

SENATE BILL 1141

F1

8lr3928
CF HB 1203

By: **Senator Nathan–Pulliam**

Introduced and read first time: February 16, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Education Opportunity Act of 2018**

3 FOR the purpose of exempting certain individuals from payment of tuition to attend a
4 community college in the State under certain circumstances; providing a certain
5 discount on tuition to certain individuals attending a community college in the State
6 under certain circumstances; requiring certain individuals to apply for certain
7 financial aid; providing for the duration of the tuition waiver and the tuition
8 discount; requiring certain individuals to be counted in a certain computation of
9 State and local aid to community colleges; specifying how financial aid shall be
10 applied for individuals who receive a tuition waiver or a tuition discount; requiring
11 the State to reimburse community colleges for certain foregone tuition revenue;
12 requiring that funds used to reimburse community colleges shall be paid from the
13 Education Trust Fund from funds allocated from a certain source; authorizing the
14 Maryland Higher Education Commission to adopt certain regulations; defining a
15 certain term; and generally relating to tuition waivers and tuition discounts for
16 certain individuals at community colleges in the State.

17 BY adding to
18 Article – Education
19 Section 16–106.1
20 Annotated Code of Maryland
21 (2014 Replacement Volume and 2017 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – State Government
24 Section 9–1A–30
25 Annotated Code of Maryland
26 (2014 Replacement Volume and 2017 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

16-106.1.

(A) (1) IN THIS SECTION, “TUITION” MEANS THE BASIC INSTRUCTIONAL CHARGE FOR COURSES OFFERED AT A COMMUNITY COLLEGE.

(2) “TUITION” INCLUDES ANY FEES FOR:

(I) REGISTRATION;

(II) APPLICATION;

(III) ADMINISTRATION; AND

(IV) LABORATORY WORK.

(B) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO:

(I) IS A RESIDENT OF THE STATE; AND

(II) ENROLLS AS A CANDIDATE FOR A VOCATIONAL CERTIFICATE OR AN ASSOCIATE’S DEGREE AT A COMMUNITY COLLEGE IN THE STATE WITHIN 2 YEARS AFTER GRADUATING FROM A HIGH SCHOOL IN THE STATE OR SUCCESSFULLY COMPLETING A GED.

(2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION WHO ENROLLS IN ANY CLASS THAT IS ELIGIBLE UNDER § 16-305 OF THIS TITLE FOR STATE SUPPORT AT THE COMMUNITY COLLEGE:

(I) SHALL BE EXEMPT FROM PAYMENT OF TUITION; AND

(II) SHALL BE COUNTED IN COMPUTING FULL-TIME EQUIVALENT ENROLLMENT UNDER § 16-305 OF THIS TITLE.

(3) AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS SUBSECTION SHALL SUBMIT A TIMELY APPLICATION FOR ANY STATE OR FEDERAL STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH THE STUDENT MAY QUALIFY.

(C) (1) THIS SUBSECTION APPLIES TO AN INDIVIDUAL WHO:

(I) IS A RESIDENT OF THE STATE;

1 (II) DOES NOT HAVE A HIGH SCHOOL DIPLOMA OR GED;

2 (III) HAS BEEN ACTIVELY SEEKING EMPLOYMENT BUT HAS BEEN
3 UNEMPLOYED FOR AT LEAST 6 MONTHS; AND

4 (IV) ENROLLS AS A CANDIDATE FOR A VOCATIONAL
5 CERTIFICATE OR AN ASSOCIATE'S DEGREE AT A COMMUNITY COLLEGE IN THE
6 STATE.

7 (2) AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS
8 SUBSECTION WHO ENROLLS IN ANY CLASS THAT IS ELIGIBLE UNDER § 16-305 OF
9 THIS TITLE FOR STATE SUPPORT AT THE COMMUNITY COLLEGE:

10 (I) SHALL RECEIVE A 50% DISCOUNT ON THE COST OF TUITION;
11 AND

12 (II) SHALL BE COUNTED IN COMPUTING FULL-TIME
13 EQUIVALENT ENROLLMENT UNDER § 16-305 OF THIS TITLE.

14 (3) AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THIS
15 SUBSECTION SHALL SUBMIT A TIMELY APPLICATION FOR ANY STATE OR FEDERAL
16 STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH THE STUDENT
17 MAY QUALIFY.

18 (D) AN INDIVIDUAL WHO RECEIVES A TUITION WAIVER UNDER SUBSECTION
19 (B) OF THIS SECTION OR A TUITION DISCOUNT UNDER SUBSECTION (C) OF THIS
20 SECTION SHALL CONTINUE TO RECEIVE THE TUITION WAIVER OR THE TUITION
21 DISCOUNT UNTIL THE EARLIER OF:

22 (1) 2 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR A
23 VOCATIONAL CERTIFICATE OR AN ASSOCIATE'S DEGREE AT A COMMUNITY COLLEGE
24 IN THE STATE; OR

25 (2) THE DATE THAT THE INDIVIDUAL IS AWARDED A VOCATIONAL
26 CERTIFICATE OR AN ASSOCIATE'S DEGREE.

27 (E) (1) ANY STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN,
28 RECEIVED BY AN INDIVIDUAL WHO RECEIVES A TUITION WAIVER UNDER
29 SUBSECTION (B) OF THIS SECTION OR A TUITION DISCOUNT UNDER SUBSECTION (C)
30 OF THIS SECTION SHALL BE APPLIED FIRST TO PAY THE INDIVIDUAL'S TUITION.

31 (2) THE TUITION WAIVER OR THE TUITION DISCOUNT SHALL APPLY

1 TO THE DIFFERENCE, IF ANY, BETWEEN THE CHARGE FOR TUITION AND THE
2 FINANCIAL AID AWARD, NOT INCLUDING A STUDENT LOAN, THAT THE INDIVIDUAL
3 RECEIVES.

4 (3) ON REQUEST, THE COMMUNITY COLLEGE SHALL ASSIST ANY
5 INDIVIDUAL REQUIRED TO SUBMIT AN APPLICATION FOR STATE OR FEDERAL
6 STUDENT FINANCIAL AID UNDER THIS SECTION.

7 (F) (1) A COMMUNITY COLLEGE IS ENTITLED TO REIMBURSEMENT FROM
8 THE STATE FOR FOREGONE TUITION REVENUE RESULTING FROM TUITION WAIVERS
9 AND TUITION DISCOUNTS AWARDED IN ACCORDANCE WITH THIS SECTION.

10 (2) ANY FUNDS USED TO REIMBURSE A COMMUNITY COLLEGE FOR
11 FOREGONE TUITION REVENUE SHALL BE PAID FROM THE EDUCATION TRUST FUND
12 FROM THE FUNDS ALLOCATED UNDER § 9-1A-27 OF THE STATE GOVERNMENT
13 ARTICLE.

14 (G) THE COMMISSION MAY ADOPT REGULATIONS NECESSARY TO
15 IMPLEMENT THE PROVISIONS OF THIS SECTION.

16 **Article – State Government**

17 9-1A-30.

18 (a) There is an Education Trust Fund which is a special, nonlapsing fund that is
19 not subject to § 7-302 of the State Finance and Procurement Article.

20 (b) (1) There shall be credited to the Education Trust Fund all proceeds
21 allocated to the Fund under § 9-1A-27 of this subtitle.

22 (2) Money in the Education Trust Fund shall be invested and reinvested
23 by the Treasurer, and interest and earnings shall accrue to the Fund.

24 (c) Money in the Education Trust Fund shall be used to:

25 (1) provide funding for public elementary and secondary education,
26 through continuation of the funding and formulas established under the programs
27 commonly known as the Bridge to Excellence in Public Schools Act, first enacted by Chapter
28 288 of the Acts of the General Assembly of 2002, including the funding for regional
29 differences in the cost of education under § 5-202(f) of the Education Article;

30 (2) provide funds to construct public school buildings and provide public
31 school capital improvements in accordance with §§ 5-301 through 5-303 of the Education
32 Article;

1 (3) provide funds for capital projects at community colleges and public
2 senior higher education institutions; [and]

3 (4) provide funds to expand public early childhood education programs in
4 the State; AND

5 **(5) PROVIDE FUNDS TO REIMBURSE COMMUNITY COLLEGES FOR**
6 **FOREGONE TUITION REVENUE IN ACCORDANCE WITH § 16-106.1 OF THE**
7 **EDUCATION ARTICLE.**

8 (d) Expenditures from the Education Trust Fund shall be made each fiscal year
9 in accordance with the State budget.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2018.