

Department of Legislative Services  
Maryland General Assembly  
2021 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 858  
Appropriations

(Delegate Hornberger)

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**Higher Education - Active Duty Law Enforcement Officers - Tuition Exemption**

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This bill exempts an active-duty law enforcement officer who lives and works in the State from paying tuition at a public institution of higher education if the officer is seeking a degree that is related to (1) conflict resolution; (2) community relations; or (3) criminal justice. **The bill takes effect July 1, 2021.**

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**Fiscal Summary**

**State Effect:** Higher education tuition revenues decrease, potentially significantly, due to tuition waivers granted beginning in FY 2022. Higher education expenditures increase by an indeterminate amount annually.

**Local Effect:** Tuition revenues at community colleges decrease, potentially significantly, due to additional tuition waivers granted beginning in FY 2022. Community college expenditures increase annually by an indeterminate amount. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill defines a “law enforcement officer” as specified under § 3-101 of the Public Safety Article. Under that statutory provision, “law enforcement officer” means an individual who (1) in an official capacity is authorized by law to make arrests and (2) is a member of one of a list of specified law enforcement agencies. Individuals who meet specified criteria are excluded from the definition of “law enforcement officer” under § 3-101 of the Public Safety Article.

**Current Law:** Statute requires full tuition waivers for qualified individuals of the following groups: foster care recipients; unaccompanied homeless youth; individuals with disabilities; and senior citizens. In addition, specified individuals from the following groups are eligible for in-county or in-state tuition: certain members of the U.S. Armed Forces or National Guard and their families; public school teachers taking a required course; children of State or local public safety employees killed in the line of duty; and a student enrolled in specified health workforce shortage areas. Specified nursing students may qualify for reimbursement of the out-of-county fee.

**State Fiscal Effect:** Higher education tuition revenues decrease, potentially significantly, beginning in fiscal 2022 due to tuition waivers for active-duty law enforcement officers. It is unknown how many law enforcement officers will choose to take advantage of the tuition waiver. According to the Maryland Police Training and Standards Commission, there are approximately 17,000 certified law enforcement officers in the State. Higher education expenditures increase due to additional enrollments; the amount cannot be determined as it depends on the number of credits each individual chooses to enroll in.

The average annual tuition and fees for full-time resident undergraduates at public four-year institutions for fall 2021 (fiscal 2022) pending final approval is \$10,300; this excludes Morgan State University, which has not yet published anticipated rates. This average does not reflect tuition and fees for any graduate level degrees that may be eligible for the tuition waiver. It is unknown which institutions will have degree programs that qualify for the waiver. The actual amount of the revenue decrease per full-time equivalent student (FTES) may be less depending on the number of credits attempted per recipient and the distribution of institutions that waiver recipients choose to attend.

Tuition revenues may also decrease at Baltimore City Community College, the only State-operated community college, by an estimated \$4,400 per FTES receiving a waiver based on fall 2020 (fiscal 2021) rates.

Institutions of higher education can administer the program using existing resources.

Future year revenue losses, and expenditure increases, are dependent on the number of additional individuals who are eligible for a waiver and choose to use it, the number of credits attempted per student, the distribution of institutions that waiver recipients choose to attend, and tuition and fee rates.

**Local Fiscal Effect:** Tuition revenues at locally operated community colleges decrease, potentially significantly, beginning in fiscal 2022. As discussed above, the impact may be significant for an individual college but cannot be reliably quantified. The average annual tuition and fees for full-time in-county students at the community colleges for fall 2020 (fiscal 2021) is \$4,800; tuition and fees for fall 2021 (fiscal 2022) have not been

approved yet. The actual amount of the revenue decrease per FTES may be less depending on the number of credits attempted per student and the distribution of institutions that waiver recipients choose to attend, and may vary each year. Community college expenditures also increase, as discussed above, but the amount cannot be determined.

Community colleges can likely administer the program using existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Higher Education Commission; Morgan State University; Department of Legislative Services

**Fiscal Note History:** First Reader - February 9, 2021  
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