

16-407.

(a) (1) Subject to [paragraph] PARAGRAPHS (2) AND (3) of this subsection, 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) 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 and shall be counted as an in-State resident for computation of the State aid to community colleges in accordance with Section 16-403 of this subtitle. The State Board for Community Colleges 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.

(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 COURSE--OR PROGRAM LEADING TO LICENSURE OR CERTIFICATION 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. A HEALTH OCCUPATION SHALL PAY THE TUITION AND OTHER MANDATORY FEES PAYABLE BY A COUNTY RESIDENT IF:

(i)--THE EDUCATION OR TRAINING PROGRAM IS FOR--A HEALTH--OCCUPATION,--INCLUDING NURSING, DETERMINED TO BE IN SHORT SUPPLY--BY--THE--STATE--BOARD--FOR--COMMUNITY--COLLEGES--AFTER CONSULTATION WITH THE SECRETARY OF HEALTH AND MENTAL HYGIENE, AND

(II) THE STUDENT FURNISHES SHALL FURNISH A SURETY BOND OR GUARANTEED PROMISSORY NOTE TO THE STATE WITH SECURITY SATISFACTORY TO THE STATE BOARD FOR COMMUNITY COLLEGES, THAT ON COMPLETION OF THE EDUCATION COURSE OR 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.