
By: **Senators Lawlah, Astle, Brinkley, Britt, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Giannetti, Gladden, Green, Greenip, Grosfeld, Hafer, Haines, Harris, Hogan, Hollinger, Hooper, Hughes, Jacobs, Jimeno, Jones, Kasemeyer, Kelley, Kittleman, Klausmeier, Kramer, McFadden, Middleton, Miller, Mooney, Munson, Pipkin, Ruben, Schrader, Stone, and Teitelbaum**

Introduced and read first time: January 26, 2005

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Private Donation Incentive Program - Extension of**
 3 **Deadline**

4 FOR the purpose of altering the date before which certain amounts must be paid by
 5 certain donors to Bowie State University, Coppin State University, Morgan
 6 State University, and University of Maryland Eastern Shore in order to
 7 effectuate certain payments by the State as part of the Private Donation
 8 Incentive Program; and generally relating to the Private Donation Incentive
 9 Program.

10 BY repealing and reenacting, with amendments,
 11 Article - Education
 12 Section 17-302
 13 Annotated Code of Maryland
 14 (2004 Replacement Volume and 2004 Supplement)

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

17 **Article - Education**

18 17-302.

19 (a) Except as provided in subsections (b) and (f) of this section, each eligible
 20 institution shall receive from the State, in the manner and subject to the limitations
 21 of this subtitle, with respect to the amounts pledged by eligible private donors as
 22 voluntary donations at any time during the previous fiscal year to the eligible
 23 institution for eligible programs as follows:

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

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

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

7 (b) Bowie State University, Coppin State University, Morgan State University,
8 and University of Maryland Eastern Shore shall receive from the State, in the
9 manner and subject to the limitations of this subtitle, with respect to the amounts
10 pledged by eligible private donors as voluntary donations at any time during the
11 previous fiscal year to the eligible institution for eligible programs as follows:

12 (1) For amounts pledged on or after July 1, 2001, an amount equal to \$2
13 for every \$1 of the first \$250,000 or any portion thereof of pledged amounts; and

14 (2) For amounts pledged on or after July 1, 2001, an amount equal to the
15 next \$1,000,000 or any portion thereof of pledged amounts.

16 (c) Payments shall be made by the State:

17 (1) Only with respect to pledged amounts that are paid by the eligible
18 private donor to:

19 (i) Bowie State University, Coppin State University, Morgan State
20 University, and University of Maryland Eastern Shore before January 1, [2006] 2010;
21 and

22 (ii) All other eligible institutions before July 1, 2004; and

23 (2) (i) To Bowie State University, Coppin State University, Morgan
24 State University, and the University of Maryland Eastern Shore, in the fiscal year
25 following the fiscal year during which the amounts are paid by eligible private donors;
26 and

27 (ii) To all other eligible institutions, in equal installments in fiscal
28 years 2006, 2007, 2008, and 2009.

29 (d) Payments by the State under this subtitle may not exceed:

30 (1) \$250,000 to each community college campus;

31 (2) \$1,250,000 each to the University of Maryland, College Park, the
32 University of Maryland, Baltimore, and the University of Maryland Baltimore
33 County;

34 (3) \$1,500,000 each to Bowie State University, Coppin State University,
35 Morgan State University, and University of Maryland Eastern Shore; and

1 (4) \$750,000 to each other eligible institution.

2 (e) (1) To determine eligibility for State payments, each donation shall be
3 compared to the amount donated during the base year. The following criteria shall be
4 the basis for comparison:

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

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

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

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

12 (f) An institution may not receive funds for a donation that qualifies for a
13 contribution by the State under § 16-317 of this article.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2005.