

# HOUSE BILL 1427

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By: **Delegate Cain**

Introduced and read first time: February 7, 2020

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Tuition Exemption – Spouses and Dependents of Disabled**  
3 **Veterans**

4 FOR the purpose of exempting a certain child or surviving spouse of a certain veteran of  
5 the United States armed forces from paying tuition at a public institution of higher  
6 education; establishing eligibility criteria for receiving the exemption; requiring any  
7 scholarship or grant awarded to be applied to tuition before the exemption; providing  
8 for the duration of the exemption; requiring public institutions of higher education  
9 to report to the Maryland Higher Education Commission on or before a certain date  
10 each year; requiring the Commission to report to the General Assembly on or before  
11 a certain date each year; defining certain terms; and generally relating to an  
12 exemption from paying tuition for spouses and dependents of disabled veterans.

13 BY adding to

14 Article – Education

15 Section 15–106.11

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2019 Supplement)

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

20 **Article – Education**

21 **15–106.11.**

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
23 INDICATED.

24 (2) “ANNUAL GROSS INCOME” INCLUDES THE AMOUNT OF ANY

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SUPPORT RECEIVED FROM A PARENT.

2 (3) "CHILD" MEANS AN INDIVIDUAL WHO IS A NATURAL CHILD, A  
3 STEPCHILD, OR AN ADOPTED CHILD AND WHO:

4 (I) IS THE CHILD OF A DISABLED VETERAN;

5 (II) IS THE CHILD OF AN INDIVIDUAL WHO HAS DIED IN THE LINE  
6 OF DUTY; OR

7 (III) RECEIVES DEPENDENCY AND INDEMNITY COMPENSATION  
8 FROM THE U.S. DEPARTMENT OF VETERANS AFFAIRS.

9 (4) (I) "DISABLED VETERAN" MEANS AN INDIVIDUAL WHO:

10 1. IS HONORABLY DISCHARGED OR RELEASED UNDER  
11 HONORABLE CIRCUMSTANCES FROM ACTIVE MILITARY, NAVAL, OR AIR SERVICE AS  
12 DEFINED IN 38 U.S.C. § 101; AND

13 2. HAS BEEN DECLARED BY THE U.S. DEPARTMENT OF  
14 VETERANS AFFAIRS TO HAVE A PERMANENT SERVICE-CONNECTED DISABILITY OF  
15 AT LEAST 80% THAT RESULTS FROM BLINDNESS OR OTHER DISABLING CAUSE THAT:

16 A. IS REASONABLY CERTAIN TO CONTINUE FOR THE LIFE  
17 OF THE VETERAN; AND

18 B. WAS NOT CAUSED OR INCURRED BY MISCONDUCT OF  
19 THE VETERAN.

20 (II) "DISABLED VETERAN" INCLUDES AN INDIVIDUAL WHO  
21 QUALIFIES POSTHUMOUSLY FOR A SERVICE-CONNECTED DISABILITY OF 100%.

22 (5) "INDIVIDUAL WHO DIED IN THE LINE OF DUTY" MEANS AN  
23 INDIVIDUAL WHO DIED WHILE IN THE ACTIVE MILITARY, NAVAL, OR AIR SERVICE OF  
24 THE UNITED STATES AS A RESULT OF AN INJURY OR DISEASE THAT IS DEEMED  
25 UNDER 38 U.S.C. § 105 TO HAVE BEEN INCURRED IN THE LINE OF DUTY.

26 (6) "SURVIVING SPOUSE" MEANS AN INDIVIDUAL WHO HAS NOT  
27 REMARRIED AND WHO:

28 (I) IS THE SURVIVING SPOUSE OF A DISABLED VETERAN;

29 (II) IS THE SURVIVING SPOUSE OF AN INDIVIDUAL WHO DIED IN

1 THE LINE OF DUTY; OR

2 (III) RECEIVES DEPENDENCY AND INDEMNITY COMPENSATION  
3 FROM THE U.S. DEPARTMENT OF VETERANS AFFAIRS.

4 (7) (I) "TUITION" MEANS THE BASIC INSTRUCTIONAL CHARGE FOR  
5 COURSES OFFERED AT AN INSTITUTION OF HIGHER EDUCATION.

6 (II) "TUITION" DOES NOT INCLUDE ANY:

7 1. FEES FOR:

8 A. REGISTRATION;

9 B. APPLICATION;

10 C. ADMINISTRATION;

11 D. LABORATORY WORK;

12 E. COSTS ASSOCIATED WITH THE PARTS OF A  
13 REGISTERED APPRENTICESHIP THAT TAKE PLACE AT A LOCATION THAT IS NOT A  
14 COMMUNITY COLLEGE; OR

15 F. ROOM AND BOARD THAT ARE RELATED TO AN  
16 ON-CAMPUS RESIDENTIAL FACILITY FOR STUDENTS; OR

17 2. OTHER MANDATORY FEES.

18 (8) "VOCATIONAL CERTIFICATE" MEANS A CERTIFICATE OR LICENSE  
19 AWARDED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION ON COMPLETION OF A  
20 COURSE OF STUDY THAT PREPARES AN INDIVIDUAL TO WORK IN A CAREER FIELD BY  
21 TAKING CREDIT-BEARING COURSES OR NONCREDIT COURSES.

22 (B) THIS SECTION APPLIES TO AN INDIVIDUAL WHO IS:

23 (1) A CHILD OR SURVIVING SPOUSE; AND

24 (2) A RESIDENT OF THE STATE.

25 (C) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A CHILD  
26 OR SURVIVING SPOUSE WHO ATTENDS A PUBLIC INSTITUTION OF HIGHER  
27 EDUCATION IN THE STATE IS EXEMPT FROM PAYING TUITION IN ACCORDANCE WITH

1 THIS SUBSECTION IF:

2 (1) THE ANNUAL GROSS INCOME OF THE CHILD OR SURVIVING  
3 SPOUSE FALLS BELOW THE FEDERAL POVERTY GUIDELINES AS DETERMINED BY THE  
4 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND

5 (2) THE CHILD OR SURVIVING SPOUSE IS ENROLLED AS A CANDIDATE  
6 FOR A VOCATIONAL CERTIFICATE, AN ASSOCIATE DEGREE, OR A BACHELOR'S  
7 DEGREE.

8 (3) IF A CHILD OR SURVIVING SPOUSE RECEIVES A SCHOLARSHIP OR  
9 GRANT FOR POSTSECONDARY STUDY AND IS ENROLLED AS A CANDIDATE FOR A  
10 VOCATIONAL CERTIFICATE, AN ASSOCIATE DEGREE, OR A BACHELOR'S DEGREE AT  
11 A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE AMOUNT OF ANY SCHOLARSHIP  
12 OR GRANT AWARDED SHALL BE APPLIED TO THE TUITION FOR THE CHILD OR  
13 SURVIVING SPOUSE BEFORE AN EXEMPTION UNDER THIS SECTION.

14 (4) A CHILD OR SURVIVING SPOUSE WHO IS EXEMPT FROM TUITION  
15 UNDER THIS SECTION CONTINUES TO BE EXEMPT UNTIL THE EARLIER OF:

16 (I) 10 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR AN  
17 ASSOCIATE DEGREE OR A BACHELOR'S DEGREE AT A PUBLIC INSTITUTION OF  
18 HIGHER EDUCATION IN THE STATE; OR

19 (II) THE DATE THAT THE CHILD OR SURVIVING SPOUSE IS  
20 AWARDED A BACHELOR'S DEGREE.

21 (D) (1) ON OR BEFORE JUNE 1 EACH YEAR, EACH PUBLIC INSTITUTION  
22 OF HIGHER EDUCATION IN THE STATE SHALL REPORT TO THE COMMISSION ON THE  
23 AGGREGATE AND DISAGGREGATE NUMBER OF INDIVIDUALS WHO:

24 (I) RECEIVED A TUITION EXEMPTION UNDER THIS SECTION  
25 DURING THE PRIOR ACADEMIC YEAR;

26 (II) RECEIVED A TUITION EXEMPTION UNDER THIS SECTION AT  
27 ANY POINT DURING THEIR ENROLLMENT AT THE INSTITUTION; AND

28 (III) EARNED A VOCATIONAL CERTIFICATE, AN ASSOCIATE  
29 DEGREE, OR A BACHELOR'S DEGREE FROM THE INSTITUTION DURING THE PRIOR  
30 ACADEMIC YEAR.

31 (2) ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE COMMISSION  
32 SHALL:

1                   **(I)    COMPILE THE REPORTS RECEIVED IN ACCORDANCE WITH**  
2 **PARAGRAPH (1) OF THIS SUBSECTION; AND**

3                   **(II)   SUBMIT THE COMPILATION OF REPORTS TO THE GENERAL**  
4 **ASSEMBLY IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
6 1, 2020.