
By: **Senator Frosh**
Introduced and read first time: February 4, 2005
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Tuition Limitation Based on Adequate Funding**

3 FOR the purpose of limiting, to no more than a certain percent for certain academic
4 years, the amount of the annual increase in tuition that may be charged each
5 academic year to a resident undergraduate student at certain public senior
6 higher education institutions; providing that a certain tuition limitation only
7 applies if the institutions receive a certain General Fund appropriation; and
8 generally relating to tuition at certain public senior higher education
9 institutions.

10 BY adding to
11 Article - Education
12 Section 15-106.5
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 15-106.5.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) "ACADEMIC YEAR" MEANS THE PERIOD COMMENCING WITH THE
22 FALL SEMESTER AND CONTINUING THROUGH THE IMMEDIATELY FOLLOWING
23 SUMMER SESSION AT A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION.

24 (3) "ADEQUATE FUNDING" MEANS:

25 (I) FOR FISCAL YEAR 2007, AN AMOUNT OF GENERAL FUND STATE
26 SUPPORT EQUAL TO AT LEAST THE FOLLOWING AMOUNTS:

27 1. UNIVERSITY SYSTEM OF MARYLAND \$846,669,545

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1 2. MORGAN STATE UNIVERSITY \$53,886,731

2 (II) FOR FISCAL YEAR 2008, AN AMOUNT OF GENERAL FUND STATE
3 SUPPORT EQUAL TO AT LEAST THE FOLLOWING AMOUNTS:

4 1. UNIVERSITY SYSTEM OF MARYLAND \$899,769,577

5 2. MORGAN STATE UNIVERSITY \$56,581,067

6 (4) "GOVERNING BOARD" HAS THE MEANING STATED IN § 10-101(D)(1)
7 AND (2) OF THIS ARTICLE.

8 (5) "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION" MEANS THE
9 CONSTITUENT INSTITUTIONS OF THE UNIVERSITY SYSTEM OF MARYLAND AND
10 MORGAN STATE UNIVERSITY.

11 (6) (I) "TUITION" MEANS THE CHARGES AND FEES APPROVED BY THE
12 GOVERNING BOARD OF A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION THAT
13 ARE REQUIRED OF ALL UNDERGRADUATE RESIDENT STUDENTS BY THE
14 INSTITUTION AS A CONDITION OF ENROLLMENT REGARDLESS OF THE STUDENT'S
15 DEGREE PROGRAM, FIELD OF STUDY, OR SELECTED COURSES.

16 (II) "TUITION" DOES NOT INCLUDE:

17 1. FEES DEDICATED TO SUPPORT AUXILIARY ENTERPRISES
18 AND OTHER SELF-FUNDED ACTIVITIES OF A PUBLIC SENIOR HIGHER EDUCATION
19 INSTITUTION; OR

20 2. A FEE REQUIRED ONLY FOR ENROLLMENT IN A SPECIFIC
21 DEGREE PROGRAM, FIELD OF STUDY, OR COURSE WHEN THAT FEE IS NOT REQUIRED
22 OF UNDERGRADUATE RESIDENT STUDENTS AT THE PUBLIC SENIOR HIGHER
23 EDUCATION INSTITUTION FOR ENROLLMENT IN OTHER DEGREE PROGRAMS, FIELDS
24 OF STUDY, OR COURSES.

25 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR THE
26 ACADEMIC YEARS BEGINNING IN THE FALL OF 2006 AND 2007, A GOVERNING BOARD
27 MAY NOT APPROVE, AND A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY
28 NOT IMPOSE, AN INCREASE IN THE TUITION CHARGED FOR AN ACADEMIC YEAR TO A
29 RESIDENT UNDERGRADUATE STUDENT AT THE INSTITUTION THAT EXCEEDS 5% OF
30 THE AMOUNT CHARGED FOR TUITION AT THE INSTITUTION THE PRECEDING
31 ACADEMIC YEAR.

32 (2) THE TUITION LIMITATION IN PARAGRAPH (1) OF THIS SUBSECTION
33 ONLY APPLIES IF PUBLIC SENIOR HIGHER EDUCATION INSTITUTIONS HAVE
34 RECEIVED ADEQUATE FUNDING.

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