

SENATE BILL 834

Q3, F2, F5

71r2732

By: **Senator Rosapepe**

Introduced and read first time: February 19, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Educational Excellence Awards – Eligibility Determination**

3 FOR the purpose of prohibiting the Office of Student Financial Assistance from taking
4 into consideration an applicant's receipt of certain tax credits for purposes of
5 determining eligibility for an Educational Excellence Award; and generally
6 relating to determining an applicant's eligibility for an Educational Excellence
7 Award.

8 BY repealing and reenacting, without amendments,
9 Article – Education
10 Section 18–301
11 Annotated Code of Maryland
12 (2006 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 18–307
16 Annotated Code of Maryland
17 (2006 Replacement Volume)

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

20 **Article – Education**

21 18–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) There is a Program of Educational Excellence Awards in this State that
2 are awarded under this subtitle.

3 (b) The Program shall consist of the following types of awards:

4 (1) Guaranteed Access Grants that are awarded to the neediest
5 students to ensure that 100 percent of educational costs, as defined by regulations
6 adopted by the Commission, are paid; and

7 (2) Educational Assistance Grants that are awarded to low and
8 moderate income students to assist in paying educational costs, as defined by
9 regulations adopted by the Commission.

10 18–307.

11 (a) (1) Except as provided in subsection (d) of this section, the Office shall
12 compile and certify lists for the entire State that rank applicants by financial need.

13 (2) **TO DETERMINE THE FINANCIAL NEED OF AN APPLICANT, THE**
14 **OFFICE MAY NOT CONSIDER AN AMOUNT RECEIVED BY THE APPLICANT AS AN**
15 **EARNED INCOME CREDIT UNDER § 32 OF THE INTERNAL REVENUE CODE.**

16 (b) All funds for annual initial grants shall be awarded from the statewide
17 list on the basis of greatest financial need.

18 (c) On or before May 1 of each year, the Office shall send each Senator and
19 each Delegate a list of individuals in each legislative district to whom Educational
20 Excellence Awards are awarded.

21 (d) (1) (i) If State funds are available for this purpose, institutions of
22 higher education in the State may provide Educational Excellence Awards to students
23 who otherwise meet the requirements for receiving an Educational Excellence Award
24 but who apply after the March 1 deadline or have other extenuating circumstances.

25 (ii) Each year the Commission shall transfer at least \$2 million
26 of the funds available under § 18–107(b) of this title for the purposes of this
27 subsection.

28 (2) The Commission shall:

1 (i) Establish guidelines for the awarding of Educational
2 Excellence Awards by the institutions of higher education to the students; and

3 (ii) Adopt regulations necessary for the implementation of this
4 subsection.

5 (3) (i) The Commission shall allocate available funds to
6 institutions of higher education based on the proportion of State residents enrolled at
7 each institution who receive federal Pell Grants.

8 (ii) An institution of higher education that receives funds under
9 this paragraph shall provide the Commission with an annual audit describing the
10 disposition of the funds.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 2007.