

SENATE BILL 203

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2001 Regular Session
11r0171
CF 11r0172

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**

Introduced and read first time: January 22, 2001
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: February 22, 2001

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,
15 Article - Education
16 Section 17-302
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2000 Supplement)

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

1 **Article - Education**

2 17-302.

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

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

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

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

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

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

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

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

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

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

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

33 (2) In the fiscal year following the fiscal year during which the amounts
34 are paid.

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

36 (1) \$250,000 to each community college campus;

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

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

6 [(3)] (4) \$750,000 to each other eligible institution.

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

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

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

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

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

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

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