

# SENATE BILL 739

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By: **Senators Simonaire, Brinkley, Brochin, Colburn, Conway, Della, Edwards, Forehand, Frosh, Greenip, Haines, Harris, Hooper, Jacobs, Jones, Kittleman, Kramer, Lenett, Munson, Muse, Peters, Pinsky, Raskin, Robey, Rosapepe, Stone, and Zirkin**

Introduced and read first time: February 9, 2007

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Legislative Scholarships Integrity Act of 2007**

3 FOR the purpose of prohibiting a member of the General Assembly from awarding a  
4 Senatorial Scholarship or a House of Delegates Scholarship to certain persons;  
5 defining a term; making a stylistic change; and generally relating to legislative  
6 scholarships.

7 BY repealing and reenacting, without amendments,  
8 Article – Education  
9 Section 18–401 and 18–501  
10 Annotated Code of Maryland  
11 (2006 Replacement Volume)

12 BY repealing and reenacting, with amendments,  
13 Article – Education  
14 Section 18–402 and 18–502  
15 Annotated Code of Maryland  
16 (2006 Replacement Volume)

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

19 **Article – Education**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 18-401.

2           There is a program of senatorial scholarships in this State that are awarded  
3 under this subtitle.

4 18-402.

5           **(A) IN THIS SECTION “RELATIVE” MEANS:**

6                   **(1) SPOUSE;**

7                   **(2) PARENT OR STEPPARENT;**

8                   **(3) SIBLING OR STEPSIBLING;**

9                   **(4) CHILD OR STEPCHILD;**

10                   **(5) FOSTER CHILD OR WARD;**

11                   **(6) MOTHER-IN-LAW OR FATHER-IN-LAW;**

12                   **(7) SON-IN-LAW OR DAUGHTER-IN-LAW;**

13                   **(8) GRANDPARENT; OR**

14                   **(9) GRANDCHILD.**

15           **[(a)] (B) (1)** Except as provided in paragraph (2) of this subsection, each  
16 applicant for a senatorial scholarship shall:

17                   (i) Take a competitive examination administered by the Office;  
18 and

19                   (ii) Be accepted for admission in the regular undergraduate,  
20 graduate, or professional program at an eligible institution; or be enrolled in a 2-year  
21 terminal certificate program in which the course work is acceptable for transfer credit  
22 for an accredited baccalaureate program in an eligible institution.

23                   (2) An applicant is exempt from the examination if the applicant:

1 (i) Is attending an eligible institution and has completed at  
2 least 1 year in good academic standing at the institution;

3 (ii) Graduated from high school at least 5 years before  
4 application for a senatorial scholarship;

5 (iii) Is accepted for admission to a private career institution, if  
6 the institution's curriculum is approved by the Commission, and the institution is  
7 accredited by a national accrediting association approved by the United States  
8 Department of Education; or

9 (iv) Is planning to attend or is attending a Maryland community  
10 college.

11 [(b)] (C) Each applicant shall:

12 (1) Be a resident of this State; and

13 (2) At the time of his initial application, be a resident of the legislative  
14 district from which he seeks an appointment.

15 [(c)] (D) (1) Each applicant shall demonstrate to the Office a definite  
16 financial need, and each Senator shall consider the financial need of each applicant.

17 (2) Each Senator is the final judge of the financial need of each  
18 applicant to whom [he] **THE SENATOR** awards a scholarship, and the Office may not  
19 negate this judgment or impose requirements of time or procedure.

20 (3) **A SENATOR MAY NOT AWARD A SCHOLARSHIP TO:**

21 (I) **THE SENATOR'S RELATIVE; OR**

22 (II) **THE RELATIVE OF A DELEGATE WHO REPRESENTS THE**  
23 **SAME LEGISLATIVE DISTRICT AS THE SENATOR.**

24 [(d)] (E) Each applicant shall accept any other conditions attached to the  
25 award.

26 18-501.

27 (a) There is a program of Delegate Scholarships in this State that are  
28 awarded under this subtitle.

1 (b) A scholarship awarded under this subtitle may be used at:

2 (1) An eligible institution for a program of undergraduate, graduate,  
3 or professional studies;

4 (2) An accredited undergraduate, graduate, or professional institution  
5 outside the State, if:

6 (i) The applicant will be studying in an academic area that is  
7 not available in this State; or

8 (ii) 1. The applicant is disabled;

9 2. The applicant will be studying at an institution  
10 outside the State that makes special provisions for disabled students; and

11 3. Comparable special provisions are not available to  
12 that student at an institution in the State; and

13 (3) A private career school within the State that is approved by the  
14 Maryland Higher Education Commission under § 11-202 of this article and that is  
15 accredited by a national accrediting association that is approved by the United States  
16 Department of Education.

17 (c) Moneys appropriated to the Commission for scholarships awarded under  
18 this section that are not used by the end of the fiscal year shall be retained by the  
19 Commission for use by the awarding Delegate in the Delegate Scholarship Program  
20 during subsequent fiscal years.

21 18-502.

22 (A) **IN THIS SECTION, "RELATIVE" MEANS:**

23 (1) **SPOUSE;**

24 (2) **PARENT OR STEPPARENT;**

25 (3) **SIBLING OR STEPSIBLING;**

26 (4) **CHILD OR STEPCHILD;**

- 1           **(5) FOSTER CHILD OR WARD;**  
2           **(6) MOTHER-IN-LAW OR FATHER-IN-LAW;**  
3           **(7) SON-IN-LAW OR DAUGHTER-IN-LAW;**  
4           **(8) GRANDPARENT; OR**  
5           **(9) GRANDCHILD.**

6           **(B) [Each] SUBJECT TO SUBSECTION (C) OF THIS SECTION, EACH**  
7 member of the House of Delegates may select the recipients of the scholarships on any  
8 basis that the Delegate considers appropriate.

9           **(C) A MEMBER OF THE HOUSE OF DELEGATES MAY NOT AWARD A**  
10 **SCHOLARSHIP TO:**

- 11           **(1) THE MEMBER'S RELATIVE; OR**  
12           **(2) A RELATIVE OF ANOTHER DELEGATE OR THE SENATOR WHO**  
13 **REPRESENTS THE SAME LEGISLATIVE DISTRICT AS THE MEMBER.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2007.