

SENATE BILL 385

F1

9lr1474

By: **Senator Simonaire**

Introduced and read first time: February 2, 2009

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Senatorial and Delegate Scholarships – Qualifications**

3 FOR the purpose of requiring an applicant for a senatorial or delegate scholarship to
4 be a citizen or a legal permanent resident of the United States to qualify for a
5 certain award; requiring a certain recipient of a senatorial scholarship to be a
6 citizen or legal permanent resident of the United States to hold the award for a
7 certain number of years; and generally relating to qualifications for senatorial
8 and delegate scholarships.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 18–402, 18–406, and 18–502
12 Annotated Code of Maryland
13 (2008 Replacement Volume)

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

16 **Article – Education**

17 18–402.

18 (a) (1) Except as provided in paragraph (2) of this subsection, each
19 applicant for a senatorial scholarship shall:

20 (i) Take a competitive examination administered by the Office;
21 and

22 (ii) Be accepted for admission in the regular undergraduate,
23 graduate, or professional program at an eligible institution; or be enrolled in a 2–year

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 terminal certificate program in which the course work is acceptable for transfer credit
2 for an accredited baccalaureate program in an eligible institution.

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

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

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

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

12 (iv) Is planning to attend or is attending a Maryland community
13 college.

14 (B) EACH APPLICANT SHALL BE A CITIZEN OF OR A LEGAL PERMANENT
15 RESIDENT OF THE UNITED STATES.

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

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

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

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

22 (2) Each Senator is the final judge of the financial need of each
23 applicant to whom he awards a scholarship, and the Office may not negate this
24 judgment or impose requirements of time or procedure.

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

27 18-406.

28 (a) Except as otherwise provided in this section, each recipient of a
29 senatorial scholarship may hold the scholarship for 4 undergraduate academic years
30 and 4 graduate academic years if he:

31 (1) Is a full-time student;

1 (2) Continues to be a resident of this State; [and]

2 (3) **CONTINUES TO BE A CITIZEN OF OR A LEGAL PERMANENT**
3 **RESIDENT OF THE UNITED STATES; AND**

4 [(3)] (4) Continues to be a student at the institution and takes at
5 least 12 semester hours of courses as an undergraduate or 9 semester hours of courses
6 as a graduate student each semester leading to a degree.

7 (b) A recipient of an undergraduate or graduate senatorial scholarship may
8 hold the scholarship, appropriately prorated, for 8 academic years if he:

9 (1) Is a part-time student;

10 (2) Continues to be a resident of this State; [and]

11 (3) **CONTINUES TO BE A CITIZEN OF OR A LEGAL PERMANENT**
12 **RESIDENT OF THE UNITED STATES; AND**

13 [(3)] (4) Continues to be a student at the institution and takes at
14 least 6 semester hours of courses each semester leading to a degree.

15 (c) Any recipient of a senatorial scholarship may use up to one-half of the
16 yearly award for summer school.

17 (d) A recipient of a senatorial scholarship who is enrolled in a terminal
18 certificate program as provided in § 18-402(a) of this subtitle may hold the scholarship
19 for 2 years if he is a full-time student and otherwise meets the conditions of
20 subsection (a) of this section, or may hold the scholarship for 4 years if he is a
21 part-time student and otherwise meets the conditions of subsection (b) of this section.

22 (e) Each recipient of a senatorial scholarship who is enrolled in a private
23 postsecondary proprietary institution that is accredited by a national accrediting
24 association approved by the United States Department of Education:

25 (1) May hold the scholarship for the completion of 1 program if the
26 student otherwise meets the conditions of paragraphs (1) and (2) of subsection (a) of
27 this section; and

28 (2) Shall complete the program within the length of time prescribed by
29 the institution for the completion of the program.

30 18-502.

31 (A) [Each] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
32 **EACH** member of the House of Delegates may select the recipients of the scholarships
33 on any basis that the Delegate considers appropriate.

1 **(B) EACH APPLICANT FOR A DELEGATE SCHOLARSHIP SHALL:**

2 **(1) BE A CITIZEN OF OR A LEGAL PERMANENT RESIDENT OF THE**
3 **UNITED STATES; AND**

4 **(2) BE A RESIDENT OF THIS STATE.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2009.