

SENATE BILL 203

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F2

2001 Regular Session  
(11r0171)

**ENROLLED BILL**

-- *Economic and Environmental Affairs/Appropriations* --

Introduced by **The President (Administration) and Senators Blount, Conway, Currie, Exum, Hughes, Kelley, Lawlah, McFadden, Mitchell, and Neall**  
**Neall, Middleton, Colburn, Green, Frosh, Hoffman, and Van Hollen**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education - Private Donation Incentive Program - Bowie State**  
3 **University, Coppin State College, Morgan State University, and University of**  
4 **Maryland Eastern Shore**

5 FOR the purpose of increasing the amount of matching funds from the State for  
6 amounts pledged, on or after a certain date, to Bowie State University, Coppin  
7 State College, Morgan State University, and University of Maryland Eastern  
8 Shore under the Private Donation Incentive Program; increasing the maximum  
9 payments allowed by the State under the Program for these institutions;  
10 extending the time period for implementing the Program for Bowie State  
11 University, Coppin State College, Morgan State University, and University of  
12 Maryland Eastern Shore; and generally relating to the Private Donation  
13 Incentive Program.

14 BY repealing and reenacting, with amendments,

1 Article - Education  
2 Section 17-302  
3 Annotated Code of Maryland  
4 (1999 Replacement Volume and 2000 Supplement)

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

7 **Article - Education**

8 17-302.

9 (a) Except as provided in [subsection (e)] SUBSECTIONS (B) AND (F) of this  
10 section, each eligible institution shall receive from the State, in the manner and  
11 subject to the limitations of this subtitle, with respect to the amounts pledged by  
12 eligible private donors as voluntary donations at any time during the previous fiscal  
13 year to the eligible institution for eligible programs as follows:

14 (1) An amount equal to the first \$250,000 or any portion thereof of  
15 pledged amounts;

16 (2) An amount equal to one-half of the next \$1,000,000 or any portion  
17 thereof of pledged amounts; and

18 (3) An amount equal to one-third of the amount in excess of \$1,250,000  
19 or any portion thereof of pledged amounts.

20 (B) ~~EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION,~~ BOWIE STATE  
21 UNIVERSITY, COPPIN STATE COLLEGE, MORGAN STATE UNIVERSITY, AND  
22 UNIVERSITY OF MARYLAND EASTERN SHORE SHALL RECEIVE FROM THE STATE, IN  
23 THE MANNER AND SUBJECT TO THE LIMITATIONS OF THIS SUBTITLE, WITH RESPECT  
24 TO THE AMOUNTS PLEDGED BY ELIGIBLE PRIVATE DONORS AS VOLUNTARY  
25 DONATIONS AT ANY TIME DURING THE PREVIOUS FISCAL YEAR TO THE ELIGIBLE  
26 INSTITUTION FOR ELIGIBLE PROGRAMS AS FOLLOWS:

27 (1) FOR AMOUNTS PLEDGED ON OR AFTER JULY 1, 2001, AN AMOUNT  
28 EQUAL TO \$2 FOR EVERY \$1 OF THE FIRST \$250,000 OR ANY PORTION THEREOF OF  
29 PLEDGED AMOUNTS; AND

30 (2) FOR AMOUNTS PLEDGED ON OR AFTER JULY 1, 2001, AN AMOUNT  
31 EQUAL TO THE NEXT \$1,000,000 OR ANY PORTION THEREOF OF PLEDGED AMOUNTS.

32 [(b)] (C) Payments shall be made by the State:

33 (1) Only with respect to pledged amounts that are paid by the eligible  
34 private donor to [the eligible institution]:

1 (I) BOWIE STATE UNIVERSITY, COPPIN STATE COLLEGE, MORGAN  
2 STATE UNIVERSITY, AND UNIVERSITY OF MARYLAND EASTERN SHORE BEFORE  
3 JANUARY 1, 2006; AND

4 (II) ALL OTHER ELIGIBLE INSTITUTIONS before July 1, 2004; and

5 (2) In the fiscal year following the fiscal year during which the amounts  
6 are paid.

7 [(c)] (D) Payments by the State under this subtitle may not exceed:

8 (1) \$250,000 to each community college campus;

9 (2) \$1,250,000 each to the University of Maryland, College Park, and the  
10 University of Maryland, Baltimore; [and]

11 (3) \$1,500,000 EACH TO BOWIE STATE UNIVERSITY, COPPIN STATE  
12 COLLEGE, MORGAN STATE UNIVERSITY, AND UNIVERSITY OF MARYLAND EASTERN  
13 SHORE; AND

14 [(3)] (4) \$750,000 to each other eligible institution.

15 [(d)] (E) (1) To determine eligibility for State payments, each donation shall  
16 be compared to the amount donated during the base year. The following criteria shall  
17 be the basis for comparison:

18 (i) Each donation must be from a new donor; or

19 (ii) Each donation must represent an increase over the amount  
20 given by the donor during the base year.

21 (2) A donation received during the base year that fulfills a pledge made  
22 prior to the base year may not be included in the determination of the amount  
23 donated during the base year.

24 (3) Each donation must be specifically designated as an endowment.

25 [(e)] (F) An institution may not receive funds for a donation that qualifies for  
26 a contribution by the State under § 16-317 of this article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 July 1, 2001.