

HOUSE BILL 390

F2
HB 1102/22 – APP

3lr1579
CF 3lr1231

By: **Delegates Feldmark, Amprey, Atterbeary, Bartlett, Charkoudian, Crosby, Edelson, Foley, Guyton, Healey, Hill, Hornberger, Metzgar, Simmons, Terrasa, and Watson**

Introduced and read first time: January 26, 2023

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Community College Tuition and Residency Waivers – Funding**

3 FOR the purpose of requiring the Governor, for certain fiscal years, to include in the annual
4 State budget for the Maryland Higher Education Commission an appropriation of a
5 certain amount to fund State–mandated community college tuition and residency
6 waivers; and generally relating to community college funding for State–mandated
7 tuition and residency waivers.

8 BY adding to

9 Article – Education

10 Section 16–322

11 Annotated Code of Maryland

12 (2022 Replacement Volume)

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

15 **Article – Education**

16 **16–322.**

17 **(A) IN THIS SECTION, “QUALIFYING STUDENT” MEANS A COMMUNITY**
18 **COLLEGE STUDENT WHO RECEIVES A TUITION OR RESIDENCY WAIVER AS ONE OF**
19 **THE FOLLOWING:**

20 **(1) A FOSTER CARE RECIPIENT OR AN UNACCOMPANIED HOMELESS**
21 **YOUTH UNDER § 15–106.1 OF THIS ARTICLE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) A UNITED STATES ARMED FORCES ACTIVE DUTY MEMBER, THE**
2 **SPOUSE OR FINANCIALLY DEPENDENT CHILD OF AN ARMED FORCES ACTIVE DUTY**
3 **MEMBER, A UNITED STATES ARMED FORCES VETERAN WHO HAS BEEN HONORABLY**
4 **DISCHARGED, OR A MEMBER OF THE NATIONAL GUARD UNDER § 15–106.4 OF THIS**
5 **ARTICLE;**

6 **(3) THE CHILD OF A STATE OR LOCAL PUBLIC SAFETY EMPLOYEE**
7 **UNDER § 15–106.7 OF THIS ARTICLE;**

8 **(4) A SENIOR CITIZEN UNDER § 16–106(B) OF THIS TITLE;**

9 **(5) AN INDIVIDUAL WITH A DISABILITY UNDER § 16–106(C) OF THIS**
10 **TITLE;**

11 **(6) A STUDENT ENROLLED IN AN EDUCATION PROGRAM LEADING TO**
12 **LICENSURE IN NURSING UNDER § 16–310(A)(4) OF THIS SUBTITLE;**

13 **(7) A PUBLIC SCHOOL TEACHER UNDER § 16–310(A)(6) OF THIS**
14 **SUBTITLE; OR**

15 **(8) A STUDENT ENROLLED IN AN INSTRUCTIONAL PROGRAM THAT**
16 **THE COMMISSION DESIGNATES AS A HEALTH MANPOWER SHORTAGE PROGRAM**
17 **UNDER § 16–310(D) OF THIS SUBTITLE.**

18 **(B) FOR EACH OF FISCAL YEARS 2025 THROUGH 2027, THE GOVERNOR**
19 **SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR THE COMMISSION AN**
20 **APPROPRIATION OF \$10,000,000 TO FUND STATE-MANDATED TUITION AND**
21 **RESIDENCY WAIVERS FOR COMMUNITY COLLEGES.**

22 **(C) THE COMMISSION SHALL DISTRIBUTE THE APPROPRIATION REQUIRED**
23 **UNDER SUBSECTION (B) OF THIS SECTION TO EACH BOARD OF TRUSTEES BASED ON**
24 **THE NUMBER OF ENROLLED QUALIFYING STUDENTS AT EACH COMMUNITY COLLEGE**
25 **IN PROPORTION TO THE TOTAL NUMBER OF ENROLLED QUALIFYING STUDENTS, AS**
26 **DETERMINED BY THE COMMISSION.**

27 **(D) THE COMMISSION SHALL ADOPT ANY REGULATIONS OR GUIDELINES**
28 **NECESSARY TO IMPLEMENT THIS SECTION.**

29 **(E) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1 THROUGH**
30 **DECEMBER 1, 2027, THE COMMISSION SHALL REPORT TO THE GENERAL**
31 **ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE,**
32 **ON THE NUMBER OF STUDENTS RECEIVING A TUITION OR RESIDENCY WAIVER FOR**
33 **EACH CATEGORY LISTED UNDER SUBSECTION (A) OF THIS SECTION FOR EACH**

1 **COMMUNITY COLLEGE AND THE AMOUNT OF FUNDS PROVIDED TO EACH**
2 **COMMUNITY COLLEGE UNDER THIS SECTION.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2023.