

16-407.

(a) (1) Subject to paragraphs (2) and (3) of this subsection and subsection (f) of this section, any student who attends a community college in this State and is not a resident of this State shall pay, in addition to the student tuition and fees payable by a county resident, an out-of-state fee, equal to the State share and the county share per full-time equivalent student as determined under § 16-403 of this subtitle.

(2) (i) A resident of the state of West Virginia who attends Garrett Community College under a negotiated reciprocity agreement between the states of Maryland and West Virginia is an in-county resident for tuition purposes.

(ii) For each full-time equivalent student participating in the reciprocity agreement, the State shall pay to Garrett Community College an amount equal to the net State support per full-time equivalent student as provided in § 16-403 of this subtitle. FOR ANY FISCAL YEAR, IF STATE APPROPRIATIONS FOR REIMBURSEMENT OF THE RECIPROCITY AGREEMENT ANY RECIPROCITY AGREEMENTS UNDER THIS SECTION DO NOT PROVIDE SUFFICIENT FUNDS TO FULLY REIMBURSE THE COLLEGE, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL FOR THE NEXT FISCAL YEAR A DEFICIENCY APPROPRIATION TO PROVIDE THE ADDITIONAL FUNDS TO FULLY REIMBURSE THE COLLEGE.

(iii) The Commission may make payments to effectuate the provisions of this paragraph from funds specifically appropriated for this purpose as provided in the State budget or any supplemental budget request.

(iv) The payments authorized by this paragraph are in addition to the State operating fund to community colleges authorized in § 16-403(b) of this subtitle.

(3) (i) Any student attending a community college in this State who is not a resident of this State and is enrolled in an education program leading to licensure in nursing shall be included as an in-county resident for tuition purposes and shall be included as an in-state resident for computation of the State aid to community colleges in accordance with § 16-403 of this subtitle.

(ii) The student shall furnish a surety bond or guaranteed promissory note to the State with security satisfactory to the Maryland Higher Education Commission, that on completion of the Nursing Education Program, the student will work for at least 2 years in a hospital or related institution as defined in § 19-301 of the Health - General Article in this State.

(iii) The Secretary of Health and Mental Hygiene may determine if there is a shortage of nurses.

(iv) Subject to subparagraphs (v) and (vi) of this paragraph, if the Secretary determines that there is no shortage of nurses, the Nonresident Student Tuition Reduction and State Aid Program established under this paragraph may not be applied to any courses required for the nursing program.

(v) Subparagraph (iv) of this paragraph applies only to students who enroll in a Nursing Education Program subsequent to the determination made under subparagraph (iv) of this paragraph.