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By: **Senators Schrader, Brinkley, Greenip, Kittleman, and Lawlah**

Introduced and read first time: February 4, 2005

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Robert Kittleman Scholarship Reform Act**

3 FOR the purpose of eliminating the Senatorial Scholarship and Delegate Scholarship  
4 Programs; creating a legislative scholarship program in the State; providing  
5 that applicants for a legislative scholarship meet certain requirements;  
6 providing for the amount of certain scholarship moneys each legislator receives  
7 each year; requiring a legislator to award a certain amount of the legislator's  
8 scholarship moneys in the legislator's district under certain circumstances;  
9 requiring the Maryland Higher Education Commission to award a certain  
10 amount of each legislator's scholarship moneys based on need in a legislator's  
11 district under certain circumstances; authorizing a legislator to have the  
12 Commission award all of the legislator's scholarship moneys based on need or to  
13 designate all of the legislator's scholarship moneys to a certain program  
14 administered by the Commission; requiring each legislator to award all of the  
15 legislator's scholarship moneys on or before a certain date each year; requiring  
16 the Commission to award remaining moneys to applicants in the legislator's  
17 district based on need if a legislator does not award all of the legislator's  
18 scholarship moneys on or before a certain date; providing for the amount,  
19 duration, and use of a legislative scholarship award; authorizing a recipient of a  
20 legislative scholarship award to receive a certain award to be used for summer  
21 school under certain circumstances; defining certain terms; permitting the  
22 recipients of certain scholarships to continue to receive those awards under  
23 certain circumstances; and generally relating to creating a legislative  
24 scholarship program in the State.

25 BY repealing

26 Article - Education

27 Section 18-401 through 18-408 and the subtitle "Subtitle 4. Senatorial

28 Scholarships"; and 18-501 through 18-507 and the subtitle "Subtitle 5.

29 Delegate Scholarships"

30 Annotated Code of Maryland

31 (2004 Replacement Volume and 2004 Supplement)

32 BY adding to

33 Article - Education

1 Section 18-401 through 18-405 to be under the new subtitle "Subtitle 4.  
2 Legislative Scholarship Program"  
3 Annotated Code of Maryland  
4 (2004 Replacement Volume and 2004 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
6 MARYLAND, That Section(s) 18-401 through 18-408 and the subtitle "Subtitle 4.  
7 Senatorial Scholarships"; and 18-501 through 18-507 and the subtitle "Subtitle 5.  
8 Delegate Scholarships" of Article - Education of the Annotated Code of Maryland be  
9 repealed.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
11 read as follows:

12 **Article - Education**

13 **SUBTITLE 4. LEGISLATIVE SCHOLARSHIP PROGRAM.**

14 18-401.

15 THERE IS A PROGRAM OF LEGISLATIVE SCHOLARSHIPS IN THE STATE THAT ARE  
16 AWARDED UNDER THIS SUBTITLE.

17 18-402.

18 (A) EACH APPLICANT FOR A LEGISLATIVE SCHOLARSHIP SHALL:

19 (1) BE A RESIDENT OF THE STATE;

20 (2) AT THE TIME OF INITIAL APPLICATION, BE A RESIDENT OF THE  
21 LEGISLATIVE DISTRICT FROM WHICH THE APPLICANT SEEKS THE SCHOLARSHIP;  
22 AND

23 (3) (I) HAVE BEEN ACCEPTED FOR ADMISSION IN THE REGULAR  
24 UNDERGRADUATE, GRADUATE, OR PROFESSIONAL PROGRAM AT AN ELIGIBLE  
25 INSTITUTION; OR

26 (II) BE ENROLLED IN A 2-YEAR TERMINAL CERTIFICATE PROGRAM  
27 IN WHICH THE COURSE WORK IS ACCEPTABLE FOR TRANSFER CREDIT FOR AN  
28 ACCREDITED BACCALAUREATE PROGRAM IN AN ELIGIBLE INSTITUTION.

29 (B) IF THE APPLICANT IS A DEPENDENT, THE PARENTS OF THE APPLICANT  
30 SHALL BE RESIDENTS OF THE STATE.

31 18-403.

32 (A) IN THIS SECTION, "SCHOLARSHIP MONEYS" MEANS THE AMOUNT EACH  
33 SENATOR AND DELEGATE RECEIVES TO AWARD AS LEGISLATIVE SCHOLARSHIPS  
34 EACH YEAR.

1 (B) (1) EACH SENATOR SHALL RECEIVE \$138,000 IN SCHOLARSHIP MONEYS.

2 (2) EACH DELEGATE SHALL RECEIVE \$31,000 IN SCHOLARSHIP MONEYS.

3 (C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, OF THE TOTAL  
4 AMOUNT EACH LEGISLATOR RECEIVES IN SCHOLARSHIP MONEYS UNDER  
5 SUBSECTION (B) OF THIS SECTION:

6 (I) 30% SHALL BE AWARDED BY THE LEGISLATOR IN THE  
7 LEGISLATOR'S DISTRICT USING SELECTION CRITERIA DEVELOPED BY THE  
8 LEGISLATOR; AND

9 (II) 70% SHALL BE AWARDED BY THE COMMISSION BASED ON NEED  
10 IN THE LEGISLATOR'S DISTRICT.

11 (2) A LEGISLATOR MAY:

12 (I) CHOOSE TO HAVE THE COMMISSION AWARD ALL OF THE  
13 LEGISLATOR'S SCHOLARSHIP MONEYS BASED ON NEED; OR

14 (II) DESIGNATE ALL OF THE LEGISLATOR'S SCHOLARSHIP MONEYS  
15 TO A SPECIFIC PROGRAM ADMINISTERED BY THE COMMISSION.

16 (D) EACH LEGISLATOR SHALL AWARD ALL OF THE LEGISLATOR'S  
17 SCHOLARSHIP MONEYS ON OR BEFORE SEPTEMBER 1 OF EACH YEAR.

18 (E) IF ANY LEGISLATOR FAILS TO AWARD ALL OF THE LEGISLATOR'S  
19 SCHOLARSHIP MONEYS ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE  
20 COMMISSION SHALL MAKE THE REMAINING AWARDS TO APPLICANTS IN THE  
21 LEGISLATOR'S DISTRICT BASED ON NEED.

22 (F) THE COMMISSION SHALL NOTIFY EACH LEGISLATOR OF THE APPLICANTS  
23 IN THE LEGISLATOR'S DISTRICT TO WHOM IT AWARDS A LEGISLATIVE SCHOLARSHIP.

24 (G) TO THE EXTENT A LEGISLATIVE SCHOLARSHIP AWARDED UNDER THIS  
25 SECTION IS NOT USED BY A RECIPIENT, MONEYS APPROPRIATED TO THE  
26 COMMISSION FOR THAT AWARD NOT USED BY THE END OF THE FISCAL YEAR SHALL  
27 BE RETAINED BY THE COMMISSION FOR USE BY THE AWARDING LEGISLATOR  
28 DURING SUBSEQUENT FISCAL YEARS.

29 18-404.

30 (A) A LEGISLATIVE SCHOLARSHIP MAY BE AWARDED IN \$100 INCREMENTS.  
31 HOWEVER, AN AWARD FOR A SINGLE YEAR MAY NOT BE LESS THAN \$400 OR MORE  
32 THAN \$2,000.

33 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, LEGISLATIVE  
34 SCHOLARSHIP AWARDS ARE FOR A DURATION OF 1 YEAR.

35 (2) A LEGISLATOR MAY SELECT AN APPLICANT TO RECEIVE A  
36 LEGISLATIVE SCHOLARSHIP IN MULTIPLE YEARS.

1 (C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A RECIPIENT OF A  
2 LEGISLATIVE SCHOLARSHIP MAY RECEIVE AN ADDITIONAL SCHOLARSHIP AWARD OF  
3 UP TO ONE-HALF OF THE RECIPIENT'S YEARLY AWARD FOR SUMMER SCHOOL.

4 (2) A RECIPIENT SHALL APPLY TO THE COMMISSION FOR AN  
5 ADDITIONAL SCHOLARSHIP AWARD FOR SUMMER SCHOOL ON OR BEFORE APRIL 1  
6 PRIOR TO THE BEGINNING OF THE SUMMER SESSION.

7 18-405.

8 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A  
9 LEGISLATIVE SCHOLARSHIP MAY BE USED ONLY AT AN UNDERGRADUATE,  
10 GRADUATE, OR PROFESSIONAL SCHOOL IN THE STATE.

11 (B) AWARDS MAY BE USED BY RECIPIENTS TO ATTEND ACCREDITED  
12 UNDERGRADUATE, GRADUATE, OR PROFESSIONAL INSTITUTIONS OUTSIDE THE  
13 STATE IF THE RECIPIENT IS:

14 (1) STUDYING IN AN ACADEMIC AREA THAT IS NOT AVAILABLE AT AN  
15 INSTITUTION IN THE STATE; OR

16 (2) HEARING-IMPAIRED OR DISABLED AND STUDYING AT AN  
17 INSTITUTION OUT OF THE STATE THAT MAKES SPECIAL PROVISIONS FOR HEARING-  
18 IMPAIRED AND DISABLED STUDENTS, AND COMPARABLE PROVISIONS CANNOT BE  
19 MADE AT AN INSTITUTION IN THE STATE.

20 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the  
21 provisions of this Act, a recipient of a Senatorial Scholarship award or a Delegate  
22 Scholarship award that is made prior to July 1, 2005, shall continue to be eligible to  
23 receive the full amount of that scholarship award for the duration of the eligibility  
24 period applicable to the recipient.

25 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 2005.