

# HOUSE BILL 1174

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By: **Delegates Solomon, Rosenberg, Acevero, Bridges, Lehman, and P. Young**

Introduced and read first time: February 7, 2020

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Financial Aid – Guaranteed Access Grants – Verification and Administration by**  
3 **Institutions of Higher Education**

4 FOR the purpose of removing a certain requirement for a recipient to receive a Guaranteed  
5 Access Grant; requiring certain institutions of higher education to verify the annual  
6 family income eligibility of an applicant for a Guaranteed Access Grant using certain  
7 standards for verification; requiring the Financial Assistance Advisory Council in  
8 the Maryland Higher Education Commission to study and make certain  
9 recommendations and submit a certain report; requiring the Council to alter its  
10 bylaws in a certain manner; requiring the Commission to submit a certain report to  
11 certain committees of the General Assembly on or before a certain date; requiring  
12 the Commission, in collaboration with the Comptroller and certain high schools, to  
13 study certain issues and to submit a certain report to certain committees of the  
14 General Assembly on or before a certain date; making conforming changes; providing  
15 for a delayed effective date for certain provisions of this Act; providing for the  
16 applicability of this Act; and generally relating to the verification and administration  
17 of the Guaranteed Access Grants by institutions of higher education.

18 BY repealing and reenacting, with amendments,  
19 Article – Education  
20 Section 18–303(b)  
21 Annotated Code of Maryland  
22 (2018 Replacement Volume and 2019 Supplement)

23 BY repealing and reenacting, without amendments,  
24 Article – Education  
25 Section 18–303(c)  
26 Annotated Code of Maryland  
27 (2018 Replacement Volume and 2019 Supplement)

28 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education  
2 Section 18–303(d) and 18–303.3  
3 Annotated Code of Maryland  
4 (2018 Replacement Volume and 2019 Supplement)  
5 (As enacted by Chapter 485 of the Acts of the General Assembly of 2019)

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

8 **Article – Education**

9 18–303.

10 (b) Except as provided in subsection (c) of this section, each recipient of a  
11 Guaranteed Access Grant shall:

12 (1) Have attained a grade point average of at least 2.5 on a 4.0 scale or its  
13 equivalent at the end of the first semester of the senior year in high school and have  
14 completed high school or, failing to do so, on the recommendation of the recipient’s high  
15 school principal, provide evidence satisfactory to the Office of extenuating circumstances;

16 (2) Begin college within 1 year of completing high school or, failing to do  
17 so, provide evidence satisfactory to the Office of extenuating circumstances;

18 (3) Be under the age of 22 years at the time of receiving the first award;

19 (4) [Have successfully completed a college preparatory program in high  
20 school;

21 (5)] Enroll in college as a full–time student;

22 [(6)] (5) Subject to subsection (d) of this section, have an annual family  
23 income below a poverty index determined by the Commission; and

24 [(7)] (6) Satisfy any additional criteria the Commission may establish.

25 (c) (1) Subject to paragraph (2) of this subsection, an individual who has  
26 successfully obtained a high school diploma by examination under § 11–808 of the Labor  
27 and Employment Article is exempt from the requirements of subsection (b) of this section.

28 (2) An individual described under paragraph (1) of this subsection is  
29 eligible for a Guaranteed Access Grant if the individual:

30 (i) Has scored a passing score of at least 165 per module on the  
31 diploma by examination;

32 (ii) Begins college within 1 year of achieving the score described

1 under item (i) of this paragraph or, failing to do so, provides evidence satisfactory to the  
2 Office of extenuating circumstances;

3 (iii) Is under the age of 26 years at the time of receiving the first  
4 award;

5 (iv) Enrolls in college as a full-time student; and

6 (v) Subject to subsection (d) of this section, has an annual family  
7 income below a poverty index determined by the Commission.

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

### 10 Article – Education

11 18–303.

12 (d) To determine the annual family income eligibility of an applicant for a  
13 Guaranteed Access Grant, [the Office or] an institution of higher education that complies  
14 with § 18–303.3 of this subtitle may not consider an amount received by the applicant as  
15 an earned income credit under § 32 of the Internal Revenue Code.

16 18–303.3.

17 (a) A public institution of higher education in the State, or a private nonprofit  
18 institution of higher education that is eligible for State aid under § 17–103 of this article,  
19 [may] **SHALL** verify the **ANNUAL FAMILY INCOME** eligibility of an applicant for, and on  
20 verification of the eligibility, administer[, ] a Guaranteed Access Grant in accordance with  
21 this section.

22 (b) An institution [may] **SHALL** verify:

23 (1) The [eligibility] **INCOME** of an applicant who:

24 (i) Is identified by the Office as potentially eligible for a Guaranteed  
25 Access Grant under § 18–303 of this subtitle; and

26 (ii) Applies for admission to the institution; or

27 (2) The renewal **INCOME** eligibility of a student who:

28 (i) Received a Guaranteed Access Grant under § 18–303 of this  
29 subtitle in the prior award year; and

30 (ii) Is an admitted student at the institution in the current award

1 year.

2 (c) An institution shall:

3 (1) Verify that an applicant qualifies for a Guaranteed Access Grant under  
4 the requirements of § 18–303 of this subtitle;

5 (2) Evaluate the applicant's income eligibility criteria using federal [V1  
6 standard] **STANDARDS FOR** verification and in accordance with the income eligibility  
7 criteria established by the Office;

8 (3) Maintain records used by the institution to determine the eligibility of  
9 applicants for a period of 5 years after the end date of the award year associated with the  
10 student's last award; and

11 (4) Provide the Commission with an audit, in accordance with rules  
12 adopted by the Commission, to show that awards verified and administered under this  
13 section have been made properly.

14 (d) (1) Subject to paragraph (2) of this subsection, a verification obtained by  
15 an applicant under subsection (b) of this section may be used at any eligible institution  
16 described under § 18–305 of this subtitle.

17 (2) The amount of the Guaranteed Access Grant awarded to an applicant  
18 may be adjusted in accordance with the cost of attendance at the institution at which the  
19 applicant uses the award.

20 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31,  
21 2020, the Financial Assistance Advisory Council in the Maryland Higher Education  
22 Commission shall:

23 (1) study and make recommendations to the Maryland Higher Education  
24 Commission regarding how the Commission could provide students in the State with  
25 notifications of their financial aid awards earlier than May 1; and

26 (2) submit a report, in accordance with § 2–1257 of the State Government  
27 Article, to the Senate Education, Health, and Environmental Affairs Committee and the  
28 House Appropriations Committee on the recommendations in paragraph (1) of this section.

29 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before August 1, 2020,  
30 the Financial Assistance Advisory Council in the Maryland Higher Education Commission  
31 shall update the Council's bylaws to add two members to the Council that represent college  
32 access network organizations.

33 SECTION 5. AND BE IT FURTHER ENACTED, That the Maryland Higher  
34 Education Commission shall:

1           (1)     study and make recommendations on:

2                   (i)     in collaboration with the Comptroller, the feasibility and process  
3 of electronically matching Free Application for Federal Student Aid data to residency and  
4 income data captured by the Comptroller's office; and

5                   (ii)    in collaboration with high schools in the State, how to integrate  
6 electronic data exchanges with high schools and the Commission to eliminate the need for  
7 the collection of high school transcripts; and

8           (2)     submit a report, in accordance with § 2–1257 of the State Government  
9 Article, to the Senate Education, Health, and Environmental Affairs Committee and the  
10 House Appropriations Committee on the recommendations in item (1) of this section.

11           SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take  
12 effect July 1, 2020, the effective date of Chapter 485 of the Acts of the General Assembly of  
13 2019. If the effective date of Chapter 485 is amended, this Act shall take effect on the taking  
14 effect of Chapter 485.

15           SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section  
16 6 of this Act, this Act shall take effect July 1, 2020, and shall be applicable beginning with  
17 financial aid awards made for the 2022–2023 school year.