d) Notwithstanding any other provision of this article, an individual shall be
26 eligible to pay a rate that is equivalent to the in-county tuition rate at a community college
27 in the State if the individual:

28 (1) Meets the requirements of subsection (b) of this section; and

29 (2) Attends a community college supported by the county in which:

30 (i) An address in the county is used on the Maryland income tax
31 return of the individual or the individual's parent or legal guardian of the calendar year
32 prior to the academic year in which the rate would apply;

33 (ii) The secondary school from which the individual graduated is
34 located; or

1 (iii) In the case of an individual who received the equivalent of a high
2 school diploma in the State, the secondary school most recently attended by the individual
3 is located.

4 (e) (1) Notwithstanding any other provision of this article, an individual shall
5 retain the individual's tuition status at a public institution of higher education in the State
6 if the individual:

7 (i) Meets the requirements of paragraph (2) of this subsection; and

8 (ii) On or after June 15, 2012, was exempt from paying the
9 out-of-state or out-of-county tuition rate at a public institution of higher education.

10 (2) **[To] UNTIL THE INDIVIDUAL IS AWARDED A DEGREE FROM THE**
11 **PUBLIC INSTITUTION OF HIGHER EDUCATION, TO** retain tuition status under this
12 subsection, an individual shall **[use] ANNUALLY PROVIDE PROOF OF RESIDENCY BY:**

13 **(I) USING** an address in the State on the Maryland income tax
14 return of the individual or the individual's parent or legal guardian **[annually until the**
15 **individual is awarded a degree from the public institution of higher education]; OR**

16 **(II) PROVIDING OTHER OFFICIAL DOCUMENTATION AS**
17 **DETERMINED BY THE PUBLIC INSTITUTION OF HIGHER EDUCATION.**

18 (f) Information collected under this section as part of a student's registration
19 shall remain confidential.

20 (g) (1) A public institution of higher education that admits an individual who
21 qualifies for the tuition rate under this section shall:

22 (i) Keep a record of the number of individuals who pay the tuition
23 rate in accordance with the requirements under subsections (c) and (d) of this section; and

24 (ii) Report the information required in item (i) of this paragraph to
25 the Commission each year.

26 (2) The Commission shall submit to the General Assembly, in accordance
27 with § 2-1257 of the State Government Article, an annual report consisting of a compilation
28 of the reports submitted to the Commission under paragraph (1) of this subsection.

29 (h) The governing board of each public institution of higher education shall adopt
30 appropriate policies to implement the provisions of this section.

31 (i) The students that are receiving the tuition rate described in subsection (c) of
32 this section may not be counted as in-State students for the purposes of determining the

1 number of Maryland undergraduate students enrolled at a public senior higher education
2 institution.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2026.