

SENATE BILL 341

F2
SB 687/12 – EHE

3lr0851
CF 3lr2988

By: ~~Senator Madaleno~~ Senators Madaleno and Simonaire

Introduced and read first time: January 24, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 30, 2013

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Academic Program Action – Repeal of Application Fees**
3 **and Report**

4 FOR the purpose of repealing the authority of the Maryland Higher Education
5 Commission to impose certain application fees; requiring the Commission to
6 report, to certain committees of the General Assembly on certain dates, on
7 certain requests made for approval of certain program action in certain periods
8 of time; and generally relating to application fees for approval of academic
9 program actions taken by certain institutions of higher education and reports on
10 requests for approval of academic program action.

11 BY repealing and reenacting, without amendments,
12 Article – Education
13 Section 11–105(a)
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2012 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 11–105(o)
19 Annotated Code of Maryland
20 (2008 Replacement Volume and 2012 Supplement)

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

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.



1 **Article – Education**

2 11–105.

3 (a) In addition to any other powers granted and duties imposed by this title
4 and subject to any restrictions imposed by law, the Commission has the powers and
5 duties set forth in this section.

6 (o) (1) The Commission may require an application fee from an institution
7 of postsecondary education seeking[:

8 (i) Certification] **CERTIFICATION** to operate in the State[; or

9 (ii) Except for actions relating to programs offered at a regional
10 higher education center, approval of any academic program action taken under
11 Subtitle 2 of this title].

12 (2) (i) The revenues from application fees shall be distributed to a
13 special, nonlapsing fund that is not subject to § 7–302 of the State Finance and
14 Procurement Article.

15 (ii) Subject to subparagraph (iii) of this paragraph, the special
16 fund may be used only to carry out the provisions of Subtitle 2 of this title.

17 (iii) At the end of each fiscal year, any amount in excess of
18 \$100,000 shall revert to the General Fund.

19 (iv) Any investment earnings of the fund shall be credited to the
20 General Fund.

21 (3) Subject to the provisions of § 11–203 of this title, the Commission
22 may require bonds or other financial guaranties from institutions of postsecondary
23 education seeking certification or recertification to operate in the State.

24 SECTION 2. AND BE IT FURTHER ENACTED, That, on December 31, 2013,
25 and on December 31, 2014, the Maryland Higher Education Commission shall report
26 to the Senate Education, Health, and Environmental Affairs Committee and the
27 House Committee on Ways and Means, in accordance with § 2–1246 of the State
28 Government Article, on the number of requests made for approval of academic
29 program action taken under Title 11, Subtitle 2 of the Education Article in the
30 immediately preceding 12–month period.

31 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect July 1, 2013.