
By: **Senators Hogan, Currie, Miller, Frosh, Hollinger, Middleton, McFadden,
DeGrange, Giannetti, Klausmeier, and Dyson**
Introduced and read first time: February 21, 2006
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Tuition Affordability Act of 2006**

3 FOR the purpose of prohibiting, for a certain academic year, an increase in the tuition
4 that may be charged to a resident undergraduate student at certain public
5 senior higher education institutions in Maryland; making this Act subject to a
6 certain contingency; and generally relating to tuition restrictions at certain
7 public senior higher education institutions in the State.

8 BY adding to
9 Article - Education
10 Section 15-106.5
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2005 Supplement)

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

15 **Article - Education**

16 15-106.5.

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

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

22 (3) "GOVERNING BOARD" MEANS:

23 (I) THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF
24 MARYLAND; AND

25 (II) THE BOARD OF REGENTS OF MORGAN STATE UNIVERSITY.

1 (4) "PUBLIC SENIOR HIGHER EDUCATION INSTITUTION" HAS THE
2 MEANING STATED IN § 10-101(J)(1) AND (2) OF THIS ARTICLE.

3 (5) (I) "TUITION" MEANS THE CHARGES APPROVED BY THE
4 GOVERNING BOARD OF A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION THAT
5 ARE REQUIRED OF ALL UNDERGRADUATE RESIDENT STUDENTS BY THE
6 INSTITUTION AS A CONDITION OF ENROLLMENT REGARDLESS OF THE STUDENT'S
7 DEGREE PROGRAM, FIELD OF STUDY, OR SELECTED COURSES.

8 (II) "TUITION" DOES NOT INCLUDE:

9 1. FEES THAT ARE REQUIRED OF ALL UNDERGRADUATE
10 RESIDENT STUDENTS BY THE INSTITUTION AS A CONDITION OF ENROLLMENT
11 REGARDLESS OF THE STUDENT'S DEGREE PROGRAM, FIELD OF STUDY, OR SELECTED
12 COURSES;

13 2. FEES DEDICATED TO SUPPORT AUXILIARY ENTERPRISES
14 AND OTHER SELF-FUNDED ACTIVITIES OF A PUBLIC SENIOR HIGHER EDUCATION
15 INSTITUTION; OR

16 3. A FEE REQUIRED ONLY FOR ENROLLMENT IN A SPECIFIC
17 DEGREE PROGRAM, FIELD OF STUDY, OR COURSE WHEN THAT FEE IS NOT REQUIRED
18 OF UNDERGRADUATE RESIDENT STUDENTS AT THE PUBLIC SENIOR HIGHER
19 EDUCATION INSTITUTION FOR ENROLLMENT IN OTHER DEGREE PROGRAMS, FIELDS
20 OF STUDY, OR COURSES.

21 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE ACADEMIC
22 YEAR BEGINNING IN THE FALL OF 2006 ONLY, A GOVERNING BOARD MAY NOT
23 APPROVE, AND A PUBLIC SENIOR HIGHER EDUCATION INSTITUTION MAY NOT
24 IMPOSE, AN INCREASE IN THE TUITION CHARGED FOR AN ACADEMIC YEAR TO A
25 RESIDENT UNDERGRADUATE STUDENT AT THE INSTITUTION OVER THE AMOUNT
26 CHARGED FOR TUITION AT THE INSTITUTION IN THE PRECEDING ACADEMIC YEAR.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 contingent on:

29 (1) the General Assembly restricting an appropriation in the fiscal year
30 2007 budget bill, Chapter ___ (House Bill 150) of the Acts of the General Assembly of
31 2006, so as to authorize the transfer of funds from its original purpose to be used only
32 for the following purposes:

33 (i) \$18,898,865 to the University System of Maryland; and

34 (ii) \$823,257 to Morgan State University; and

35 (2) the Governor effectuating the transfer of funds specified in
36 subsection (1)(i) and (ii) of this section by approved budget amendment by August 1,
37 2006.

1 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of
2 this Act, this Act shall take effect July 1, 2006.