

# SENATE BILL 391

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CF HB 503

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By: **Senators Peters, Augustine, Carozza, Feldman, Guzzone, King, Klausmeier, Lee, and Zucker**

Introduced and read first time: January 27, 2020

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 29, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Primary and Secondary Schools – Dependent Children of Service Members –**  
3 **Enrollment and Documentation Requirements**

4 FOR the purpose of requiring a county superintendent of schools to allow a dependent child  
5 of a certain service member to enroll in a school in the county in accordance with  
6 certain provisions of law; requiring a county superintendent to allow a dependent  
7 child of a certain service member to apply for enrollment in a certain public school  
8 in the same manner and at the same time as certain other individuals; requiring a  
9 certain service member to provide to a school certain documentation within a certain  
10 period of time; authorizing a certain service member to use the address of certain  
11 types of facilities as proof of residence; defining certain terms; and generally relating  
12 to school enrollment of dependent children of service members.

13 BY repealing and reenacting, without amendments,  
14 Article – Education  
15 Section 7–101(b)(1)  
16 Annotated Code of Maryland  
17 (2018 Replacement Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article – Education  
20 Section 7–101(b)(2)(i)  
21 Annotated Code of Maryland  
22 (2018 Replacement Volume and 2019 Supplement)

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### 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.



BY adding to  
Article – Education  
Section 7–115.1  
Annotated Code of Maryland  
(2018 Replacement Volume and 2019 Supplement)

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

**Article – Education**

7–101.

(b) (1) Except as provided in § 7–301 of this title and in paragraph (2) of this subsection, each child shall attend a public school in the county where the child is domiciled with the child’s parent, guardian, or relative providing informal kinship care, as defined in subsection (c) of this section.

(2) (i) Upon request and in accordance with a county board’s policies concerning residency, a county superintendent [may]:

1. **MAY** allow a child to attend school in the county even if the child is not domiciled in that county with the child’s parent or guardian; **AND**

2. **SHALL ALLOW A DEPENDENT CHILD OF A SERVICE MEMBER WHO IS RELOCATING TO THE STATE ON MILITARY ORDERS TO ENROLL IN SCHOOL IN THE COUNTY IN ACCORDANCE WITH § 7–115.1 OF THIS SUBTITLE.**

**7–115.1.**

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

(2) **“DEPENDENT CHILD” MEANS AN INDIVIDUAL OF SCHOOL AGE WHO IS A NATURAL CHILD, A STEPCHILD, AN ADOPTED CHILD, OR A FINANCIALLY DEPENDENT CHILD OF A SERVICE MEMBER.**

(3) **“ENROLLMENT” INCLUDES COURSE REGISTRATION AND CHARTER SCHOOL LOTTERIES.**

(4) (I) **“SERVICE MEMBER” MEANS AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES.**

(II) **“SERVICE MEMBER” INCLUDES A MEMBER OF THE**

1 NATIONAL GUARD ON ACTIVE DUTY ORDERS.

2 (B) A COUNTY SUPERINTENDENT SHALL ALLOW A DEPENDENT CHILD OF A  
3 SERVICE MEMBER WHO IS RELOCATING TO THE STATE ON MILITARY ORDERS AND IS  
4 NOT DOMICILED IN THAT COUNTY DURING THE ENROLLMENT PERIOD TO APPLY FOR  
5 ENROLLMENT IN A PUBLIC SCHOOL IN THE COUNTY, IN THE SAME MANNER AND AT  
6 THE SAME TIME AS INDIVIDUALS DOMICILED IN THE COUNTY.

7 (C) (1) WITHIN 10 DAYS OF THE PUBLISHED ARRIVAL DATE ON THE  
8 SERVICE MEMBER'S MILITARY ORDERS, THE SERVICE MEMBER SHALL PROVIDE THE  
9 SCHOOL WITH:

10 (I) SATISFACTORY EVIDENCE OF THE DEPENDENT CHILD'S  
11 STATUS AS A DEPENDENT CHILD OF THE SERVICE MEMBER;

12 (II) A COPY OF THE SERVICE MEMBER'S MILITARY ORDERS TO  
13 RELOCATE; AND

14 (III) PROOF OF RESIDENCE IN THE COUNTY.

15 (2) THE SERVICE MEMBER MAY USE THE ADDRESS OF ANY OF THE  
16 FOLLOWING AS PROOF OF RESIDENCE:

17 (I) A TEMPORARY ON-BASE LODGING FACILITY;

18 (II) A PURCHASED OR LEASED HOME OR APARTMENT; OR

19 (III) ANY FEDERAL GOVERNMENT HOUSING UNIT OR OFF-BASE  
20 MILITARY HOUSING UNIT.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
22 1, 2020.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.