

HB0118/953722/3

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 118, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

Strike the Education, Health, and Environmental Affairs Committee Amendments (HB0118/964537/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike line 2 in its entirety and substitute “Thomas V. Mike Miller, Jr. Senatorial Scholarships Program and Michael E. Busch Delegate Scholarships Program”; strike beginning with “making” in line 3 down through “scholarships” in line 5 and substitute “renaming the senatorial scholarship program to be the Thomas V. Mike Miller, Jr. Senatorial Scholarships Program; renaming the delegate scholarship program to be the Michael E. Busch Delegate Scholarships Program; authorizing the Office of Student Financial Assistance within the Maryland Higher Education Commission to award the scholarships instead of Senators or Delegates; making a certain applicant eligible for senatorial and delegate scholarships if the applicant is eligible for certain in-State tuition; making conforming changes; providing for the construction of this Act; and generally relating to the Thomas V. Mike Miller, Jr. Senatorial Scholarships Program and the Michael E. Busch Delegate Scholarships Program”; strike in their entirety lines 6 through 10, inclusive; in line 13, after “Section” insert “18-401,”; in the same line, after “18-402” insert “, and 18-404, 18-405, 18-406, 18-406.1, and 18-407 to be under the amended subtitle “Subtitle 4. Thomas V. Mike Miller, Jr. Senatorial Scholarships Program”;”; in the same line, strike “18-502” and substitute “and 18-501 through 18-504 and 18-506 to be under the amended subtitle “Subtitle 5. Michael E. Busch Delegate Scholarships Program””; and after line 15, insert:

“BY repealing

Article - Education

(Over)

Section 18-403 and 18-507
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 3

On page 1, after line 18, insert:

"Subtitle 4. THOMAS V. MIKE MILLER, JR. Senatorial Scholarships PROGRAM."

On page 2, in line 2, strike "program" and substitute "THOMAS V. MIKE MILLER, JR. SENATORIAL SCHOLARSHIPS PROGRAM"; and in the same line, strike "are" and substitute "IS".

On page 3, in line 9, strike "each Senator" and substitute "THE OFFICE"; in line 10, strike "Each Senator" and substitute "THE OFFICE"; in line 11, strike "Senator" and substitute "OFFICE"; strike beginning with the comma in line 11 down through "procedure" in line 12; after line 13, insert:

"[18-403.

If a Senator serves from a legislative district composed of more than one county, the number of scholarship units shall be divided as equally as possible among qualified applicants from each county in the legislative district.]

[18-404.] 18-403.

(a) (1) [Until June 30, 2019, each Senator may award \$34,500 of senatorial scholarships each year.

(2) Beginning [July 1, 2019, each Senator may] IN FISCAL YEAR 2021 THE OFFICE SHALL award senatorial scholarships [each fiscal year] in an amount that may not exceed the total of:

(i) The amount authorized to be awarded [the previous] IN THE IMMEDIATELY PRECEDING FISCAL year; and

(ii) The [amount] PRODUCT OF:

1. 47; AND

2. THE AMOUNT of the increase over the previous year in the tuition and mandatory fees of an undergraduate program at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate.

(2) THE OFFICE SHALL SELECT RECIPIENTS FOR SENATORIAL SCHOLARSHIPS ON AN EQUAL BASIS, TO THE EXTENT PRACTICABLE, TO AWARDEES WHO RESIDE IN EACH SENATE LEGISLATIVE DISTRICT IN THE STATE.

(b) [(1) The annual allocation under subsection (a) of this section applies to initial-year awards. After 4 years of operation, the annual allocation to each Senator for initial-year and continuing awards may not exceed four times the amount of the Senator's allocation under subsection (a) of this section.

(2) If a recipient moves to [the] ANOTHER legislative district [of another Senator], the allocation to the recipient shall continue to be drawn on the account of the [Senator who originally] INITIAL LEGISLATIVE DISTRICT FROM WHICH THE SCHOLARSHIP WAS awarded [the scholarship].

(Over)

(c) (1) A senatorial scholarship may be awarded in \$100 increments.

(2) An award for a single year may not be less than \$400 or more than the equivalent annual tuition and mandatory fees of an undergraduate program at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate.

[18-405.] 18-404.

(a) Except as provided in subsection (d) of this section, a senatorial scholarship may be used only at any community college or undergraduate, graduate, or professional school in the State.

(b) A senatorial scholarship may be used:

(1) If the curriculum is approved by the Commission, at a degree granting institution of higher education, a hospital diploma school for training registered nurses, or to attend a private postsecondary proprietary institution that is accredited by a national accrediting association approved by the United States Department of Education as a full-time student; and

(2) For educational expenses as defined by the Office, including:

(i) Tuition and mandatory fees; and

(ii) Room and board.

(c) If on-campus housing is available, a senatorial scholarship may not be used to pay for off-campus housing.

(d) [Each Senator] THE OFFICE may award not more than 10 percent of the funds available under this subtitle to applicants planning to attend accredited undergraduate, graduate, or professional institutions outside the State, provided the applicant:

(1) Will be studying in an academic area that is not available in the State;

(2) Is a hearing impaired person who will be studying at an institution outside the State that makes special provisions for hearing impaired students, and comparable special provisions are not available to the applicant at an institution in the State; or

(3) Is an individual who is on active duty with the United States military who is domiciled in this State.

[18-406.] 18-405.

(a) Except as otherwise provided in this section, each recipient of a senatorial scholarship may hold the scholarship for 4 undergraduate academic years, subject to [§ 18-406.1] § 18-406 of this subtitle, and 4 graduate academic years if the recipient:

(1) Is a full-time student;

(2) Continues to be [a resident of this State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE; and

(3) Continues to be a student at the institution and takes at least 12 semester hours of courses as an undergraduate or 9 semester hours of courses as a graduate student each semester leading to a degree.

(b) A recipient of an undergraduate or graduate senatorial scholarship may hold the scholarship, appropriately prorated, for 8 academic years if the recipient:

(1) Is a part-time student;

(2) Continues to be [a resident of this State] **ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE**; and

(3) Continues to be a student at the institution and takes at least 6 semester hours of courses each semester leading to a degree.

(c) Any recipient of a senatorial scholarship may use up to one-half of the yearly award for summer school.

(d) A recipient of a senatorial scholarship who is enrolled in a terminal certificate program as provided in § 18-402(a)(1) of this subtitle may hold the scholarship for 2 years if the recipient is a full-time student and otherwise meets the conditions of subsection (a) of this section, or may hold the scholarship for 4 years if the recipient is a part-time student and otherwise meets the conditions of subsection (b) of this section.

(e) A recipient of a senatorial scholarship who is currently enrolled, or was enrolled within the last 2 years, in a certificate or license program, course, or sequence of courses at a community college that leads to certification or licensure, as provided in § 18-402(a)(3) of this subtitle, may use the scholarship to reimburse educational expenses as defined by the Office under [§ 18-405(b)(2)] **§ 18-404(B)(2)** of this subtitle.

(f) Each recipient of a senatorial scholarship who is enrolled in a private postsecondary proprietary institution that is accredited by a national accrediting association approved by the United States Department of Education:

(1) May hold the scholarship for the completion of one program if the student otherwise meets the conditions of subsection (a)(1) and (2) of this section; and

(2) Shall complete the program within the length of time prescribed by the institution for the completion of the program.

(g) A recipient of a senatorial scholarship who is an individual who is on active duty with the United States military and otherwise meets the conditions of subsection (a) or (b) of this section may be domiciled in this State rather than [a resident of this State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE.

[18-406.1] 18-406.

A recipient may hold a scholarship for a fifth undergraduate academic year or for a semester subsequent to the end of a fourth undergraduate academic year if the recipient:

(1) Requests a scholarship from the Senator for a fifth undergraduate academic year or for a semester subsequent to the end of a fourth undergraduate academic year;

(2) Is a full-time student;

(3) Continues to be [a resident of the State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE;

(4) Continues to be a student at the institution and takes courses leading to a degree; and

(5) Has exhausted the funds available under [§ 18-406(a)] § 18-405(A) of this subtitle.

18-407.

(a) [Each Senator shall award all of the Senator's] **THE OFFICE SHALL AWARD ALL** senatorial scholarships on or before September 1 of each year.

(b) [If any Senator fails to award all of the Senator's scholarships on or before September 1 of each year, the Commission shall make the remaining awards to applicants from the Senator's legislative district who:

(1) Scored highest on the competitive examination; or

(2) Are attending an eligible institution and have completed at least 1 year in good academic standing.

(c) The Office shall:

(1) Notify each Senator of the applicants to whom it awards the Senator's scholarships; and

(2) Announce publicly the names of all recipients.

(d) To the extent a scholarship awarded under [§ 18-404] **§ 18-403** of this subtitle is not used by a student, money appropriated to the Commission for that award not used by the end of the fiscal year shall be retained by the Commission for use [by the awarding Senator] in the **THOMAS V. MIKE MILLER, JR. Senatorial [Scholarship] SCHOLARSHIPS** Program during subsequent fiscal years.

Subtitle 5. **MICHAEL E. BUSCH** Delegate Scholarships **PROGRAM.**”;

in line 15, strike “program of Delegate Scholarships” and substitute “MICHAEL E. BUSCH DELEGATE SCHOLARSHIPS PROGRAM”; and in the same line, strike “are” and substitute “IS”.

On page 4, in line 3, strike “by the awarding Delegate in the Delegate Scholarship” and substitute “IN THE MICHAEL E. BUSCH DELEGATE SCHOLARSHIPS”; in line 6, strike “Each member of the House of Delegates” and substitute “THE OFFICE”; in line 7, strike “Delegate” and substitute “OFFICE”; in line 8, strike “A MEMBER OF THE HOUSE OF DELEGATES” and substitute “THE OFFICE”; and after line 10, insert:

“18-503.

(a) (1) During each [term in office, each Delegate] 4-YEAR PERIOD OF TIME THAT COINCIDES WITH THE TERM OF A DELEGATE, THE OFFICE may award the equivalent of [four] 564 4-year full-time scholarships, which may be awarded for either 1-, 2-, 3-, or 4-year periods.

(2) THE OFFICE SHALL SELECT RECIPIENTS FOR SCHOLARSHIPS ON AN EQUAL BASIS, TO THE EXTENT PRACTICABLE, TO AWARDEES WHO RESIDE IN EACH HOUSE LEGISLATIVE DISTRICT IN THE STATE.

(b) (1) Each scholarship pays the tuition and mandatory fees at any eligible institution.

(2) The annual amount of a scholarship at a public or private institution or any graduate or professional program may not exceed the equivalent annual tuition and mandatory fees of an undergraduate program at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate.

(Over)

18-504.

(a) [A Delegate] THE OFFICE may award two part-time scholarships for each full-time scholarship available.

(b) A part-time scholarship may not be for more than twice as many years as a full-time scholarship.

(c) Each recipient of a part-time scholarship shall carry at least 6 semester hours of courses each semester in a program leading to a degree.

18-506.

(a) As an alternative to the scholarship awards authorized by §§ 18-503 through 18-505 of this subtitle, and subject to the provisions of subsection (b) of this section, [during] each year [in office each Delegate] THE OFFICE may award scholarships in a total amount equal to [four] 564 times the tuition and mandatory fees for a full-time undergraduate student enrolled at the University of Maryland, College Park Campus for the academic year commencing in that year.

(b) A scholarship award under subsection (a) of this section:

(1) May not be for an amount less than \$200 or more than one-half of the total amount of scholarships authorized by subsection (a) of this section for that year;

(2) Shall be used at an eligible institution;

(3) May be used by:

(i) A graduate, undergraduate, or professional student;

(ii) A student at a private career school within the State that is approved by the Maryland Higher Education Commission under § 11–202 of this article and that is accredited by a national accrediting association that is approved by the United States Department of Education; or

(iii) A student who is currently enrolled or was enrolled in the last 2 years in a certificate or license program, course, or sequence of courses at a community college that leads to certification or licensure as reimbursement for educational expenses that are defined by the Office and include tuition, mandatory fees, and room and board; [and]

(4) TO THE EXTENT PRACTICABLE, SHALL BE AWARDED EQUALLY TO AWARDEES WHO RESIDE IN EACH HOUSE LEGISLATIVE DISTRICT IN THE STATE; AND

[(4)] (5) To the extent it is not used by the student, shall be recredited to the [Delegate’s scholarship account] OFFICE and may be awarded in the next 12 months [by that Delegate] to another student pursuant to this section.

[18–507.

(a) Beginning in fiscal year 1996, each Delegate may authorize the Office of Student Financial Assistance to award all or a portion of the funds authorized under this subtitle to eligible recipients of a Delegate Howard P. Rawlings Educational Excellence Award who reside in the Delegate’s legislative district.

(b) In the event that the total number of eligible recipients of a Delegate Howard P. Rawlings Educational Excellence Award who reside in the Delegate’s legislative district is insufficient to utilize the total amount of funds available to the Delegate for any fiscal year, the Office of Student Financial Assistance may, with the

(Over)

consent of the Delegate, award the unused funds to other eligible recipients throughout the State.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to affect any individual who has received a senatorial or delegate scholarship before the effective date of this Act or the ability of a Delegate or Senator to award scholarships appropriated for use in fiscal years 2019 and 2020 subject to the laws, regulations, and policies governing senatorial and delegate scholarships in effect before the effective date of this Act.”;

and in line 11, strike “2.” and substitute “3.”.