

HOUSE BILL 1136

F2
SB 18/14 – EHE

5lr2710

By: **Delegates Shoemaker, Buckel, and McKay**

Introduced and read first time: February 19, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Military Dependents – In-State Tuition**

3 FOR the purpose of exempting certain dependents of certain members of the United States
4 armed forces from paying nonresident tuition at a public institution of higher
5 education in the State under certain circumstances; and generally relating to tuition
6 charges for certain dependents of certain members of the armed forces.

7 BY repealing and reenacting, with amendments,

8 Article – Education

9 Section 15–106.4

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2014 Supplement)

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

14 **Article – Education**

15 15–106.4.

16 (a) **(1)** This [section] **SUBSECTION** applies to the following individuals:

17 **[(1)] (1)** An active duty member of the United States armed forces;

18 **[(2)] (2)** The spouse of an active duty member of the United States armed forces;

19 **(3)** A financially dependent child of an active duty member of the United
20 States armed forces;]

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 [(5)] (III) A member of the National Guard as defined in §
4 13-405(a)(3) of the Public Safety Article.

5 [(b)] (2) Notwithstanding any other provision of this article, an individual
6 described in [subsection (a)] PARAGRAPH (1) of this [section] SUBSECTION who attends
7 a public institution of higher education in the State is exempt from paying nonresident
8 tuition at a public institution of higher education in this State if:

9 [(1)] (I) The active duty member referred to in [subsection (a)]
10 PARAGRAPH (1)(I) of this [section] SUBSECTION:

11 [(i)] 1. Is stationed in this State;

12 [(ii)] 2. Resides in this State; or

13 [(iii)] 3. Is domiciled in this State;

14 [(2)] (II) The honorably discharged veteran REFERRED TO IN
15 PARAGRAPH (1)(II) OF THIS SUBSECTION presents documentation that the individual:

16 [(i)] 1. Was honorably discharged from the United States armed
17 forces; and

18 [(ii)] 1.] 2. A. Resides in this State; or

19 [2.] B. Is domiciled in this State; or

20 [(3)] (III) The National Guard member described in [subsection (a)(5)]
21 PARAGRAPH (1)(III) of this [section] SUBSECTION is a member of the Maryland National
22 Guard and joined or subsequently serves in the Maryland National Guard to:

23 [(i)] 1. Provide a Critical Military Occupational Skill; or

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

26 (B) (1) THIS SUBSECTION APPLIES TO THE FOLLOWING INDIVIDUALS:

27 (I) THE SPOUSE OF AN ACTIVE DUTY OR RETIRED MEMBER OF
28 THE UNITED STATES ARMED FORCES; OR

1 **(II) A FINANCIALLY DEPENDENT CHILD OF AN ACTIVE DUTY OR**
2 **RETIRED MEMBER OF THE UNITED STATES ARMED FORCES.**

3 **[(c)] (2)** Notwithstanding any other provision of this article, [a spouse or
4 financially dependent child of an active duty member] **AN INDIVIDUAL DESCRIBED IN**
5 **PARAGRAPH (1) OF THIS SUBSECTION** who enrolls as an entering student in a public
6 institution of higher education [and] **IN THE STATE** is exempt from paying nonresident
7 tuition [under subsection (b) of this section shall continue to be exempt from paying
8 nonresident tuition] **AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE**
9 if:

10 **[(1)] (I)** The active duty [member no longer meets the requirements of
11 subsection (b)(1) of this section] **OR RETIRED MEMBER WAS STATIONED IN THE STATE**
12 **AT ANY TIME;** and

13 **[(2)] (II)** The spouse or financially dependent child [remains continuously
14 enrolled at the public institution of higher education] **ATTENDED A PUBLIC OR PRIVATE**
15 **SCHOOL IN THE STATE AT ANY TIME DURING THE 4 YEARS IMMEDIATELY BEFORE**
16 **ENROLLING IN A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE.**

17 **[(d)] (C)** The Commission shall adopt regulations in accordance with Title 10,
18 Subtitle 1 of the State Government Article to implement the provisions of this section.

19 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect July
20 1, 2015.