

HOUSE BILL 704

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8lr0160

By: **Chair, Appropriations Committee (By Request – Departmental – Higher Education Commission)**

Introduced and read first time: February 4, 2008

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education Investment Fund – Expenditures – Base Realignment and**
3 **Closure Process**

4 FOR the purpose of authorizing moneys from the Higher Education Investment Fund
5 to be used for certain higher education purposes related to the United States
6 Department of Defense Base Realignment and Closure process; and generally
7 relating to the Higher Education Investment Fund.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 15–106.6
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2007 Supplement)
13 (As enacted by Chapter 3 of the Acts of the General Assembly of the 2007
14 Special Session)

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 15–106.6.

19 (a) (1) In this section the following words have the meanings indicated.

20 (2) “Fund” means the Higher Education Investment Fund.

21 (3) “Tuition” means the charges and fees approved by the governing
22 board of a public senior higher education institution which are required of all

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 undergraduate resident students by the institution as a condition of enrollment
2 regardless of the student's degree program, field of study, or selected courses.

3 (b) (1) There is a Higher Education Investment Fund.

4 (2) The purpose of the Fund is to:

5 (i) Invest in public higher education and workforce
6 development; and

7 (ii) Keep tuition affordable for Maryland students and families.

8 (3) The Fund is a special, nonlapsing fund that is not subject to §
9 7-302 of the State Finance and Procurement Article.

10 (4) The Treasurer shall hold the Fund and the Comptroller shall
11 account for the Fund.

12 (5) The proceeds of the Fund shall be invested and reinvested.

13 (6) Any investment earnings shall be paid into the Fund.

14 (7) The Fund consists of:

15 (i) Money appropriated in the State budget for the Fund; and

16 (ii) Any other money from any other source accepted for the
17 benefit of the Fund.

18 (8) The Commission shall administer the Fund.

19 (9) Money in the Fund may be expended only:

20 (i) To supplement General Fund appropriations to public senior
21 higher education institutions;

22 (ii) For public senior higher education capital projects; [and]

23 (iii) For workforce development initiatives administered by the
24 Commission; **AND**

25 **(IV) FOR INITIATIVES TO ADDRESS HIGHER EDUCATION**
26 **NEEDS RELATED TO THE UNITED STATES DEPARTMENT OF DEFENSE BASE**
27 **REALIGNMENT AND CLOSURE PROCESS.**

28 (10) Expenditures from the Fund may be made only in accordance with
29 an appropriation approved by the General Assembly in the annual State budget.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2008.