
By: **Delegate Franchot**

Introduced and read first time: February 10, 2006

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - University System of Maryland - Restrictions on Tuition**

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 to
5 resident undergraduate students at certain institutions of the University
6 System of Maryland; providing that the tuition limitation imposed by this Act
7 only applies if certain appropriations in certain fiscal years equal or exceed a
8 certain amount; and generally relating to State funding and tuition at certain
9 institutions of the University System of Maryland.

10 BY adding to

11 Article - Education

12 Section 12-115

13 Annotated Code of Maryland

14 (2004 Replacement Volume and 2005 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 12-115.

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 CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF
24 MARYLAND.

25 (3) (I) "TUITION" MEANS THE CHARGES AND FEES APPROVED BY THE
26 BOARD OF REGENTS WHICH ARE REQUIRED OF ALL UNDERGRADUATE RESIDENT
27 STUDENTS BY A CONSTITUENT INSTITUTION AS A CONDITION OF ENROLLMENT

1 REGARDLESS OF THE STUDENT'S DEGREE PROGRAM, FIELD OF STUDY, OR SELECTED
2 COURSES.

3 (II) "TUITION" DOES NOT INCLUDE:

4 1. FEES DEDICATED TO SUPPORT AUXILIARY ENTERPRISES
5 AND OTHER SELF-FUNDED ACTIVITIES OF A CONSTITUENT INSTITUTION; OR

6 2. A FEE REQUIRED ONLY FOR ENROLLMENT IN A SPECIFIC
7 DEGREE PROGRAM, FIELD OF STUDY, OR COURSE WHEN THAT FEE IS NOT REQUIRED
8 OF UNDERGRADUATE RESIDENT STUDENTS AT A CONSTITUENT INSTITUTION FOR
9 ENROLLMENT IN OTHER DEGREE PROGRAMS, FIELDS OF STUDY, OR COURSES.

10 (B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR THE
11 ACADEMIC YEAR BEGINNING IN THE FALL OF 2007 AND EACH ACADEMIC YEAR
12 THEREAFTER, THE BOARD OF REGENTS MAY NOT APPROVE, AND A CONSTITUENT
13 INSTITUTION MAY NOT IMPOSE, AN INCREASE IN THE TUITION CHARGED FOR AN
14 ACADEMIC YEAR TO A RESIDENT UNDERGRADUATE STUDENT AT THE CONSTITUENT
15 INSTITUTION THAT EXCEEDS 4% OF THE AMOUNT CHARGED FOR TUITION AT THE
16 CONSTITUENT INSTITUTION IN THE PRECEDING ACADEMIC YEAR.

17 (2) THE TUITION LIMITATION IN PARAGRAPH (1) OF THIS SUBSECTION
18 ONLY APPLIES TO CONSTITUENT INSTITUTIONS OF THE UNIVERSITY SYSTEM OF
19 MARYLAND IN AN ACADEMIC YEAR IF, IN THE FISCAL YEAR IN WHICH THE
20 ACADEMIC YEAR FALLS, THE AGGREGATE GENERAL FUND APPROPRIATIONS FOR
21 THE UNIVERSITY SYSTEM OF MARYLAND EQUAL OR EXCEED 51% OF THE SYSTEM'S
22 TOTAL OPERATING BUDGET, AS APPROVED BY THE GENERAL ASSEMBLY.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2006.