

SENATE BILL 414

F2

3lr2003
CF HB 1012

By: **Senators King, Benson, Currie, Forehand, Garagiola, Jennings, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, ~~and Pugh~~ Pugh, and Frosh ~~Frosh~~, and Muse**

Introduced and read first time: January 28, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 17, 2013

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Tuition Waiver – Foster Care Recipients**

3 FOR the purpose of altering the definition of “foster care recipient”, for purposes of a
4 certain tuition waiver, to include certain individuals who are placed into
5 guardianship or who are adopted out of an out-of-home placement by a certain
6 guardianship family; providing that certain foster care recipients are eligible for
7 a certain tuition waiver if the recipient is enrolled in a vocational certificate
8 program at a public institution of higher education in the State, subject to
9 certain conditions; and generally relating to tuition waivers at institutions of
10 higher education for foster care recipients.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 15–106.1
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2012 Supplement)

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

18 **Article – Education**

19 15–106.1.

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

2 (2) (i) “Foster care recipient” means an individual who:

3 1. Was placed in an out-of-home placement by the
4 Maryland Department of Human Resources; and

5 2. A. Resided in an out-of-home placement in the
6 State at the time the individual graduated from high school or successfully completed
7 a general equivalency development examination (GED); or

8 B. Resided in an out-of-home placement in the State on
9 the individual’s 13th birthday and was **PLACED INTO GUARDIANSHIP OR** adopted
10 out of an out-of-home placement after the individual’s 13th birthday.

11 (ii) “Foster care recipient” includes a younger sibling of an
12 individual described in subparagraph (i) of this paragraph if the younger sibling is
13 concurrently **PLACED INTO GUARDIANSHIP OR** adopted out of an out-of-home
14 placement by the same **GUARDIANSHIP OR** adoptive family.

15 (3) “Out-of-home placement” has the meaning stated in § 5-501 of the
16 Family Law Article.

17 (4) (i) “Tuition” means the charges imposed by a public institution
18 of higher education for enrollment at the institution.

19 (ii) “Tuition” includes charges for registration and all fees
20 required as a condition of enrollment.

21 (b) (1) [Except as provided in paragraph (2) of this subsection, a] **A** foster
22 care recipient is exempt from paying **ANY** tuition at a public institution of higher
23 education, **REGARDLESS OF THAT FOSTER CARE RECIPIENT’S RECEIPT OF ANY**
24 **SCHOLARSHIP OR GRANT** if:

25 (i) The foster care recipient is enrolled at the institution on or
26 before the date that the foster care recipient reaches the age of 25 years;

27 (ii) The foster care recipient is enrolled as a candidate for **A**
28 **VOCATIONAL CERTIFICATE**, an associate’s degree, or a bachelor’s degree; and

29 (iii) The foster care recipient has filed for federal and State
30 financial aid by March 1 each year.

31 (2) If a foster care recipient receives a scholarship or grant for
32 postsecondary study and is enrolled before the recipient’s 25th birthday as a candidate

1 for **A VOCATIONAL CERTIFICATE**, an associate’s degree, or bachelor’s degree at a
 2 public institution of higher education, **THE SCHOLARSHIP OR GRANT MAY NOT BE**
 3 **APPLIED TO THE TUITION FOR** the foster care recipient [may not be required to pay
 4 the difference between the amount of the scholarship or grant and the amount of the
 5 tuition].

6 (3) A foster care recipient who is exempt from tuition under this
 7 section continues to be exempt until the earlier of:

8 (i) 5 years after first enrolling as a candidate for ~~A~~
 9 ~~VOCATIONAL CERTIFICATE~~, an associate’s degree, or a bachelor’s degree at a public
 10 institution of higher education in the State; or

11 (ii) The date that the foster care recipient is awarded a
 12 bachelor’s degree.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 14 ~~October~~ July 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.