
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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 22, 2005

CHAPTER _____

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:

1

Article - Education

2 17-302.

3 (a) Except as provided in subsections (b) and (f) of this section, each eligible
4 institution shall receive from the State, in the manner and subject to the limitations
5 of this subtitle, with respect to the amounts pledged by eligible private donors as
6 voluntary donations at any time during the previous fiscal year to the eligible
7 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) Bowie State University, Coppin State University, Morgan State University,
15 and University of Maryland Eastern Shore shall receive from the State, in the
16 manner and subject to the limitations of this subtitle, with respect to the amounts
17 pledged by eligible private donors as voluntary donations at any time during the
18 previous fiscal year to the eligible institution for eligible programs as follows:

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

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

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

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

26 (i) Bowie State University, Coppin State University, Morgan State
27 University, and University of Maryland Eastern Shore before January 1, [2006] 2010;
28 and

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

30 (2) (i) To Bowie State University, Coppin State University, Morgan
31 State University, and the University of Maryland Eastern Shore, in the fiscal year
32 following the fiscal year during which the amounts are paid by eligible private donors;
33 and

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

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

- 1 (1) \$250,000 to each community college campus;
- 2 (2) \$1,250,000 each to the University of Maryland, College Park, the
3 University of Maryland, Baltimore, and the University of Maryland Baltimore
4 County;
- 5 (3) \$1,500,000 each to Bowie State University, Coppin State University,
6 Morgan State University, and University of Maryland Eastern Shore; and
- 7 (4) \$750,000 to each other eligible institution.

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

- 11 (i) Each donation must be from a new donor; or
- 12 (ii) Each donation must represent an increase over the amount
13 given by the donor during the base year.
- 14 (2) A donation received during the base year that fulfills a pledge made
15 prior to the base year may not be included in the determination of the amount
16 donated during the base year.
- 17 (3) Each donation must be specifically designated as an endowment.

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

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