

# SENATE BILL 543

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4r1571  
CF HB 4

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By: **Senator Brooks**

Introduced and read first time: January 25, 2024

Assigned to: Education, Energy, and the Environment

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Institutions of Higher Education – Admissions Standards – Prohibition on**  
3 **Consideration of Legacy Preference or Donor Preference**

4 FOR the purpose of prohibiting certain institutions of higher education from considering a  
5 legacy preference or donor preference as an eligible criterion for admissions  
6 standards at the institution; and generally relating to admissions standards and  
7 institutions of higher education.

8 BY repealing and reenacting, without amendments,  
9 Article – Education  
10 Section 10–101(a) and (h)  
11 Annotated Code of Maryland  
12 (2022 Replacement Volume and 2023 Supplement)

13 BY adding to  
14 Article – Education  
15 Section 26–901 to be under the new subtitle “Subtitle 9. Consideration of ~~Legacy~~  
16 ~~Preference~~ Preferences in the Admissions Process”  
17 Annotated Code of Maryland  
18 (2022 Replacement Volume and 2023 Supplement)

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

21 **Article – Education**

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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 10–101.

2 (a) In this division the following words have the meanings indicated.

3 (h) (1) “Institution of higher education” means an institution of postsecondary  
4 education that generally limits enrollment to graduates of secondary schools, and awards  
5 degrees at either the associate, baccalaureate, or graduate level.

6 (2) “Institution of higher education” includes public, private nonprofit, and  
7 for-profit institutions of higher education.

8 **SUBTITLE 9. CONSIDERATION OF ~~LEGACY PREFERENCE~~ PREFERENCES IN THE**  
9 **ADMISSIONS PROCESS.**

10 **26–901.**

11 (A) **(1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS**  
12 **INDICATED.**

13 **(2) “DONOR PREFERENCE” MEANS A PREFERENCE GIVEN TO AN**  
14 **APPLICANT TO AN INSTITUTION OF HIGHER EDUCATION BY THE INSTITUTION BASED**  
15 **ON THE APPLICANT’S FAMILIAL RELATIONSHIP TO A PERSON WHO PROVIDES**  
16 **FINANCIAL SUPPORT TO THE INSTITUTION.**

17 **(3) “~~LEGACY~~ LEGACY PREFERENCE” MEANS A PREFERENCE GIVEN**  
18 **TO AN APPLICANT TO AN INSTITUTION OF HIGHER EDUCATION BY THE INSTITUTION**  
19 **BASED ON THE APPLICANT’S FAMILIAL RELATIONSHIP TO AN ALUM OF THE**  
20 **INSTITUTION.**

21 (B) **THIS SECTION APPLIES TO AN INSTITUTION OF HIGHER EDUCATION IN**  
22 **THE STATE THAT RECEIVES STATE FUNDS.**

23 (C) (1) **AN INSTITUTION OF HIGHER EDUCATION MAY NOT CONSIDER A**  
24 **LEGACY PREFERENCE OR DONOR PREFERENCE AS AN ELIGIBLE CRITERION FOR**  
25 **ADMISSION STANDARDS TO THE INSTITUTION.**

26 (2) **AN INSTITUTION OF HIGHER EDUCATION MAY ASK APPLICANTS**  
27 **TO PROVIDE INFORMATION ABOUT FAMILIAL RELATIONSHIPS TO ALUMS OF THE**  
28 **INSTITUTION FOR THE PURPOSE OF COLLECTING DATA.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
30 1, 2024.