
By: **Senator Gladden**

Introduced and read first time: February 4, 2005

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Nonpublic Institutions of Higher Education Community Relations**
3 **Agreement - Funding for Capital Projects**

4 FOR the purpose of requiring a nonpublic institution of higher education to enter into
5 an agreement with certain residents to establish a community relations council
6 to be eligible to receive certain State funding for capital projects; establishing
7 certain purposes and requirements for the agreement; requiring the community
8 relations council to meet on a regular basis; providing that a nonpublic
9 institution of higher education that does not enter into an agreement under this
10 Act is not eligible for certain State funding; prohibiting the State from
11 expending funds for capital construction projects under certain circumstances;
12 and generally relating to the eligibility by nonpublic institutions of higher
13 education for capital project grants.

14 BY adding to
15 Article - Education
16 Section 17-108 and 17-109
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2004 Supplement)

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

21 **Article - Education**

22 17-108.

23 (A) (1) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ENTER
24 INTO AN AGREEMENT WITH RESIDENTS WHO LIVE WITHIN A 1-MILE RADIUS OF THE
25 INSTITUTION'S CAMPUS TO ESTABLISH A COMMUNITY RELATIONS COUNCIL.

26 (2) ON COMPLETION OF THE AGREEMENT, THE INSTITUTION SHALL
27 SUBMIT A REPORT TO THE COMMISSION THAT INCLUDES THE DATE ON WHICH THE
28 AGREEMENT WAS ENTERED AND A SUMMARY OF THE AGREEMENT.

1 (B) THE PURPOSE OF THE AGREEMENT IS TO SAFEGUARD THE RESIDENTIAL
2 CHARACTER AND QUALITY OF LIFE OF SURROUNDING NEIGHBORHOODS, WHILE
3 RECOGNIZING THE NEED FOR THE NONPUBLIC INSTITUTION OF HIGHER EDUCATION
4 TO MAINTAIN AUTONOMY.

5 (C) THE AGREEMENT SHALL INCLUDE:

6 (1) NEGOTIATED STUDENT ENROLLMENT CAPS;

7 (2) PROTOCOLS FOR COMMUNITY PARTICIPATION IN THE
8 DEVELOPMENT AND IMPLEMENTATION OF ANY MASTER PLAN FOR THE NONPUBLIC
9 INSTITUTION OF HIGHER EDUCATION;

10 (3) A COMPLETE INVENTORY OF ALL LEASED AND OWNED PROPERTY OF
11 THE NONPUBLIC INSTITUTION OF HIGHER EDUCATION;

12 (4) DISCLOSURE OF ANY PROPOSED ACQUISITION THAT THE
13 NONPUBLIC INSTITUTION OF HIGHER EDUCATION ANTICIPATES;

14 (5) DISCLOSURE OF ANY PROPOSED CAPITAL PROJECTS WITH PARKING
15 AND TRAFFIC PROJECTIONS;

16 (6) OFF-CAMPUS HOUSING RESTRICTIONS;

17 (7) OFF-CAMPUS PARKING RESTRICTIONS IN THE NEIGHBORHOODS
18 SURROUNDING THE INSTITUTION'S CAMPUS; AND

19 (8) PROTOCOLS FOR ANY CONSTRUCTION PROJECT, COMMERCIAL
20 DELIVERY, AND SANITATION SERVICE.

21 (D) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION THAT DOES NOT
22 ENTER INTO AN AGREEMENT IN ACCORDANCE WITH THIS SECTION IS NOT ELIGIBLE
23 TO RECEIVE FUNDING FROM THE STATE FOR CAPITAL PROJECTS.

24 17-109.

25 THE STATE MAY NOT EXPEND FUNDS FOR A CAPITAL PROJECT FOR A
26 NONPUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE UNTIL THE
27 NONPUBLIC INSTITUTION:

28 (1) ENTERS INTO AN AGREEMENT WITH RESIDENTS WHO LIVE WITHIN A
29 1-MILE RADIUS OF THE NONPUBLIC INSTITUTION'S CAMPUS TO CREATE A
30 COMMUNITY RELATIONS COUNCIL AS PROVIDED UNDER § 17-108 OF THIS SUBTITLE;
31 AND

32 (2) SUBMITS A REPORT CONTAINING THE DATE AND A SUMMARY OF THE
33 AGREEMENT UNDER § 17-108 OF THIS SUBTITLE.

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