

SB0029/183820/1

BY: Senator Conway

AMENDMENTS TO SENATE BILL 29, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 9, after “Act” insert “; authorizing an institution that proposes a program that is the subject of a Commission decision under judicial review to offer the program pending a final decision of the court and exhaustion of all appeals”; and in the same line, before “and” insert “; providing that, if the Commission reverses a certain decision regarding a program, an institution may continue to offer the program for certain periods under certain circumstances”.

AMENDMENT NO. 2

On page 4 of the bill, in line 29, after “(7)” insert “(I)”; and after line 32, insert:

“(II) IF JUDICIAL REVIEW IS SOUGHT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE INSTITUTION THAT PROPOSED THE PROGRAM THAT IS THE SUBJECT OF THE DECISION BEING REVIEWED MAY OFFER THE PROGRAM PENDING A FINAL DECISION OF THE COURT AND THE EXHAUSTION OF ANY APPEALS AUTHORIZED BY LAW.”

On page 7 of the bill, in line 31, after “(6)” insert “(I)”.

On page 8 of the bill, after line 2, insert:

“(II) IF JUDICIAL REVIEW IS SOUGHT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE INSTITUTION THAT PROPOSED THE PROGRAM THAT IS THE SUBJECT OF THE DECISION BEING REVIEWED MAY OFFER THE PROGRAM PENDING A FINAL DECISION OF THE COURT AND THE EXHAUSTION OF ANY APPEALS AUTHORIZED BY LAW.”

(Over)

AMENDMENT NO. 3

On page 8, before line 28, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That if a decision of the Maryland Higher Education Commission under Section 2 of this Act reverses a prior decision of the Commission regarding unreasonable or unnecessary duplication of programs, an institution offering the program that is the subject of the decision may continue to offer the program:

(1) until the end of the current academic year, or until the end of the upcoming academic year if the decision is not made during the academic year, if a petition for judicial review is not filed in accordance with Section 1 of this Act within 60 days of the Commission’s decision under Section 2 of this Act; or

(2) if a petition for judicial review is filed in accordance with Section 1 of this Act within 60 days of the Commission’s decision under Section 2 of this Act, until a final decision of the Court and the exhaustion of any appeals authorized by law.”.

AMENDMENT NO. 4

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments (SB0029/404939/1), in the last line of Amendment No. 4, strike “3.” and substitute “4.”.