

[(c)] (D) "Eligible institution of higher education" means an institution of higher education that:

- (1) Offers an associate, bachelor, or graduate degree program; and
- (2) Is eligible to participate in federal financial aid programs.

[(d)] (E) "[Higher education investment] PREPAID contract" means a contract between the Board and a purchaser under the provisions of this subtitle for the advance payment of [undergraduate or graduate tuition at a fixed and guaranteed level] QUALIFIED HIGHER EDUCATION EXPENSES by the purchaser for a qualified beneficiary to attend an eligible institution of higher education, if the qualified beneficiary is admitted to the institution.

(F) "MARKET VALUE OF PROGRAM ASSETS" MEANS ~~THE FAIR MARKET VALUE AMOUNT OF THE ASSETS OF THE PROGRAM PLUS THE CASH AND CASH EQUIVALENTS HELD BY THE PROGRAM PLUS THE FAIR MARKET VALUE OF OTHER ASSETS OF THE PROGRAM.~~

(G) "PLAN" MEANS THE MARYLAND COLLEGE INVESTMENT PLAN ESTABLISHED UNDER SUBTITLE 19A OF THIS TITLE.

[(e)] (H) "Program" means the Maryland [Higher Education Investment Program] PREPAID COLLEGE TRUST ESTABLISHED UNDER THIS SUBTITLE.

[(f)] (I) "Purchaser" means an individual who:

(1) Makes or undertakes the obligation to make advance payments of ~~undergraduate or graduate tuition~~ QUALIFIED HIGHER EDUCATION EXPENSES as provided under a [higher education investment] PREPAID contract; and

(2) Except as provided in § 18-1909(b) of this subtitle, is a resident of Maryland or of the District of Columbia at the time that the purchaser enters into a [higher education investment] PREPAID contract.

[(g)] (J) "Qualified beneficiary" means an individual who:

(1) Is eligible to apply advance ~~tuition~~ payments OF QUALIFIED HIGHER EDUCATION EXPENSES to undergraduate or graduate ~~tuition~~ QUALIFIED HIGHER EDUCATION EXPENSES at an eligible institution of higher education under the provisions of this subtitle; and

(2) Except as provided in § 18-1909(b) of this subtitle, is a resident of the State or of the District of Columbia at the time that the purchaser enters into a [higher education investment] PREPAID contract.

(K) "QUALIFIED HIGHER EDUCATION EXPENSES" HAS THE MEANING STATED IN § 529(E) OF THE INTERNAL REVENUE CODE.

(L) "QUALIFIED STATE TUITION PROGRAM" HAS THE MEANING STATED IN § 529 OF THE INTERNAL REVENUE CODE.