



Testimony for the House Appropriations Committee

House Bill 1530 – Higher Education – Undocumented Students – Out-of-State Tuition Exemption Eligibility

FAVORABLE WITH AMENDMENTS

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OF MARYLAND

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The ACLU of Maryland urges a favorable report on HB 1530, which seeks to repeal the requirement that an individual, or their parents or guardian, file three years of Maryland income tax returns to qualify for in-state tuition at a public institution of higher education in the state. Removing unnecessary barriers to higher education degrees and certifications will help more people achieve their career goals and life aspirations while also strengthening Maryland's economy by cultivating a more educated and skilled workforce.

The Maryland Dream Act, passed in 2012, allows undocumented students to pay in-state tuition rates at public institutions of higher education if they meet certain eligibility requirements. Since its passage, enrollment of foreign-born and Latine students in Maryland colleges more than doubled between 2009 and 2018.¹ However, more than a decade later, the data shows that students from foreign-born families remain underrepresented in higher education institutions. In 2023, undocumented immigrants made up as much as 13% of Maryland's high school population but accounted for only about 4-5% of the roughly 63,000 students who graduate each year.² Among undocumented students eligible for college enrollment, only an estimated 19% go on to college, compared with more than 50% of the general population.^{3,4}

The requirement to provide three years of Maryland income tax returns creates a significant barrier to higher education. Many undocumented students

¹ Trends in Enrollment by Race and Gender 2009-2018. (2019). Maryland Higher Education Commission.

<https://mhec.maryland.gov/publications/Documents/Research/AnnualReports/2018EnrollbyRaceGender.pdf>

² Graduating into Uncertainty: Unauthorized Immigrant Students in U.S. High Schools. (2026). Migration Policy Institute. <https://www.migrationpolicy.org/sites/default/files/publications/mpi-unauthorized-hs-grads-fact-sheet-2026-final.pdf>

³ Increasing Participation in Postsecondary Education. (2022). Maryland State Department of Education and Maryland Higher Education Commission.

https://marylandpublicschools.org/programs/Documents/reports/IncreasingParticipationPostsecondaryEd-v4_A.pdf

⁴ Is There An Enrollment Cliff? Policy Brief. (2022). Maryland Higher Education Commission.

https://mhec.maryland.gov/publications/Documents/Research/PolicyReports/Winter_2025_Is_there_an_Enrollment_Cliff_in_MD_brief_final.pdf

and their families work in the cash economy and may not have formal tax documentation. Others who pay Maryland income taxes may fear sharing their personal identifying information out of concern that it could be accessed by federal immigration enforcement. HB 1530 would remove this barrier and help boost higher education enrollment among Maryland's immigrant communities.

In-state tuition is critical to expanding access to higher education as tuition costs continue to rise. College affordability has become a growing crisis across the country. Over the past two decades, college tuition has more than doubled.⁵ In Maryland, the average in-state tuition for undergraduate college enrollment increased by 9.1% between 2016 to 2024.⁶ While out-of-state tuition rates vary, they are often two to three times higher than in-state rates. During the same time period, the average out-of-state tuition cost increased by 26.3%, while tuition at private colleges rose by approximately 16%⁶, creating significant financial barriers for students seeking to access postsecondary education pathways

Further, federal actions to cut or reduce funding for various higher education programs are likely to exacerbate tuition increases in the near term.⁷ While these realities affect everyone pursuing higher education degrees and certifications, Marylanders from low-income families are disproportionately impacted. Undocumented students – many of whom are from low-income families – face the additional burden of paying out-of-state tuition if they cannot produce the documentation required to qualify for in-state tuition. SB 1530 would help level the playing field by improving access to affordable higher education for immigrant communities in Maryland.

The ACLU of Maryland asks the committee to amend HB 1530 to address potential barriers in the application process and to ensure fair eligibility determinations for state financial assistance.

- The Maryland Higher Education Commission's (MHEC) One-App system provides a one-stop-shop for all prospective students to apply for the nearly 30 scholarships and financial assistance programs administered through the commission. To ensure undocumented students have an equitable opportunity to access these resources, HB 1530 should be amended to include alternative ways to demonstrate financial status within the MHEC One-App system. MHEC should be required to develop regulations establishing these alternatives and consider documentation such as bank statements, pay stubs, and employment invoices.
- To align with federal law, the committee should also remove language requiring applicants to provide documentation regarding their Selective Service registration status. The federal FAFSA program required

⁵ Gill, Lindsey. (2025, Aug 6). What is contributing to the rising college cost? *The Olympian*. <https://www.theolympian.com/news/business/article311615594.html>

⁶ Maryland College Tuition Trends Over Past 10 Years. (2026). College Tuition Compare. <https://www.collegetuitioncompare.com/trends/?state=MD>

⁷ Schermele, Sachary. (2025, Jul 13). Will Trump's new spending law make college tuition more expensive? *USA Today*. <https://www.usatoday.com/story/news/education/2025/07/13/trump-spending-bill-college-tuition-student-loans/84538749007/>

applicants to register for the Selective Service until this requirement was eliminated by the FAFSA Simplification Act passed in December 2020.

Maryland is facing significant workforce shortages across several industries. While Maryland has relatively low unemployment, many employers are struggling to fill open positions⁸. Maryland's workforce is aging, and there is a growing need for skilled workers. Hospitals and healthcare facilities throughout the state need nurses and support staff to improve the quality of care and wait times for patients. Maryland's tourism economy is experiencing a shortage in hospitality and food service workers. Skilled trades in construction are in high demand, as are workers in the agricultural and the food industries. Additionally, Maryland's *Blueprint* plan is also increasing the demand for teachers and behavioral health professionals. HB 1530 would help ensure that more high school graduates can pursue college degrees and postsecondary career certifications, expanding the pool of qualified workers available to fill essential jobs across Maryland.

For these reasons, the ACLU of Maryland urges a favorable report on HB 1530.

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⁸ Tackling the 2026 Labor Shortage in Maryland: Causes, Data, and EB-3 Visa Solutions. (2026). EB3.Work. <https://eb3.work/tackling-the-2024-labor-shortage-in-maryland/>