

HOUSE BILL 362

E4, F2

0lr0173
CF SB 282

By: **The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Arikan, Beitzel, Buckel, Chisholm, Ciliberti, Clark, Corderman, Cox, Ghrist, Griffith, Hartman, Howard, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mangione, Mautz, McComas, McKay, Metzgar, Otto, Pippy, Reilly, Rose, Saab, Shoemaker, Szeliga, and Wilson**

Introduced and read first time: January 20, 2020

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 10, 2020

CHAPTER _____

1 AN ACT concerning

2 **Maryland National Guard – Tuition Assistance Program – Modifications**

3 FOR the purpose of increasing the percentage of tuition that may be reimbursed of the cost
4 of in-State tuition for certain courses for any active National Guard member
5 attending certain institutions; expanding the definition of “member” as it relates to
6 who can receive tuition reimbursement to include any individual who holds a
7 commission in the National Guard; and generally relating to tuition assistance for
8 members of the Maryland National Guard.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 13–405
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2019 Supplement)

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

16 **Article – Public Safety**

17 13–405.

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.



(a) (1) In this section the following words have the meanings indicated.

(2) “Institution” means:

(i) any campus of the University System of Maryland, any community college established under Title 16 of the Education Article, Morgan State University, or St. Mary’s College;

(ii) any private institution of higher education that grants a member a tuition waiver of at least 50%;

(iii) any public postsecondary vocational–technical or trade school; or

(iv) any private postsecondary vocational–technical or trade school that grants a member a tuition waiver of at least 50%.

(3) “Member” means an individual who:

(i) is regularly enlisted in the National Guard; or

(ii) holds a commission in the National Guard [as:

1. an officer in the grade of major or below; or

2. a warrant officer].

(4) (i) “Tuition” means the basic instructional charge for undergraduate, graduate, professional, vocational–technical, and trade school credit courses and related fees at an institution.

(ii) “Tuition” does not include charges for self–supporting programs.

(b) (1) To the extent that funds are provided in the State budget, the Department may provide assistance equal to **[50%] 100%** of the cost of in–State tuition for any regularly scheduled undergraduate credit course, graduate credit course, professional credit course, vocational–technical course, or trade course for any active member attending an institution who is certified as eligible by the Adjutant General.

(2) Subject to paragraph (5) of this subsection, a member who receives assistance under paragraph (1) of this subsection for an undergraduate credit, vocational–technical, or trade course shall remain an active member for at least 2 years following the completion of the course.

(3) Subject to paragraph (5) of this subsection, a member who receives assistance under paragraph (1) of this subsection for a graduate or professional credit course shall remain an active member for at least 4 years following the completion of the

1 course.

2 (4) Subject to paragraph (5) of this subsection, if a member receives
3 assistance under paragraph (1) of this subsection, and is a member of a unit that has been
4 disbanded on or after September 1, 2013, due to budgetary cuts, Base Realignment and
5 Closure, or any other reason, the member may satisfy the requirements of paragraph (2) or
6 paragraph (3) of this subsection by transferring to another active duty, reserve, or National
7 Guard Unit in the State or in another state.

8 (5) If a member who receives assistance under paragraph (1) of this
9 subsection is offered early separation by the military following the disbanding of the
10 member's unit due to budget cuts, Base Realignment and Closure, or any other reason, the
11 member is excused from the requirements of paragraph (2) or paragraph (3) of this
12 subsection.

13 (c) (1) The Adjutant General may not certify a member as eligible unless the
14 member is:

15 (i) enlisted and has at least 24 months remaining to serve on the
16 current enlistment of the member; or

17 (ii) an officer or warrant officer and agrees in writing to serve for a
18 minimum of 24 months.

19 (2) The 24-month requirement runs from the first day of classes for the
20 semester.

21 (d) If a recipient of tuition assistance under this section is discharged from the
22 National Guard for a reason designated by the Adjutant General, the assistance terminates
23 and the member shall reimburse the Department the amount of tuition assistance received
24 for that semester within 30 days of discharge.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.