

Chapter 581

(House Bill 118)

AN ACT concerning

Higher Education – Senatorial and Delegate Scholarships – In-State Tuition

FOR the purpose of making a certain applicant eligible for senatorial and delegate scholarships if the applicant is eligible for certain in-State tuition; *making conforming changes*; and generally relating to senatorial and delegate scholarships.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–401 and 18–501

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 18–402, *18–406(a), (b), and (g), 18–406.1*, and 18–502

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

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

Article – Education

18–401.

There is a program of senatorial scholarships in this State that are awarded under this subtitle.

18–402.

(a) (1) Except as provided in paragraphs (2) and (3) of this subsection, each applicant for a senatorial scholarship shall:

(i) Take a competitive examination administered by the Office; and

(ii) 1. Be accepted for admission in the regular undergraduate, graduate, or professional program at an eligible institution; or

2. Be enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution.

(2) An applicant is exempt from the examination if the applicant:

(i) Is attending an eligible institution and has completed at least 1 year in good academic standing at the institution;

(ii) Graduated from high school at least 5 years before application for a senatorial scholarship;

(iii) Is accepted for admission to a private career institution, if the institution's curriculum is approved by the Commission, and the institution is accredited by a national accrediting association approved by the United States Department of Education; or

(iv) Is planning to attend or is attending a Maryland community college.

(3) An applicant is exempt from the requirements of paragraph (1) of this subsection if the applicant is or was enrolled in a certificate or license program, course, or sequence of courses at a community college that leads to certification or licensure.

(b) [(1) Except as provided in paragraph (2) of this subsection, each] **EACH** applicant shall:

[(i)] **(1)** Be [a resident of this State] **ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE**; and

[(ii)] **(2)** At the time of the applicant's initial application, be [a resident of] **DOMICILED IN** the legislative district from which the applicant seeks an award.

[(2) If the applicant is an individual who is on active duty with the United States military, the applicant shall:

(i) Be domiciled in this State; and

(ii) At the time of the applicant's initial application, be domiciled in the legislative district from which the applicant seeks an award.]

(c) (1) Each applicant shall demonstrate to the Office a definite financial need, and each Senator shall consider the financial need of each applicant.

(2) Each Senator is the final judge of the financial need of each applicant to whom the Senator awards a scholarship, and the Office may not negate the Senator's judgment or impose requirements of time or procedure.

- (d) Each applicant shall accept any other conditions attached to the award.

18-406.

(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 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.

(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.

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) of this subtitle.

18-501.

(a) There is a program of Delegate Scholarships in this State that are awarded under this subtitle.

(b) A scholarship awarded under this subtitle may be used at:

(1) An eligible institution for a program of undergraduate, graduate, or professional studies;

(2) An accredited undergraduate, graduate, or professional institution outside the State, if the applicant:

(i) Will be studying in an academic area that is not available in this State;

(ii) Is disabled and will be studying at an institution outside the State that makes special provisions for disabled students that are not available to the applicant at an institution in the State; or

(iii) Is an individual who is on active duty with the United States military who is domiciled in this State; and

(3) 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.

(c) Money appropriated to the Commission for scholarships awarded under this section that are not used by the end of the fiscal year shall be retained by the Commission for use by the awarding Delegate in the Delegate Scholarship Program during subsequent fiscal years.

18-502.

(A) Each member of the House of Delegates may select the recipients of the scholarships on any basis that the Delegate considers appropriate.

(B) A MEMBER OF THE HOUSE OF DELEGATES MAY SELECT ANY INDIVIDUAL WHO IS ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE AS A RECIPIENT OF THE SCHOLARSHIP.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.