

SENATE BILL 587

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3lr1056

By: Senators Garagiola, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2013

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue**
3 **Squad Member Scholarship**

4 FOR the purpose of establishing the Charles W. Riley Firefighter and Ambulance and
5 Rescue Squad Member Scholarship; establishing certain eligibility
6 requirements for the scholarship; authorizing the use of the scholarship for
7 certain educational expenses; authorizing the annual amount of the scholarship
8 awarded to be up to a certain percentage of the equivalent tuition and certain
9 fees of a certain institution of higher education; requiring the scholarship
10 recipient to maintain a certain grade point average; providing for the duration
11 of the scholarship; requiring scholarship applicants and recipients to file for
12 certain federal and State financial aid by a certain date; authorizing legislative
13 scholarship funds to be used for certain purposes; providing that funds for the
14 scholarship are as provided in a certain annual budget by the Governor;
15 establishing a certain fund; requiring the Maryland Higher Education
16 Commission to administer a certain fund; providing that the fund is a certain
17 special, nonlapsing fund that is not subject to a certain section of the State
18 Finance and Procurement Article; requiring the State Treasurer to hold the
19 fund separately and requiring the Comptroller to account for the fund; directing

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 the Commission to use certain gifts and grants for the fund in a certain manner;
2 requiring the Commission to prepare a certain annual report regarding the
3 fund; requiring a recipient of a certain scholarship to work for at least a certain
4 number of years as a certain firefighter or certain rescue squad member in the
5 State after completion of a certain program; requiring certain scholarship
6 recipients to repay certain funds to the Commission under certain
7 circumstances; requiring a certain amount of money to be distributed for the
8 scholarship; repealing the distribution of a certain amount of money to a certain
9 program; repealing the Charles W. Riley Fire and Emergency Medical Services
10 Tuition Reimbursement Program; prohibiting the Commission from accepting
11 new applicants for a certain program after a certain date; requiring any funds
12 remaining in the Charles W. Riley Fire and Emergency Medical Services
13 Tuition Reimbursement Program after a certain date to be transferred to a
14 certain fund; requiring the Office of Student Financial Assistance to provide
15 certain public notice of the establishment of the Charles W. Riley Firefighter
16 and Ambulance and Rescue Squad Member Scholarship as a replacement for
17 the Charles W. Riley Fire and Emergency Medical Services Tuition
18 Reimbursement Program; defining certain terms; providing for the effective
19 dates of this Act; and generally relating to the establishment of the Charles W.
20 Riley Firefighter and Ambulance and Rescue Squad Member Scholarship.

21 BY repealing and reenacting, without amendments,
22 Article – Education
23 Section 18–101 and 18–103
24 Annotated Code of Maryland
25 (2008 Replacement Volume and 2012 Supplement)

26 BY adding to
27 Article – Education
28 Section 18–603.1
29 Annotated Code of Maryland
30 (2008 Replacement Volume and 2012 Supplement)

31 BY repealing and reenacting, with amendments,
32 Article – Courts and Judicial Proceedings
33 Section 7–301(f)
34 Annotated Code of Maryland
35 (2006 Replacement Volume and 2012 Supplement)

36 BY repealing
37 Article – Education
38 Section 18–603
39 Annotated Code of Maryland
40 (2008 Replacement Volume and 2012 Supplement)

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

1 **Article – Education**

2 18–101.

3 (a) In this title the following words have the meanings indicated.

4 (b) “Commission” means the Maryland Higher Education Commission.

5 (c) “Office” means the Office of Student Financial Assistance.

6 (d) “Secretary” means the Secretary of Higher Education.

7 18–103.

8 (a) In this title, “in–State institution of higher education” means a
9 degree–granting institution whose primary campus is located in Maryland and whose
10 authority to grant degrees is conferred by Maryland.

11 (b) A scholarship, grant, loan, or other student financial assistance awarded
12 by the Office may be used only at an in–State institution of higher education that
13 possesses a certificate of approval from the Commission.

14 **18–603.1.**

15 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
16 **MEANINGS INDICATED.**

17 **(2) “ELIGIBLE INSTITUTION” MEANS A PUBLIC OR PRIVATE**
18 **NONPROFIT INSTITUTION OF HIGHER EDUCATION IN THE STATE THAT**
19 **POSSESSES A CERTIFICATE OF APPROVAL FROM THE COMMISSION.**

20 **(3) “FUND” MEANS THE CHARLES W. RILEY FIREFIGHTER AND**
21 **AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP FUND.**

22 **(4) “SCHOLARSHIP” MEANS THE CHARLES W. RILEY**
23 **FIREFIGHTER AND AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP.**

24 **(B) THERE IS A CHARLES W. RILEY FIREFIGHTER AND AMBULANCE**
25 **AND RESCUE SQUAD MEMBER SCHOLARSHIP.**

26 **(C) AN INDIVIDUAL MAY APPLY TO THE OFFICE FOR THE SCHOLARSHIP**
27 **IF THE INDIVIDUAL:**

28 **(1) IS A RESIDENT OF MARYLAND;**

1 (2) (I) IS ACCEPTED FOR ADMISSION OR ENROLLED IN THE
2 REGULAR UNDERGRADUATE PROGRAM AT AN ELIGIBLE INSTITUTION; OR

3 (II) IS ACCEPTED FOR ADMISSION OR ENROLLED IN A
4 2-YEAR TERMINAL CERTIFICATE PROGRAM IN WHICH THE COURSE WORK IS
5 ACCEPTABLE FOR TRANSFER CREDIT FOR AN ACCREDITED BACCALAUREATE
6 PROGRAM IN AN ELIGIBLE INSTITUTION; AND

7 (3) IS ACTIVELY ENGAGED AS A CAREER OR VOLUNTEER
8 FIREFIGHTER OR AMBULANCE OR RESCUE SQUAD MEMBER IN AN ORGANIZED
9 FIRE DEPARTMENT OR AMBULANCE OR RESCUE SQUAD IN THE STATE.

10 (D) A SCHOLARSHIP AWARDED UNDER THIS SECTION:

11 (1) MAY BE USED FOR THE TUITION AND MANDATORY FEES AT
12 ANY ELIGIBLE INSTITUTION; AND

13 (2) (I) MAY FOR A CAREER FIREFIGHTER OR AMBULANCE OR
14 RESCUE SQUAD MEMBER, MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL
15 TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT
16 THE 4-YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE
17 UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF
18 MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND,
19 BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL-TIME
20 RESIDENT UNDERGRADUATE FOR COURSES CREDITED TOWARD A DEGREE IN
21 FIRE SERVICE TECHNOLOGY ~~OR~~, EMERGENCY MEDICAL TECHNOLOGY, FIRE
22 SERVICE MANAGEMENT, OR PUBLIC SAFETY ADMINISTRATION WITH A MINOR OR
23 CONCENTRATION IN FIRE SERVICE TECHNOLOGY OR FIRE SERVICE
24 MANAGEMENT; AND

25 (II) FOR A VOLUNTEER FIREFIGHTER OR AMBULANCE OR
26 RESCUE SQUAD MEMBER, MAY BE UP TO 100% OF THE EQUIVALENT ANNUAL
27 TUITION AND MANDATORY FEES OF A RESIDENT UNDERGRADUATE STUDENT AT
28 THE 4-YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE
29 UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF
30 MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND,
31 BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL-TIME
32 RESIDENT UNDERGRADUATE FOR COURSES CREDITED TOWARD A DEGREE.

33 (E) A SCHOLARSHIP RECIPIENT SHALL MAINTAIN A GRADE POINT
34 AVERAGE OF AT LEAST 2.5 ON A 4.0 SCALE.

1 **(F) EACH RECIPIENT OF A SCHOLARSHIP UNDER THIS SECTION MAY**
2 **HOLD THE AWARD FOR 5 YEARS OF FULL-TIME STUDY OR 8 YEARS OF**
3 **PART-TIME STUDY.**

4 **(G) A SCHOLARSHIP APPLICANT OR RECIPIENT SHALL FILE FOR**
5 **FEDERAL AND STATE FINANCIAL AID BY MARCH 1 OF EACH YEAR.**

6 **(H) A SENATOR OR DELEGATE MAY AUTHORIZE THE OFFICE TO AWARD**
7 **ALL OR A PORTION OF THE FUNDS AUTHORIZED UNDER SUBTITLES 4 AND 5 OF**
8 **THIS TITLE TO ELIGIBLE RECIPIENTS OF SCHOLARSHIPS AWARDED UNDER THIS**
9 **SECTION.**

10 **(I) (1) FUNDS FOR THE CHARLES W. RILEY FIREFIGHTER AND**
11 **AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP SHALL BE AS**
12 **PROVIDED IN THE ANNUAL BUDGET OF THE COMMISSION BY THE GOVERNOR.**

13 **(2) THERE IS A CHARLES W. RILEY FIREFIGHTER AND**
14 **AMBULANCE AND RESCUE SQUAD MEMBER SCHOLARSHIP FUND IN THE**
15 **COMMISSION.**

16 **(3) THE COMMISSION SHALL ADMINISTER THE FUND.**

17 **(4) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
18 **SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

19 **(5) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY**
20 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

21 **(6) THE COMMISSION:**

22 **(I) MAY ACCEPT ANY GIFT OR GRANT FROM ANY PERSON**
23 **OR CORPORATION FOR THE FUND;**

24 **(II) SHALL USE ANY GIFT OR GRANT THAT IT RECEIVES FOR**
25 **A SCHOLARSHIP FROM THE FUND; AND**

26 **(III) SHALL DEPOSIT ANY GIFT OR GRANT THAT IT RECEIVES**
27 **FOR THE FUND WITH THE STATE TREASURER.**

28 **(7) (I) AT THE END OF THE FISCAL YEAR, THE COMMISSION**
29 **SHALL PREPARE AN ANNUAL REPORT ON THE FUND THAT INCLUDES AN**
30 **ACCOUNTING OF ALL FINANCIAL RECEIPTS AND EXPENDITURES TO AND FROM**
31 **THE FUND.**

1 **(II) THE COMMISSION SHALL SUBMIT A COPY OF THE**
2 **REPORT TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE**
3 **STATE GOVERNMENT ARTICLE.**

4 **(J) A RECIPIENT OF A SCHOLARSHIP SHALL WORK FOR AT LEAST 1**
5 **YEAR AS A VOLUNTEER OR CAREER FIREFIGHTER OR AMBULANCE OR RESCUE**
6 **SQUAD MEMBER IN AN ORGANIZED FIRE DEPARTMENT OR AMBULANCE OR**
7 **RESCUE SQUAD IN THE STATE AFTER COMPLETION OF AN ELIGIBLE PROGRAM**
8 **IN AN ELIGIBLE INSTITUTION.**

9 **(K) A SCHOLARSHIP RECIPIENT SHALL REPAY THE COMMISSION THE**
10 **FUNDS RECEIVED UNDER THIS SECTION IF THE RECIPIENT DOES NOT PERFORM**
11 **THE SERVICE OBLIGATION REQUIRED UNDER SUBSECTION (J) OF THIS SECTION.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
13 read as follows:

14 **Article – Courts and Judicial Proceedings**

15 7-301.

16 (f) (1) This subsection does not apply to a traffic case under § 21-202.1, §
17 21-809, or § 21-810 of the Transportation Article or to a parking or impounding case.

18 (2) In a traffic case under subsection (a)(1) of this section the court
19 shall add a \$7.50 surcharge to the court costs imposed by the court.

20 (3) (i) The Comptroller annually shall credit the surcharges
21 collected under this subsection as provided in this paragraph.

22 (ii) An amount annually as set forth in the State budget shall be
23 distributed for the [Charles W. Riley Fire and Emergency Medical Services Tuition
24 Reimbursement Program] **CHARLES W. RILEY FIREFIGHTER AND AMBULANCE**
25 **AND RESCUE SQUAD MEMBER SCHOLARSHIP** as established in § [18-603]
26 **18-603.1** of the Education Article.

27 (iii) After the distribution under subparagraph (ii) of this
28 paragraph, \$200,000 shall be distributed to the Maryland State Firemen's Association.

29 (iv) After the distribution under subparagraphs (ii) and (iii) of
30 this paragraph and until a total of \$20,000,000 has been distributed to the Volunteer
31 Company Assistance Fund since the establishment of the surcharge under this
32 subsection, the remainder shall be credited to the Volunteer Company Assistance
33 Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public
34 Safety Article.

1 (v) After a total of \$20,000,000 has been distributed to the
2 Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the
3 Maryland Emergency Medical Systems Operation Fund established under § 13–955 of
4 the Transportation Article.

5 (vi) On or before September 1 of each year until \$20,000,000 has
6 been distributed to the Volunteer Company Assistance Fund, the State Court
7 Administrator shall submit a report to the Senate Budget and Taxation Committee
8 and the House Appropriations Committee, in accordance with § 2–1246 of the State
9 Government Article, on the amount of revenue distributed to the Volunteer Company
10 Assistance Fund under this paragraph.

11 Article – Education

12 [18–603.

13 (a) There is a Charles W. Riley Fire and Emergency Medical Services Tuition
14 Reimbursement Program under this section.

15 (b) As provided in the State budget, any career or volunteer firefighter or
16 ambulance or rescue squad member who is a resident of Maryland shall receive partial
17 or full and complete reimbursement by the Office for tuition costs not to exceed the
18 resident tuition rates at the 4–year public institution of higher education within the
19 University System of Maryland, other than the University of Maryland University
20 College and University of Maryland, Baltimore, with the highest annual expenses for
21 a full–time resident undergraduate, for courses credited toward a degree in fire service
22 technology or emergency medical technology.

23 (c) (1) The tuition reimbursement application shall be filed with the
24 Office no later than July 1 immediately following the academic year for which tuition
25 reimbursement is sought.

26 (2) Payment shall be made 1 year after successful completion of each
27 academic year.

28 (3) Payment may be made only if the applicant is still employed or
29 actively engaged as a career or volunteer firefighter or ambulance or rescue squad
30 member in an organized fire department or ambulance or rescue squad in this State.]

31 SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Higher
32 Education Commission may not accept new applications for the Charles W. Riley Fire
33 and Emergency Medical Services Tuition Reimbursement Program after July 1, 2014.

34 SECTION 4. AND BE IT FURTHER ENACTED, That on October 2, 2015, any
35 funds remaining in the Charles W. Riley Fire and Emergency Medical Services Tuition
36 Reimbursement Program shall be transferred to the Charles W. Riley Firefighter and

1 Ambulance and Rescue Squad Member Scholarship Fund as enacted by Section 1 of
2 this Act.

3 SECTION 5. AND BE IT FURTHER ENACTED, That the Office of Student
4 Financial Assistance in the Maryland Higher Education Commission shall provide the
5 public with notice of the establishment of the Charles W. Riley Firefighter and
6 Ambulance and Rescue Squad Member Scholarship as a replacement for the Charles
7 W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program,
8 including posting information on the Office of Student Financial Assistance of the
9 Maryland Higher Education Commission Web site and conducting outreach activities
10 to fire departments and ambulance and rescue squads in the State.

11 SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
12 take effect October 1, 2015.

13 SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in
14 Section 6 of this Act, this Act shall take effect July 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.