

SENATE BILL 601

F2

2lr2239

By: ~~Senator Gladden~~ **Senators Gladden and Muse**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2012

CHAPTER _____

1 AN ACT concerning

2 **Public Institutions of Higher Education – Waiver of Tuition – Individual**
3 **Exonerated After Wrongful Conviction**

4 FOR the purpose of exempting a certain resident of the State who was exonerated by a
5 court following a wrongful conviction for a crime by a court in the State from
6 paying tuition at a public institution of higher education under certain
7 circumstances; prohibiting a certain individual from being required to pay the
8 difference between the amount of a certain scholarship or grant and the amount
9 of tuition under certain circumstances; providing that a certain individual who
10 is exempt from tuition continues to be exempt for a certain period of time;
11 defining a certain term; and generally relating to a waiver of tuition at public
12 institutions of higher education for an individual exonerated after wrongful
13 conviction.

14 BY adding to
15 Article – Education
16 Section 15–106.9
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2011 Supplement)

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

21 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **15-106.9.**

2 (A) (1) IN THIS SECTION, "TUITION" MEANS THE CHARGES IMPOSED
3 BY A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR ENROLLMENT AT THE
4 INSTITUTION.

5 (2) "TUITION" INCLUDES CHARGES FOR REGISTRATION AND ALL
6 FEES REQUIRED AS A CONDITION OF ENROLLMENT.

7 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A
8 RESIDENT OF THE STATE WHO WAS EXONERATED BY A COURT FOLLOWING A
9 WRONGFUL CONVICTION FOR A CRIME BY A COURT IN THE STATE IS EXEMPT
10 FROM PAYING TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IF:

11 (1) THE INDIVIDUAL WAS INCARCERATED BY THE STATE FOR 10
12 YEARS OR MORE BEFORE THE DATE OF THE INDIVIDUAL'S RELEASE;

13 (2) THE INDIVIDUAL WAS ENROLLED AT ANY INSTITUTION OF
14 HIGHER EDUCATION IN THE UNITED STATES ON OR BEFORE THE DATE THE
15 INDIVIDUAL WAS CONVICTED OF THE CRIME; AND

16 (3) THE INDIVIDUAL IS ACCEPTED BY AND ENROLLED AS A
17 CANDIDATE FOR AN ASSOCIATE'S DEGREE OR A BACHELOR'S DEGREE AT A
18 PUBLIC INSTITUTION OF HIGHER EDUCATION.

19 (C) IF AN INDIVIDUAL UNDER SUBSECTION (B) OF THIS SECTION
20 RECEIVES A SCHOLARSHIP OR GRANT FOR POSTSECONDARY STUDY AND IS
21 ENROLLED AS A CANDIDATE FOR AN ASSOCIATE'S DEGREE OR A BACHELOR'S
22 DEGREE AT A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE INDIVIDUAL
23 MAY NOT BE REQUIRED TO PAY THE DIFFERENCE BETWEEN THE AMOUNT OF
24 THE SCHOLARSHIP OR GRANT AND THE AMOUNT OF THE TUITION.

25 (D) AN INDIVIDUAL WHO IS EXEMPT FROM TUITION UNDER THIS
26 SECTION CONTINUES TO BE EXEMPT UNTIL THE EARLIER OF:

27 (1) 6 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR AN
28 ASSOCIATE'S DEGREE OR A BACHELOR'S DEGREE AT A PUBLIC INSTITUTION OF
29 HIGHER EDUCATION IN THE STATE; OR

30 (2) THE DATE THAT THE INDIVIDUAL IS AWARDED A BACHELOR'S
31 DEGREE.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 July 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.